



CHAPTER: Leave Benefits

SUBJECT: Sick Leave

POLICY NUMBER: 4.701

PAGES: 5

RELATED POLICIES:

**4.700 4.702 4.711 4.604
4.605 4.311**

ENABLING RESOLUTION:

**114-1988 267-2007 183-2013
143-2005 269-2007
144-2005 122-2013**

REVISION DATE(S):

**3/87 2/88 5/88 8/92 1/93
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DEPARTMENT OF PRIMARY RESPONSIBILITY: HUMAN RESOURCES

SPECIAL NOTES: This Policy/Procedures Manual does not in any way constitute an employment contract. Sedgwick County reserves the right to amend this Manual at any time subject only to approval by the Board of County Commissioners and the Governing Body of Sedgwick County Fire District Number One.

Benefits granted under this Policy may offset the period of unpaid leave provided to eligible employees under the Family and Medical Leave Act of 1993, described in County Policy Number 4.711, "Family and Medical Leave".

I. Purpose

The purpose of this Policy is to provide paid leave to eligible employees who are unable to work because of illness, injury or disability. Taking sick leave under false pretenses is a violation of trust that is subject to disciplinary action, up to and including dismissal.

II. Policy

- A. Employees are expected to perform their duties in a professional, efficient and competent manner and report to work when they are able to do so without threatening their health and well-being or that of a co-worker.
- B. Employees begin receiving credit for sick leave on the hire date. There is no maximum accumulation of sick leave an employee can accrue.
- C. Permanent full time and full time probationary employees shall accumulate sick leave credits at the following rates:
 - 1. Employees on the County's forty-hour (40) work week accumulate sick leave at the rate of three and sixty nine hundredths (3.69) hours per pay period.
 - 2. Fire District fifty-six (56) hour employees earn sick leave at the rate of five and fifty three hundredths (5.53) hours per pay period.
 - 3. EMS forty two (42) hour employees earn sick leave at the rate of three and eighty seven hundredths hours (3.87) per pay period.
 - 4. Eligible employees who work less than a full-time schedule, or if any portion of their normal work period is unpaid leave of absence from the County, shall

accrue sick leave based on the number of hours they actually work in proportion to the number of hours in a normal work period.

- D. Part-time and temporary employees are not eligible to receive sick leave benefits.
- E. Eligible employees with sick leave accumulation shall be entitled to use their sick leave under the following circumstances:
 - 1. Personal illness, injury or disability of employee. This includes the Employee's personal appointment with a physician, dentist or other recognized health care practitioner registered with the State of Kansas; however, Sedgwick County encourages employees to schedule such appointments at either the beginning or ending of their workday.
 - 2. The illness, injury or disability of an employee's legal dependent, provided the employee has accumulated the time. Sick leave may also be used for an appointment with a physician, dentist or other recognized health practitioner, registered with the State of Kansas or the State in which treatment was received.
 - 3. The illness, injury or disability of an employee's: (a) parent, or step-parent or (b) spouse. Sick leave may also be used for an appointment with a physician, dentist or other recognized health practitioner, registered with the State of Kansas or the State in which treatment was received.
 - 4. Accrued sick leave may be utilized during an approved Family and Medical Leave. (See Policy 4.711, Family and Medical Leave)
- F. Any Division Director, Department Head or Elected Official shall be entitled to establish departmental sick leave policies consistent with County Policy. Policies such as when employees must report the reasons for their absences are at the discretion of the different departments in accordance with their differing needs.
- G. Employees must keep their Division Director, Department Head or Elected Official informed of their absences on a daily basis, or as otherwise determined by the hiring authority. Employees with a prolonged illness or disability will need to inform the Division Director, Department Head or Elected Official of when he/she will be able to return to work.
- H. Division Directors, Department Heads or Elected Officials may at any time require a written statement by a licensed physician certifying that an employee's condition prevents or prevented him/her from performing work duties and verifying the need for the absences.
- I. Division Directors, Department Heads or Elected Officials may at any time require a written statement by a licensed physician certifying that an employee is using sick leave due to a (a) legal dependent, or (b) parent or step-parent or (c) spouse illness, injury or disability other than for Family Medical Leave verifying the need for the absences.

- J. Division Directors, Department Heads or Elected Officials may at any time require an employee to be examined by a physician chosen by the Human Resources Director to determine the employee's ability to perform the duties of his/her position, to determine whether the employee presents a health risk to co-workers or the public or to determine whether the employee is abusing his/her sick leave benefits. Such examination shall be made at no expense to the employee and shall be paid by the requesting department. The employee is obligated to attend the established appointments and authorize the release of said medical information to the Human Resources Director and the appropriate hiring authority. Failure to keep the established appointment shall be grounds for termination.
- K. If an employee is taking vacation leave and becomes ill or is injured, and for all intents and purposes is deprived of all or a portion of his/her vacation, the hiring authority may, upon written request by the employee, change to sick leave some or all of the time the employee was ill or injured while on vacation. Employees seeking such an adjustment for more than one (1) day, or reimbursement, shall provide a written request that includes a statement from a physician or other health care provider detailing the nature of the illness that would otherwise have prevented the employee from performing his/her duties.
- L. No accumulated sick leave hours shall be paid to an employee who leaves the County except under the following conditions:
1. Employees who meet eligibility requirements under Kansas Public Employees Retirement System (KPERS) or Kansas Police & Firemen's Retirement System (KP&F) and start receiving a monthly benefit the month following their separation date from Sedgwick County.
 2. The employee has worked a forty-hour work week and has accumulated one hundred days (800 hours) of sick leave, in which case the employee will be paid for thirty days (240 hours) at the employee's current rate of salary; or
 3. The employee has worked a fifty-six hour work week and has accumulated one hundred days (1200 hours) of sick leave, in which case the employee will be paid for thirty days (360 hours) at the employee's current rate of salary; or
 4. The employee has worked a forty-two hour work week and has accumulated one hundred days (840 hours) of sick leave, in which case the employee will be paid for thirty days (252 hours) at the employee's current rate of salary; or
 5. The employee has worked a forty-two and one-half hour work week and has accumulated one hundred days (850 hours) of sick leave, in which case the employee will be paid for thirty days (255 hours) at the employee's current rate of salary.

- M. There will be no accrual given for hours without pay (HWP).
- N. Sick leave will accrue when an employee is on paid leave.
- O. Employees who are off work because of illness, injury or disability for five (5) continuous months, exclusive of FMLA leave, may be terminated at the discretion of the hiring authority. Special considerations, including reasonable accommodation, may be necessary before terminating, or taking any other disciplinary action in relation to an employee defined as an employee with a disability. For more extensive information pertaining to employees with disabilities or reasonable accommodation see Reasonable Accommodation Policy 4.311.
- P. Employees shall not engage in part-time jobs or outside business activities while on sick leave.
- Q. An employee who is injured on the job to the point of missing work shall go on sick leave, vacation, or injury leave if it is available to the employee. The length of time an employee is off work and the extent of his/her injury will determine how the injured employee will be paid. (See Policy 4.702 Injuries On the Job).

III. Definitions

- A. Parent is defined as an employee's natural mother or father, as well as a step-mother or a step-father, or individuals who acted as parents, but does not include parents-in-law.
- B. Spouse is defined as the person construed as such under Kansas State Law as documented in the Personnel File in Human Resources. A Common-Law spouse will be acknowledged only if there is a notarized affidavit on file in Human Resources.
- C. Legal dependent includes biological, adopted or foster children, step children, legal wards, and other persons for whom you act in the capacity of a parent that are under eighteen (18) years of age, and any person for which there is legal and financial responsibility per Internal Revenue Code.

IV. Procedure

- A. Division Directors, Department Heads and Elected Officials shall maintain the sick leave information on the employee's time record. The use and accumulation of sick leave shall be displayed on the employee's payroll check. Injury leave will be noted for Fire District employees covered under KP&F.

Salaried classified exempt employees will record sick leave on the time sheet in four (4) hour blocks. Exception: If the employee's work day is not equally divided into 4 hour blocks of time, then the leave time is recorded in ½ day increments. (Example: 10 hour day equals a 5 hour block of time recorded as leave.) It shall be the responsibility of the salaried employee to report leave time on the time sheet.

Non-exempt employees will record sick leave on the time sheet in quarter hour (1/4)

increments.

- B. Division Directors, Department Heads and Elected Officials shall notify Human Resources of an employee who has been off work for more than thirty (30) calendar days with a determination of employment status. Human Resources shall file the proper forms with KP&F or KPERS in case there is a disability claim.