

# SICK LEAVE POLICY



**Policy Title:** Sick Leave  
**Policy Number:** 4.02  
**Authorization:** Grand Forks County Commission

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**Replaces Policy Number:** 104-05  
**Revision Date:** August 1, 2017

## POLICY STATEMENT

Sick Leave is a benefit provided by Grand Forks County to eligible employees and is considered an insurance benefit allowing eligible employees to build a reserve of hours that can be used for personal illness, to take care of immediate family members due to illness, birth, or placement of a child for adoption or foster care, or aid them with obtaining services.

## RATIONALE

To establish the eligibility for and circumstances under which Sick Leave may be requested and allowed.

## APPLIES TO

All eligible employees, who regularly work an average of at least 20 hours per week. Elected officials, temporary/seasonal employees, employees who regularly work *less* than an average of 20 hour per week are not eligible to accrue Sick Leave. Positions in Social Services follow the North Dakota Administrative guidelines regarding Sick Leave.

## DEFINITIONS

**Eligible Employee:** Employees who regularly work an average of at least 20 hours per week/1,040 hours per year.

**Temporary/Seasonal:** Employees who are expected to remain in a position only for a certain amount of time.

**Active Pay Status:** Employees who are at work or on approved leave with pay, such as vacation or sick leave.

**Inactive Pay Status:** Employees who are not receiving regular pay for hours worked or approved leave with pay, such as vacation and sick leave.

**Exempt:** Employee not eligible to be paid overtime.

**Non-Exempt:** Employees are eligible to be paid for overtime hours worked.

**Business Needs:** What is needed to maintain optimal productivity, performance, and service levels.

**Eligible Family Members (Sick Leave Purposes):** Spouse, child(ren), parents or any other family member living the employee's household who is financially or legally dependent on the employee.

**Immediate Family Members (FMLA purposes):** Spouse, parent, son or daughter.

**Medical Certification:** Documentation from a healthcare provider that an employee's request for leave to care for their own seriously-ill spouse, child, parent, or for the employee's own serious health condition is medically supported.

**Healthcare Provider:** A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or any person determined by the Secretary of Labor to be capable of providing health care services.

**Serious Health Condition:** An illness, injury, impairment, or physical or mental condition that involves—(A) inpatient care in a hospital, hospice, or residential medical care facility; or (B) continuing treatment by a health care provider.  
29 U.S.C. § 2611(11).

**Employee Assistance Program (EAP):** A problem assessment and resource referral service for employees and immediate family members.

## GUIDELINES

### ACCRUAL OF SICK LEAVE

Eligible employees accrue Sick Leave from the day of hire. Sick leave is accrued at the completion of each month based on actual hours paid. Sick Leave for regular full-time employees shall accrue up to 8 hours per month and continues to accumulate on an unlimited basis. Regular part-time employees shall earn such leave on a pro-rated basis.

Sick Leave does not accrue when an employee is on an inactive pay status.

Grand Forks County will not accept any Sick Leave that a new employee accrued when employed by another county, city, or state department.

### USE AND PAYMENT OF SICK LEAVE

Sick Leave is calculated on the employee's base rate at that time of the absence. Employees may request/use Sick Leave up to, but not to exceed, the number of hours they are scheduled to work. Sick Leave does not include shift differential, incentive pay, bonuses, or other special forms of compensation and not considered hours worked for purposes of determining overtime.

#### **Sick leave may be used by an eligible employee when:**

- They are ill or injured and is unable to work.
- On an approved FMLA leave for their own serious health condition.
- They have an appointment for the diagnosis or treatment of a medically related condition; dental and vision appointments.
- Attending to the needs of their eligible family members who is ill or to assist them in obtaining other services related to their health and well-being.
  - a) Sick Leave used for these purposes may not exceed 80 hours per calendar year. Upon approval of the Department Head or their designee, employees may request an additional 10% of Sick Leave to be used, per calendar year.
  - b) When on an approved Family and Medical Leave for a qualifying family member may take up to an additional 480 hours of their accrued Sick Leave to care for their child, spouse, or parent with a serious health condition.
- During the first six (6) months following the birth or placement of a child, an employee may use up to six (6) weeks of accrued Sick Leave to bond with newborn child or to care for a child placed with the employee for adoption, foster care, or placed with the employee as a precondition to adoption.
- Seeking services or assisting the employee's spouse, parent, child, or sibling in obtaining services, relating to domestic violence, a sex offense, stalking, or terrorizing. At the discretion of the employee's supervisor and consultation with Human Resources, Sick Leave hours used for this purpose may be limited to 40 hours per calendar year.
- Participating in the Employee Assistance Program.
- Supplementing Workers' Compensation benefits that an employee is eligible to receive; however, the combination of benefits cannot exceed the employee's normal earnings.

For consecutive absences of three (3) or more scheduled days or 24 working hours due to illness or due to injury, the employee may be required to have a Work Ability form completed by their medical provider.

Extenuating circumstances will be reviewed on a case-by-case basis by the Department Head and consultation with Human Resources. Department Heads or their designee can only deny Sick Leave if requested for purposes not covered in this policy.

Employees who misuse Sick Leave will be subject to corrective action.

## NOTIFICATION

For medical appointments, employees are required to notify their supervisor of the intent to use Sick Leave as soon as the employee knows of the appointment. Employees should attempt to schedule appointments with minimal impact or interruption to their work schedule.

Employees who are unable to report to work due to an illness or injury shall notify their supervisor before the scheduled start of their shift or as defined in the department-specific standards. The supervisor is to be contacted each additional day of the absence. In general, notification from friends and family members are not acceptable.

## MINIMUM USAGE

For non-exempt employees, Sick Leave is used in 15 minutes increments.

Exempt employees, Sick Leave is used in one (1) hour increments.

## BORROWING

Sick Leave pay advances is not permitted. Hours earned in a month will be available for use in the following month. Requesting leave in the same period it is earned could result in an unauthorized leave without pay.

## PAY IN LIEU OF SICK

Sick Leave payouts during active employment are not permitted.

## SEPARATION OF EMPLOYMENT

Employees who have five (5) or more years of service with Grand Forks County may sell back to Grand Forks County 25% of the first 900 hours, at their current base pay rate.

## ROLES

Department Heads or designees are responsible for ensuring that Sick Leave is used in accordance with this policy.

Employees are responsible for requesting and reporting their sick time.

Payroll will record and track all Sick Leaves through the County's Payroll system.

*This policy is intended as a guideline to assist in the consistent application of Grand Forks County policies and procedures for employees. The policy does not create a contract implied or expressed with any Grand Forks County employees. Grand Forks County reserves the right to modify this policy in whole or in part, at any time, in its sole discretion. This policy will be reviewed no less than every three years, unless required by Federal, State, or Local law.*

## RESOURCES

Contact the Human Resources if you have any questions or if you would like additional information about this policy.

## FORMS

*Time Off and Payment Request Form*  
*Work Ability Form*

## RELATED POLICIES AND PROCEDURES

Family and Medical Leave Act  
Attendance Policy  
Vacation Leave  
Personal Leave of Absence  
Military Leave of Absence  
Separation of Employment  
Employee Assistance Program