

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS AMENDING THE SEDGWICK COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL**

**WHEREAS**, the Board of County Commissioners of Sedgwick County, Kansas ("County") has prepared and published personnel policies and procedures entitled "Sedgwick County Personnel Policies and Procedures Manual" ("Manual") which govern County employment;

**WHEREAS**, the County has discovered the need for revisions to said Manual; and

**WHEREAS**, the County has the authority to establish personnel policies and procedures pursuant to K.S.A. 19-212.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, that:**

SECTION 1. Policy 4.506 – Discrimination and Harassment (attached as Exhibit A) is hereby approved and shall become effective immediately.

SECTION 2. Policy 4.700 – Vacation Leave (attached as Exhibit B) is hereby approved and shall become effective immediately.

SECTION 3. Policy 4.701 – Sick Leave (attached as Exhibit C) is hereby approved and shall become effective immediately.

SECTION 4. That portion of Resolution 22-2010 which amended Policy 4.506 – Discrimination and Harassment is repealed.

SECTION 5. That portion of Resolution No. 200-2017 which amended Policy 4.700 – Vacation Leave is repealed.

SECTION 6. That portion of Resolution No. 172-2016 which amended Policy 4.701 – Sick Leave is repealed.

Commissioners present and voting were:

DAVID M. UNRUH  
MICHAEL B. O'DONNELL, II  
DAVID T. DENNIS  
RICHARD RANZAU  
JAMES M. HOWELL

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Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS


ATTEST:

\_\_\_\_\_  
KELLY B. ARNOLD, County Clerk

\_\_\_\_\_  
DAVID T. DENNIS, Chairman  
Commissioner, Third District

\_\_\_\_\_  
DAVID M. UNRUH, Chair Pro Tem  
Commissioner, First District

APPROVED AS TO FORM:


  
\_\_\_\_\_  
KAREN L. POWELL  
Deputy County Counselor

\_\_\_\_\_  
MICHAEL B. O'DONNELL, II  
Commissioner, Second District

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RICHARD RANZAU  
Commissioner, Fourth District

\_\_\_\_\_  
JAMES M. HOWELL  
Commissioner, Fifth District

## Exhibit A

 <i>Sedgwick County...</i> <i>working for you</i>	<b>Discrimination and Harassment</b>  <i>Adopted on 12/2007</i>
<b>Last Revision Date:</b>	<b>Policy No. 4.506</b>
<b>Last Enabling Resolution:</b>	<b>Developer/Reviewer:</b>  <b>Human Resources Director</b>

### 1. Purpose

Sedgwick County is committed to providing a work environment where all individuals can work together productively and free of unlawful discrimination and harassment, including sexual harassment. It is the purpose of this policy to define discrimination and harassment; confirm the County's commitment to prohibiting unlawful discrimination and harassment in hiring and employment; confirm the County's commitment to prohibiting retaliation for asserting rights protected by this policy and laws referred to herein; and provide a process for reporting, investigating and resolving complaints of discrimination, harassment, and retaliation.

In addition to being a violation of the personnel policies of Sedgwick County, discrimination and harassment based upon race, color, sex, age, national origin, ancestry or citizenship, marital status, religious or political affiliation, genetic information, disability, status as a member of the uniformed services, opposition to prohibited discrimination, participation in a discrimination or harassment complaint process, and other categories specifically protected by the State of Kansas and Federal Law is illegal. Discrimination and harassment is a violation of Title VII of the Civil Rights Act of 1964; Vietnam-Era Veterans Readjustment Act of 1974; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Americans with Disabilities Act Amendments Act of 2008; the Age Discrimination in Employment Act of 1967; Executive Order 11141; the Equal Pay Act; the Kansas Acts Against Discrimination, and other applicable statutes, ordinances, resolutions and regulations. This policy is intended to comply with the prohibitions stated in all anti-discrimination laws.

This policy is promulgated in recognition of the fact that discrimination, harassment, and retaliation, of the type prohibited by this policy, if allowed to exist, not only violates federal and state law, but also serves to undermine employee integrity, create low employee morale, reduce employee productivity, and cause skilled and valuable workers to leave County employment.

### 2. Scope

This policy applies to all Sedgwick County employees, with the exception of the Sheriff's Office and District Attorney's Office.

### 3. Policy Statement

Sedgwick County is committed to maintaining a work environment that is free of discriminatory, harassing or retaliatory conduct, as defined herein. The County prohibits and will not tolerate discrimination or harassment of applicants, employees, or former employees by anyone, including

any supervisor, co-worker, vendor, client, or customer of Sedgwick County, in the provision of employment opportunities, benefits, or privileges. The County prohibits and will not tolerate retaliation against anyone in response to filing or responding to a bona fide complaint of discrimination or harassment, appearing as a witness in the investigation of a complaint, or serving as an investigator of a complaint.

Sedgwick County will recruit, hire, train, employ, discipline, promote, and discharge individuals in all job classifications without regard to protected status. Sedgwick County will ensure that all personnel actions, including compensation, benefits, transfers, reduction-in-force (RIF), return from RIF, County-sponsored training, educational and tuition assistance, and employee social and recreational programs will be administered without regard to an individual's protected status. This policy also applies to behavior conducted electronically, including online, via e-mail, or any other electronic form.

#### **4. Definitions**

**A. Protected Status** – For purposes of this policy, shall include:

1. Race, color, sex, age, national origin, ancestry or citizenship, marital status, religious or political affiliation, genetic information, disability, status as a member of the uniformed services, opposition to prohibited discrimination, participation in a discrimination or harassment complaint process, or any other category protected by Kansas or Federal law.

**B. Discrimination** – As used in this policy is defined to include, but is not limited to:

1. Basing an employment decision as to a job applicant or employee (e.g., decision to hire, promote, transfer, terminate, etc.) on one's protected status;
2. Treating an applicant, employee, or former employee differently with regard to any aspect of employment because of his/her protected status;
3. Engaging in harassment, as more specifically defined below; or
4. Taking adverse employment action (e.g., failure to hire, demotion, failure to promote, discipline, termination) against an applicant, employee, or former employee based on the employee opposing discrimination in the workplace, assisting, supporting, or associating with a member of a protected group who complains about discrimination, or assisting in an investigation of discrimination.

**C. Harassment** – As used in this policy is defined to include, but not limited to:

1. Speech, such as epithets, derogatory comments, or slurs on the basis of one's protected status. Prohibited speech may include inappropriate comments, stories, and jokes, the use of insulting or demeaning language, or other forms of communication which unreasonably interfere with an individual's work

performance, terms or conditions of employment, or creates an intimidating, hostile, or offensive working environment where such conduct or communication is based upon one's protected status.

2. Physical acts, such as assault, impeding or blocking movement, offensive touching, or physical interference with normal work or movement when directed at an individual based on his/her protected status.
3. Visual insults, such as derogatory posters, cartoons, computer images, or drawings related to protected status.

D. **Retaliation** – Imposing a hardship, loss of benefit, penalty against an employee or applicant in response to the person's participation in (for example as complainant, witness, or investigator) a complaint of discrimination, harassment, or retaliation.

E. **Adverse Employment Action** – Actions taken against an employee that might dissuade a reasonable worker from making or supporting a charge of discrimination.

F. **Sexual Harassment** – Sexual harassment exists in two (2) forms:

1. Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for employment decisions (quid pro quo).
2. Unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which has the purpose or effect of creating an intimidating, hostile, or offensive working environment (hostile environment). Sexual harassment may exist irrespective of: the sexes of the harasser and the victim; and the positions (employee, supervisor, co-worker, and non-employee) of the harasser and the victim.
  - a. If the following conduct is unwelcomed and it explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment, sexual harassment may occur;
  - b. Communicating sexually oriented jokes, stories, or "kidding";
  - c. Physical contact such as patting, pinching, or purposely rubbing up against another person's body;
  - d. Demands or requests for sexual favors tied to promises of better treatment or threats concerning employment;
  - e. Treating an employee differently for refusing demands or requests for sexual

favors;

- f. Making sexually oriented comments on appearance, including dress or physical features;
- g. Leering and making sexual gestures;
- h. Displaying sexually explicit or pornographic material, regardless of how or where it is displayed;
- i. Sexual assaults occurring on the job committed by supervisors, fellow employees, or non-employees; or
- j. Rewarding or granting favor to a person who submits to demands or requests for sexual favors.

## **5. Procedures**

- A. **Complaints of discrimination, harassment or retaliation:** Any employee, who believes he/she may have been discriminated against, harassed, or retaliated against in violation of this policy, or who observes such conduct is encouraged to file a complaint.

Complaints of discrimination, harassment, or retaliation must be made within one hundred eighty (180) calendar days of the incident. This limitation begins at the time of the incident. Any employee who feels he/she has or is being subjected to discrimination, harassment, or retaliation should immediately contact one (1) of the persons identified in subsection one (1) below.

### **1. Complaints may be made verbally or in writing to:**

- a. The employee's immediate supervisor, Department Head, Division Director, or Elected/Appointed Official;
  - b. The Human Resources Director; or
  - c. An Assistant County Manager, Deputy County Manager, or County Manager.
2. When making a complaint of discrimination or harassment, employees may bypass the chain of command. The person receiving the initial complaint shall document as much information as possible and immediately forward the information to the Human Resources Director who will immediately assign it to an investigator(s).

## **B. Reporting and Investigation of Complaints**

- 1. **Reporting of Complaints:** The Human Resources Director will notify the Deputy County Manager and County Manager of the complaint. The Deputy County

Manager will contact the Department Head or Division Director of the impacted employee. If the complaint originates from an employee who works for an Elected/Appointed Official, the County Manager will notify that official of the complaint.

2. **Investigating Complaints:** If for any reason the Human Resources Director determines there is a conflict of interest that would taint an investigation in any manner, then outside legal counsel or a 3<sup>rd</sup> party vendor may be retained to investigate the matter and advise the County Manager concerning the findings and any recommended disciplinary action. The Human Resources Director and County Counselor will arrange for and initiate an outside investigation.

Investigations shall be conducted within twenty (20) days after the receipt of the complaint in the Human Resources Division. If needed, the Human Resources Director may request a time extension from the County Manager. The Human Resources Director may assign an additional investigator(s) to the matter from within County government as long as the investigator has received proper training for this type of investigation. No County employee within the Department of the complaint should take part as an investigator. The assigned investigator(s) will create an investigative summary and shall submit it to County Counselor for review. The County Counselor will review the investigative summary, along with conclusions and recommendations within ten (10) days after receipt of the report from the investigator(s).

The assigned investigator(s) shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the complaining party, by witnesses interviewed during the investigation, by the person against whom the complaint of discrimination or harassment was made, and by any other person contacted by the investigator in connection with the investigation. The notes shall be made at the time the verbal interview is in progress.

During the period of investigation:

- a. Employees accused of discrimination or harassment may be placed on relief of duty with pay at the discretion of the County Manager or Elected/Appointed Official.
  - b. If the County Manager is the subject of the complaint, the Board of County Commissioners (BOCC) will be notified by the Human Resources Director and County Counselor.
3. **Findings and Determinations:** In determining if the allegations are founded, the investigator(s) shall look at the record as a whole and the totality of circumstances, including but not limited to the nature of the conduct in question; the context in which the conduct occurred; and the conduct of the complaining party. The

determination of whether violations of this policy occurred will be made on a case-by-case basis.

After the completion of the investigation, a written report, along with a recommendation as to whether the complaint of discrimination or harassment was validated, will be submitted to the County Manager, except in cases where the County Manager is the accused person. The County Manager will review the investigative summary, along with the conclusions and recommendations.

At the conclusion of the investigation, the investigator(s) will notify the Department Head, Division Director, and Elected/Appointed Official the investigation is concluded and that further communications will be forthcoming from the County Manager. The County Manager will convey to the Department Head or Elected/Appointed Official the recommended remedial action.

The County Manager will then advise the employee of his/her decision agreeing or disagreeing with the investigator(s) conclusions and recommendations, within ten (10) days after the receipt of the report from the investigator(s).

4. **Corrective Action:** If the investigator determines a violation of this policy occurred, the County Manager and the Department Head, or Elected/Appointed Official shall take immediate and appropriate disciplinary action against the employee found to have committed the violations in a manner which is consistent with their legal authority to do so. The disciplinary action shall also be commensurate with the nature and severity of the offense.
5. **Documentation of Action:** A written record of any disciplinary action taken shall be kept in the offender's official personnel file. Results of the investigation shall be given to both the accuser and the accused. The complainant will be notified that filing of a complaint is not a waiver of any other rights or privileges he/she may have against the offender.
6. **Follow-up on Complaints:** After the investigatory procedures have been completed, the investigator(s) will periodically conduct follow-up interviews to monitor the condition of the workplace.
7. **Separate Investigations:** Complaints against the Human Resources Director, County Manager, or an Elected/Appointed Official, the investigation will be completed by outside legal counsel or a 3<sup>rd</sup> party vendor.
  - a. When an investigation concerning the County Manager is complete, it shall be submitted, within a reasonable time, to the BOCC in a closed executive session. If the BOCC determines that the complaint of violation is founded, it may discipline the County Manager consistent with its legal authority to do so. The disciplinary action shall be consistent with the nature and severity of



the offense. A determination of the level of disciplinary action shall be made on a case-by-case basis. Other corrective action may be taken at the discretion of the BOCC.

- b. When an investigation concerning the Human Resources Director is completed by the investigator(s), it shall be submitted to the Deputy County Manager and County Manager who may discipline the Human Resources Director consistent with the Manager's legal authority to do so. The disciplinary action shall also be consistent with the nature and severity of the offense. A determination of the level of disciplinary action shall be made on a case-by-case basis. Other corrective action may be taken at the discretion of the County Manager.
- c. For complaints against an Elected/Appointed Official, the investigation completed by outside legal counsel shall be submitted, within a reasonable time, to the BOCC. Should any legal claims be brought as a result of the Elected/Appointed Official's conduct, the BOCC may choose to disclose the existence of the claims.

**C. Complaints against Non-Employees:** If a violation of this policy is committed by a non-employee against a County employee in the workplace, the Deputy County Manager or County Manager shall take steps to ensure that the behavior is brought to an immediate end.

**D. Obligation of Employees:**


- 1. Employees are encouraged to report violations of this policy because the behavior is a detriment to the work environment and such behavior exposes the County to liability.
- 2. Employees shall cooperate fully with all investigations of violations of this policy and the implementation of remedial measures. Employees are prohibited from retaliating against complainants, witnesses, or other employees who conducted or assisted with the investigation.

**E. Confidentiality:** Complaints of violation of this policy, the ensuing reports, investigation, determination of guilt, and resulting disciplinary action are not open public records. They will be treated as confidential records and will not be disclosed except as necessary and consistent with the goals of this policy and with the laws on disclosure of such documents.

During an investigation, all witnesses will be advised that the investigation is to be kept confidential to the extent possible.

**F. Enforcement and Compliance**

1. Managers and supervisors must promote the concepts set forth herein in all work-related actions and are responsible for the enforcement of this policy. Managers and supervisors who knowingly allows or tolerates discrimination, harassment, or retaliation in violation of this policy, including the failure to immediately report such misconduct as set forth herein, are in violation of this policy and subject to discipline which is commensurate with the offense.
  2. All employees covered by this policy are expected to comply with its provisions and to refrain from conduct prohibited by this policy. Appropriate disciplinary action, commensurate with the offense, will be taken against any employee who violates this policy.
- G. **Training:** The Human Resources Division shall make training regularly available to managers and supervisors on the enforcement of this policy and the maintenance of a work environment which is free of discrimination and harassment. Department Heads, Division Directors, and Elected/Appointed Officials shall require their supervisors and managers to attend one (1) training session every other calendar year.
- H. **Employee Acknowledgement:** At least once each calendar year, every employee shall sign a written form confirming receipt of this policy and acknowledging the content thereof. The Human Resources Division shall deliver, receive, and permanently retain the acknowledgment form.

 <i>Sedgwick County...</i> <i>working for you</i>	<b>Vacation Leave</b>  <i>Adopted on 2/1988</i>
<b>Last Revision Date: 12/13/2017</b>	<b>Policy No. 4.700</b>
<b>Last Enabling Resolution:</b>  <b>200-2017</b>	<b>Developer/Reviewer:</b>  <b>Human Resources Director</b>

**1. Purpose**

Vacation provides the opportunity for employees to be away from the responsibilities of the workplace while continuing to receive compensation and benefits.

**2. Scope**

This policy applies to all Sedgwick County employees, with the exception of the Sheriff's Office.

**3. Policy Statement**

Vacation time provides employees with a period of earned rest and relaxation away from the responsibilities of the workplace for an uninterrupted period of time, while continuing to receive wages and benefits.

**4. Definitions**

The vacation year is January 1 through December 31.

**5. Procedures**

- A. Supervisors, Department Heads, Division Directors, and Elected/Appointed Officials will approve and schedule vacations to ensure minimum disruption to the Division and Sedgwick County.
- B. Vacation may be used as it is accrued.
- C. Employees begin accruing vacation leave on their hire date and continue to earn it based on their work schedule and hours paid.
- D. Vacation time must not be used for the same hours an employee is receiving other compensation, including but not limited to regular work hours, holiday pay, etc.
- E. Employees have the option to sell up to five (5) days of vacation during open enrollment, if they have the equivalent of two weeks of vacation plus the number of vacation hours he/she wishes to sell. This will be paid at one hundred (100) percent of their hourly rate at

the time the vacation is sold and paid on the first full check in January of the following year.

- F. When an employee resigns and has been employed for more than six (6) months, the employee will be paid for any unused vacation at a hundred (100) percent of their hourly rate.
- G. If an employee leaves the County before six (6) months, he/she will not be compensated for any accrued vacation leave.
- H. If an employee dies during the first six (6) months of employment, accumulated vacation leave will be paid according to the line of descent law.
- I. Fire District hourly employees working a fifty-six (56) hour work schedule:
  - 1. In years of tier accrual changes balances will be adjusted to the new twenty-four (24) hour accrual tier in January.
  - 2. Employees will select vacation in the preceding year.
  - 3. All vacation leave earned in one (1) calendar year must be taken in the following calendar year and after completion of one (1) year probation.
  - 4. Newly hired fifty-six (56) hour Fire District employees and employees changing from part-time to full-time status, will have his/her vacation balance adjusted to the next twenty-four (24) hour accrual tier in January of the year following his/her hire or change to full-time status.
- J. Fire District salaried employees working a fifty-six (56) hour work schedule will not have their balance adjusted and can use vacation in a manner similar to other County employees.

**K. Vacation Accrual Rates**

- 1. Employees working a forty (40) hour week.

<b>Years of continuous service</b>	<b>Annual accrued hours</b>
0 – 5	96
6 – 10	120
11 – 15	144
16 – 20	168
21+	192

- 2. Fire District employees working a forty (40) hour week.

<b>Years of continuous service</b>	<b>Annual accrued hours</b>
0 – 5	96
6 – 10	120
11 – 15	144

16 – 20	176
21+	200

3. Fire District employees working a fifty-six (56) hour week.

<b>Years of continuous service</b>	<b>Annual accrued hours</b>
0 – 5	120
6 – 10	144
11 – 15	168
16 – 20	216
21 – 24	240
25+	264

4. Emergency Medical Services employees working a forty-two (42) hour week.

<b>Years of continuous service</b>	<b>Annual accrued hours</b>
0 – 5	100.8
6 – 10	126
11 – 15	151.2
16 – 20	176.4
21+	201.6

**L. Vacation Carryover**

Employees may carryover a maximum amount of vacation annually based on their work week. Each December 31<sup>st</sup>, any amount exceeding the maximum carryover listed below will be lost.

<b>Employee's work week</b>	<b>Max carryover</b>
40	160 hours/20 days
56	264 hours/11 days
42	168 hours/20 days

- M. All eligible employees are strongly encouraged to take at least one (1) uninterrupted week of vacation per year.


- N. Accrued vacation may be used during approved Family and Medical Leave (FML). See Policy 4.711 - Family and Medical Leave.

1. Employees should request vacation leave through E-timesheet or Telestaff, where applicable, and in accordance to the employee's Departmental guidelines.
2. Supervisors should approve vacation leave requests through E-timesheet or Telestaff, where applicable.
3. The employee and supervisor should review and approve all time in E-timesheet before the end of each pay period.

Exempt employees will record vacation in E-timesheet in four (4) hour or half ( $\frac{1}{2}$ ) day increments. If an exempt employee has exhausted their vacation balance and goes into unpaid status, unpaid time must be recorded in E-timesheet in four (4) hour or half ( $\frac{1}{2}$ ) day increments, non-FML events only.

Non-exempt employees will record vacation in E-timesheet in quarter hour ( $\frac{1}{4}$ ) increments.

- O. Employees and supervisors maintain vacation leave information in E-timesheet. The use and accumulation of vacation leave will be displayed on the employee's payroll check.

 <i>Sedgwick County...</i> <i>working for you</i>	<b>Sick Leave</b> <i>Adopted on 3/1987</i>
<b>Last Revision Date:</b>	<b>Policy No. 4.701</b>
<b>Last Enabling Resolution:</b>	<b>Developer/Reviewer:</b> <b>Human Resources Director</b>

### 1. 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 termination.

### 2. Scope

This policy applies to all of Sedgwick County employees, with the exception of the Sheriff's Office.

### 3. Policy Statement

Employees are expected to perform their duties in a professional, efficient and competent manner, and report to work when they can do so without threatening their health and well-being or that of co-workers.

### 4. Definitions

- A. **Parent** – Is defined as an employee's biological mother or father, step-parent(s), adopted or foster parent(s), or individuals who act as parents, but does not include parents-in-law.
- B. **Spouse** – Is defined as the person construed as such under Kansas State Law. A common law spouse will be acknowledged only if there is a notarized affidavit on file in the Human Resources Division.
- C. **Legal Dependent** – Includes biological, adopted or foster children, step-children, and other persons for whom you act in the legal capacity as a parent or guardian for which there is legal and financial responsibility per the Internal Revenue Code.

### 5. Procedures

- A. Employees begin accruing sick leave on their hire date and continue to earn it based on their work schedule and hours paid. There is no maximum accumulation of sick leave an employee may have.

- B. Permanent full-time and benefitted part-time employees will accumulate sick leave at the following rates:

Work Schedule	Sick leave accumulation rate per pay period
40 hour week	3.69 hours
56 hour week	5.53 hours

- C. Eligible employees who work less than full-time, or if any portion of their normal work period is unpaid leave, will accrue sick leave based on the number of hours they work in proportion to the number of hours in a normal work period.
- D. Eligible employees with sick leave accumulation may use their sick leave for personal illness or injury of the employee, legal dependent, parent, step-parent, or spouse, as defined above, or to attend appointments with physicians, dentists, or other recognized health care practitioners registered with the State of Kansas for those described above. Employees are encouraged to schedule appointments at either the beginning or end of their workday.
1. Accrued sick leave may be used during approved Family & Medical Leave (FML), see Policy 4.711 – Family & Medical Leave.
  2. Sick leave is not to be used to extend an employee's last paid day. For example, using consecutive sick leave days in the weeks or months leading up to retirement.
- E. Any Department Heads, Division Directors, or Elected/Appointed Official may establish Division specific sick-leave policies consistent with Sedgwick County policy. Policies such as when employees must report the reasons for their absences are at the discretion of the Division in accordance with the Division's needs. Employees must report the type of sick leave usage: self, family, or FML.
- F. Employees must keep their supervisor informed of their absences on a daily basis or as otherwise determined by the hiring authority. An employee with a prolonged illness or disability will need to notify their supervisor of when he/she will be able to return to work.
- G. Department Heads, Division Directors, or Elected/Appointed Officials may, at any time, require a written statement by a physician or other healthcare provider certifying an employee's condition prevents or prevented him/her from performing work duties and verifying the need for the absence(s).
- H. Department Heads, Division Directors, or Elected/Appointed Officials may, at any time, require a written statement by a physician or other healthcare provider certifying that an employee is using sick leave due to a qualifying family member's injury or disability other than for FML.
- I. Department Heads, Division Directors, or Elected/Appointed 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. Also, 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 examinations shall be made at no expense to the employee and will be paid by the requesting Division. The employee is obligated to attend the established appointment(s) and authorize the release of said medical information to the Human Resources Director. Failure to keep the established appointment will be grounds for termination.

- J. If an employee is taking vacation leave and becomes ill or injured and 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 healthcare provider detailing the nature of the illness that would otherwise have prevented the employee from performing his/her duties.
- K. No accumulated sick leave hours shall be paid to an employee who leaves Sedgwick County, except under the following conditions:
  - 1. Employees who meet eligibility requirements under Kansas Public Employees Requirement 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, and the following conditions are met:

<b>The employee has worked a</b>	<b>And has accumulated sick leave hours/days</b>	<b>Days/hours paid at the regular rate of pay</b>
40 hour work week	800 hours/100 days	240 hours/30 days
56 hour work week	1,200 hours/100 days	360 hours/30 days
42 hour work week	840 hours/100 days	252 hours/30 days
42.5 hour work week	850 hours/100 days	255 hours/30 days

- L. Employees who are off work because of an illness, injury, or disability for five (5) continuous months, exclusive of FML, 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 Policy 4.311 – Reasonable Accommodation.
- M. Employees must not engage in part-time jobs or outside business activities while on sick leave.
- N. An employee who is injured on the job to the point of missing work will go on sick leave, vacation, or injury leave if it is available to the employee. The length of time an employee is off of 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.
- O. Employees should request sick leave through E-timesheets or Telestaff, where applicable.

- P. Supervisors must approve sick leave requests through E-timesheets or Telestaff, where applicable.
- Q. The employee and supervisor must review and approve all time in E-timesheet before the end of the pay period.
- R. The use and accumulation of sick leave will be displayed on the employee's payroll check. Injury leave will be noted for Fire District employees covered under KP&F.
- S. Exempt employees will record sick leave in E-timesheet in four (4) hour or half (½) day increments. If an exempt employee has exhausted their sick balance and goes into unpaid status, unpaid time must be recorded in E-timesheet in four (4) hour or half (½) day increments (non-FML only). Non-exempt employees will record sick leave in E-timesheets in a quarter hour (¼) increments.
- T. Department Heads, Division Directors, and Elected/Appointed Officials will notify the Human Resources Division of any employee who has been off more than thirty (30) calendar days with a determination of employment status. The Human Resources Division shall file the proper forms with KPERS or KP&F in case there is a disability claim.