

Board of Lucas County Commissioners

TITLE: Paid Sick Leave for Non-Bargaining Unit Employees

POLICY NUMBER: 49a

RESOLUTION NUMBER: 2023-1126

SUPERSEDES POLICY: 49

EFFECTIVE DATE: December 12, 2023

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I. SCOPE

The purpose of this policy is to establish a procedure for the use of sick leave by Non-Bargaining Unit (NBU) Lucas County employees. Sick leave is intended to help reduce the financial impact of an actual illness or injury suffered by an employee or family member and may only be used in those specific circumstances.

II. ALLOWED USES OF PAID SICK LEAVE

Paid sick leave is provided to continue the salary of eligible employees who are absent from work for the following reasons:

1. For self-care or to care for an immediate family member:
 - Due to a mental or physical illness, injury, or health condition;
 - To obtain medical diagnosis, care, or treatment of mental or physical illnesses, injuries, or health conditions;
 - To obtain medical treatment related to pregnancy;
 - Due to exposure to a contagious disease; or
 - To receive preventative care.
2. For absences due to domestic violence;
3. For death in the employee's immediate family.

III. DEFINITIONS

For the purposes of this policy, an "immediate family member" is defined as:

1. A spouse or domestic partner;
2. A biological, adoptive, foster, or step parent, child, sibling, grandparent, or grandchild;
3. A parent, child, or sibling-in-law;
4. A person who stood or stands *in loco parentis* to the employee or their spouse or domestic partner; or
5. Any other relative living in the household of the employee.

IV. CARRYOVER OF ACCRUED, UNUSED PAID SICK LEAVE

There is no limit to the number of sick leave hours that an employee can accrue and carry over from year-to-year. However, sick leave hours cannot be used in the same pay period in which they are accrued.

V. GENERAL PROCEDURES**Requesting Paid Sick Leave**

All requests for paid sick leave must be entered into the appropriate time-off system in a timely manner.

If an absence is foreseeable, the employee must provide their supervisor with notice at least ten (10) days in advance, or as early as practicable. If possible, the notification should include the expected duration of the absence.

If the absence is not foreseeable, the employee must provide notice to their supervisor or manager as early as possible prior to the start of the employee's work shift.

- When circumstances allow, the employee should provide notice as soon as the employee learns of the need for paid sick leave.
- In the event it is not practicable for the employee to provide notice of an unforeseeable absence, another person may provide notice on the employee's behalf.
- If the unforeseeable absence is the result of domestic violence, the employee, or someone representing that employee, must provide notice to the employee's supervisor no later than the end of the first day that the employee takes leave.

Sick Leave Verification

If an employee uses paid sick leave for more than three (3) consecutive work days, verification by a licensed medical practitioner is required on the fourth day regardless if the employee returns to work. This verification must include the diagnosis, probable date of recovery, and an assessment of the employee's ability to return to work. If the verification relates to the health of an immediate family member, the verification must be related to the family member's health needs and the necessity for the employee's presence. In order to protect the medical confidentiality of the employee, sick leave verification is to be submitted directly to the Department of Human Resources.

Use of Paid Sick Leave to Supplement Funeral Leave

In the event of the death of an employee's immediate family member, the employee shall have the right to use paid sick leave for up to three (3) additional days to supplement paid funeral leave. Proper notice must be made when requesting this additional leave.

Misuse of Paid Sick Leave

Any misuse of paid sick leave may be cause for disciplinary action independent of any denial of paid status for sick leave away from work. The manager or supervisor, in conjunction with the Human Resources Department, may require medical verification if unusually excessive use of paid sick leave or abuse of sick leave is suspected. Examples of abuse may include, but are not limited to:

1. Time before or after holidays;
2. Time before or after weekends or regular days off;
3. Time after pay days;
4. Any recurring specific day of the week;
5. Time following overtime periods worked;
6. A pattern of maintaining a zero or near zero-time balance;
7. Using sick time on days when vacation or personal days off have been denied.

Employees can be disciplined for misuse of paid sick leave. However, the pattern of use or timing of the leave alone cannot be used as proof of misuse and documentation should be requested.

Paid Sick Leave Conversion

Each January, employees with more than one hundred and forty-four (144) hours in accumulated paid sick leave may convert a maximum of sixteen (16) hours per calendar year to personal leave. Those employees with more than two hundred and eighty-eight (288) hours in

accumulated paid sick leave may convert an additional sixteen (16) hours per calendar year to personal leave, for a total of thirty-two (32) hours.

Upon retirement, a portion of the employee's remaining paid sick leave may be converted to a cash payment. This conversion will be based on twenty-five percent (25%) of the value of the employee's accrued, but unused, paid sick leave. However, the maximum payment permitted shall not exceed a total of two hundred and forty (240) hours and will be based upon the employee's rate of pay at the time of retirement.

If an employee dies while in active employment, the balance of their accrued but unused sick leave shall be paid to his estate, according to the years of service and up to the maximum referenced in the previous paragraph. An employee who is in active pay status or who is on an approved leave of absence of six (6) months or less, is in active status for this section.

VI. RETALIATION FOR THE USE OF SICK LEAVE

Retaliation or discrimination against an employee for the use of paid sick leave for legitimate purposes is prohibited. Employees who believe they have been subject to discrimination, harassment, or retaliation should notify their supervisor or manager, department Director, or department's Personnel officer. Employees may submit a confidential report through an anonymous reporting hotline by calling toll-free to (833) 782-8973 or using the online form on the [Department of Human Resources](#) website.

For further information and guidance please refer to:

- [Anti-Discrimination Policy \(Policy 53\)](#)
- [Harassment-Free Work Environment Policy \(Policy 6b\)](#)
- [Non-Retaliation Policy \(Policy 55\)](#)

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Signature of County Administrator

1/5/2024

Date