

SICK LEAVE BENEFITS

Purpose:

To provide paid sick leave benefits to all eligible employees for periods of temporary absence due to illness or injuries.

Scope:

This policy applies to all full-time employees.

Policy:

Eligible full-time employees will accrue sick leave benefits at the rate of 72 hours per calendar year.

Guidelines:

- A. Sick leave benefits are calculated on the basis of a calendar year, with new employees receiving sick leave upon employment. Employees having a start date between January 1st and June 30th of a calendar year will receive the full 72 hours of sick leave for the first year of employment. Employees having a start date between July 1st and September 30th of a calendar year will receive 48 hours of sick leave. Employees having a start date between October 1st and December 31st of a calendar year will receive 24 hours of sick leave. Upon reaching the beginning of the next calendar year following initial employment, an employee will receive the standard 72 hours of sick leave
- B. Paid sick leave can be used in minimum increments of hours needed. Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of a family member who resides in the employee's household.
- C. Employees who are unable to report to work due to illness or injury shall notify the on-duty supervisor at least one hour prior to the start of their workday if possible. The supervisor must also be contacted on each additional day of absence. If an employee is absent for five or more consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absence as well and may be required as a condition to receiving sick leave benefits. Before returning to work from sick leave absence of seven days or more, an employee must provide the Chief and/or Assistant Chief of Operations with a physician's verification that he/she may safely return to work.
- D. Sick leave benefits will not include any special forms of compensation. As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation or benefits, such as worker's compensation.
- E. Unused sick leave benefits will be allowed to accumulate to a maximum of 240 hours. Upon an employee achieving the maximum 240 hours of sick leave, they

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will not be eligible to receive any additional sick leave at the start of a new calendar year. If an employee has accumulated sick leave, but not to the maximum 240 hours, they will receive sick leave at the start of a new calendar year, but only the amount of sick leave required to achieve the accumulated maximum of 240 hours. An employee acquiring the maximum amount of sick leave allowed will not be eligible for additional sick leave until acquired sick leave has been used to reduce the total amount acquired below 240 hours. At the time of reducing accumulated sick leave below the maximum of 240 hours, the employee will not obtain additional sick leave until the start of the following calendar year. Accumulated sick leave will not be applied to the employee's final year of employment for retirement purposes or added to years of service.

- F. Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.
- G. The sick time benefit will be paid at an equivalent rate of the employee's regularly scheduled rate for the day(s) taken. For example, if an employee is regularly scheduled for 72 hours of work in a single workweek and the employee takes 72 hours of sick leave benefit time, the pay for that week would reflect 72 hours of sick leave benefit pay for that single workweek which would equal the amount of pay normally received for that week's scheduled work.

Sick time benefit payments will not be included in the total remuneration of the employee in accordance with the Fair Labor Standards Act of the United States Department of Labor, Wage and Hour Division, 29 CFR 778.216 Section 7(e)(2) which specifies "the term 'regular rate' shall not be deemed to include payments made for occasional periods when no work is performed due to vacation, holiday, illness, failure of employer to provide sufficient work..."

Such payments are also addressed in the Commonwealth of Kentucky by 803 KAR 1:060 administering Kentucky Revised Statutes (KRS) 337.285 and KRS 337.295 which states in Section 8, payments excluded from computing the hourly rate: paragraph (2) "Payments made for occasional periods when no work is performed due to vacation, holiday, illness, failure of the employer to provide sufficient work, ..."

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