

## **Sick Leave Policy**

The purpose of this policy is to provide income protection for employees who, because of non-work related illness or injury are absent from work for limited periods. To avoid a loss of income during a temporary illness, Montgomery County Government provides paid sick days to eligible employees.

### **Accrual**

Eligible employees will earn sick leave time for each hour they are in pay status and at the rate authorized for their employee classification. Employees begin accruing sick time immediately and time accrued is available immediately.

- Full-time employees shall accrue sick leave at the rate of one (1) day for each month of employment, or major fraction thereof, with unlimited accumulation.
- Regular Part-time employees shall accumulate sick leave at the rate of one (1) day for each 174 hours of employment with unlimited accumulation.
- 24 Hour Shift employees shall accumulate 12 hours of sick leave for each month of employment with unlimited accumulation.
- Temporary Part-time employees are not entitled to sick leave benefits.

### **Pay Status**

Employees are considered to be in a pay status any time the County is paying their salary/wages. Employees are also in pay status when being paid by OJI and leave granted for Family Care and Medical Leave which constitutes the use of accrued sick and annual leave.

### **Coverage**

An employee may qualify for sick leave pay when unable to perform assigned work due to the following:

- An employee's own illness
- An employee's medical or dental appointment which cannot be accomplished during off-duty hours;
- To care for an employee's child, spouse, parent or a relative residing in employee's home as a result of an illness;
- To accompany a spouse, child or parent to medical/dental appointments;
- Enforced quarantine of the employee in accordance with community health regulations;
- Childbirth, adoption or foster care placement;
- Maternity leave of an employee, because of pregnancy, childbirth, or related medical condition, may use up to 4 months of accrued sick leave;
- On-the-job injury.

For absences more than three (3) days to care for a sick or injured member of the employee's family must be a Family and Medical Leave eligible event (Refer to Family and Medical Leave).

### **Limitations or Exclusions**

An employee will not qualify for paid sick leave when the illness or injury results from any of the following:

- Engaging in a criminal act
- Self-inflicted, intentional injury
- Working for another employer

### **Sick Leave Notification**

Eligible employees are required to notify their immediate supervisor as soon as possible, at least 30 minutes before and not later than 15 minutes after the start of work on the first day of absence. Employees should have a continued line of communication with their supervisor regarding extended sick leave absences.

### **Sick Leave Planning**

Regardless if the appointment is scheduled with a provider inside or outside the County, absences for medical and dental appointments must be scheduled at the convenience of the County as interpreted and approved by the employee's supervisor.

- Sick days are not to be used as an additional vacation day.
- Sick leave may only be taken after it has been earned and with the immediate supervisor's approval.
- Sick leave absences shall be approved and charged in no less than one-half hour increments.

### **Verification**

Eligible employees shall be required to provide a doctor's written verification of illness/injury if absent three (3) consecutive workdays or absences are excessive as defined in Sick Leave Abuse and Section V: Absenteeism and Tardiness, Patterns of Absence and Frequency of Absence.

- An extended sick leave is a period of absence of three (3) or more consecutive work days due to illness.
- An employee who is granted an extended sick leave with or without pay is required to furnish a physician's statement or other administratively acceptable evidence of the employee's illness.
- The physician's statement must include the dates of absence due to illness, job restrictions (if any), expected prognosis, and projected return to work date.

- If the employee is unable to return to work on the estimated date, another statement must be obtained with another estimated or firm date of return. Employees who do not furnish this statement may be subject to disciplinary action up to and including discharge.

### **Holiday Falling During Sick Leave**

Should a County recognized holiday occur during an employee's absence due to covered disabling illness or injury, the day will be charged as a holiday and not as a sick day.

### **Sick Leave Pay**

Eligible personnel will be paid for sick leave for each hour while in pay status up to the accrued amount. Cash payment will not be made for unused sick leave.

Overtime is paid on time worked, not time compensated. Time spent on sick leave will not be counted as hours worked for the purpose of computing overtime pay in any given workweek.

### **Sick Leave Abuse**

Excessive abuse of sick leave or claiming sick leave when physically and mentally fit may be cause for disciplinary action. The term "excessive" shall be interpreted as:

- Two (2) or more occurrences in a consecutive five (5) day period;
- Three (3) or more non-consecutive occurrences in a calendar month; or
- Five (5) or more non-consecutive occurrences in a six (6) month period.

Nothing in this section shall reduce the rights of a Department Head or Elected Official from requesting the presentation of a physician's statement from one of their employees who is requesting sick leave. Sick leave will not be denied to any eligible employee who presents a valid statement from a doctor certifying the employee's health requires him/her to be absent from work.

### **Disposition of Unused Sick Leave**

**Sick Leave Rights Upon Retirement/Termination:** A retiring/terminating employee will not receive any sick leave benefits earned but unused at time of retirement. At the time of retirement, employees will receive service time credit for unused sick leave.

**Sick Leave Disposition Upon Death:** The employee's estate will not be paid an amount equivalent to pay in lieu of sick leave time for earned sick leave not taken by the employee prior to death.