

**MONTGOMERY COUNTY, TEXAS
EMPLOYEE POLICY MANUAL
4. BENEFITS AND LEAVE**

4.6 SICK LEAVE

PURPOSE	4.6-1 This policy applies to employees who miss work due to illness.
ADMINISTRATOR	4.6-2 The Human Resources Director is the administrator of Montgomery County's sick leave program.
ELIGIBILITY	4.6-3 Regular full-time employees accrue paid sick leave; part-time (less than 30 hours per week) and temporary employees do not.
ACCRUAL	<p>4.6-4 Eligible employees accrue 3.08 hours of sick leave per pay period (10 days per year). Employees working in positions budgeted for at least 30 but less than 40 hours per week accrue leave in direct proportion to the ratio of their regular hours of work to 40.</p> <p>Example: $32 / 40$ per week = .8 $.8 \times 3.08 = 2.46$ hours per pay period</p> <p>4.6-5 Employees must be on a paid status for at least half a pay period (normally 40 hours) in order to accrue sick leave for that pay period.</p>
WAITING PERIOD	<p>4.6-6 An employee is required to work for a minimum of three months in a position eligible to accrue leave before he/she may be paid with sick leave.</p> <p>4.6-7 Employees changing from part-time to full-time status will receive credit for time worked as part-time toward satisfying the 90-day waiting period, but they will not be awarded sick leave for that time.</p>
MINIMUM USAGE	4.6-8 The minimum amount of sick leave that may be used at any one time is at the discretion of the department head.
CODE 021 LEAVE	4.6-9 With approval of the department head, payroll code 021, "sick leave," may be used for illnesses of three days or less and illnesses longer than three days if they do not qualify under the Family and Medical Leave Act (FMLA).
LONGER LEAVES	4.6-10 Once requested and approved, accrued sick leave may also be used for illnesses which fall under the Family and Medical Leave Act. Payroll code 050 should be used on time sheets after FMLA leave has been approved. (See Section 4.7, Family Leave.)

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TYPES OF USAGE 4.6-11 If approved by the department head, eligible employees may use sick leave for:

- A. Personal illness or injury.
- B. Doctors' appointments or treatment; an employee shall be required to secure prior approval from his supervisor for sick leave to be used for non-emergency doctors' appointments.
- C. Medical quarantine resulting from exposure to a contagious disease.
- D. Illness of a member of the employee's immediate household which requires the employee's personal care and attention; time off for care of other members of the employee's immediate family (parent, grandparent, child, stepchild, grandchild, step-grandchild, brother or sister) is at the discretion of the elected official or department head and may be limited.

NOTIFICATION OF NEED FOR LEAVE 4.6-12 An employee must notify his supervisor as early as possible on the first day of absence to request use of sick leave.

4.6-13 If more than one day of sick leave is needed, the employee must notify his supervisor of the expected length of absence on the first day of absence or notify his supervisor on a daily basis for each day he is unable to work.

DOCUMENTATION 4.6-14 An employee's supervisor may request documentation of illness or injury where it is deemed necessary for approval of a sick leave request, however, because of privacy provisions of the Health Insurance Portability & Accountability Act, the amount of medical information to which a departmental representative is entitled is limited.

BORROWING 4.6-15 Employees may not borrow accrued sick leave from other employees.

PAYMENT AT RETIREMENT 4.6-16 An employee having accrued sick leave on September 30, 1987 who has no break in service after that date is eligible to be paid for the hours to his credit as of (a) that date, (b) his/her date of retirement, or (c) his/her lowest sick leave balance after January 9, 2006, whichever is less, i.e., used hours may not be replenished. Upon retirement, hours paid under these circumstances are valued at the employee's January 9, 2006 pay rate. No employee will be paid for more than 480 hours of sick leave.

4.6-17 An employee meeting the conditions of 4.6-16, above, who becomes an elected official will be paid as above at his pay rate prior to taking over as an elected official.

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BRIDGING	4.6-18 Previously accrued sick leave is not restored when an employee is rehired.
DOUBLE PAYMENT	4.6-19 Unless otherwise required by law, employees may not receive workers' compensation payments and paid sick leave for the same hours. An employee eligible for workers' compensation payments may elect to use paid leave until such paid sick leave is exhausted.
TRANSFER	4.6-20 Sick leave balances transfer with employees from one county department to another.
CARRYOVER	4.6-21 A maximum of 480 hours of sick leave may be carried over to a new calendar year; any excess hours will be forfeited.
ATTENDANCE AWARD	4.6-22 Individuals employed the full calendar year who do not use any hours of sick leave may receive an additional 12 hours of vacation accrual; individuals employed the full calendar year who use no more than 8 hours of sick leave may receive an additional 8 hours of vacation accrual.
ABUSE OF BENEFIT	4.6-23 Any employee found abusing this policy, e.g., reporting that he is sick when he is not, is subject to discipline, up to and including discharge. An employee may not perform any outside work or engage in any extra duty employment on the same calendar day(s) that he is paid with accrued sick leave.
MAXIMUM LENGTH OF LEAVE	4.6-24 No employee is guaranteed that his job will be held open for any period of time unless he is entitled to and files for leave under the Family and Medical Leave Act, in which case he will be entitled to up to 12 weeks (480 work hours) of leave, after which time the employee will be terminated if he is still unable to perform the essential functions of the position or any other available position, with or without reasonable accommodation. The employee must provide the paperwork required under Sections 4.7-8 and 4.7-9 of our Family Leave policy. Based on the circumstances and the needs of the department, up to 14 weeks of additional leave may be granted at the discretion of the elected official or department head, however the only guaranteed leave under this policy is the up to 12 weeks mentioned above if the need is properly supported by medical documentation. Employees who do not qualify for leave under the Family and Medical Leave Act are not guaranteed that their positions will be held open for any length of time beyond the number of accrued benefit hours to their credit. The need for leave must be documented on a completed "Certification of Health Care Provider" form and completed updates, signed by the treating physician, submitted to the Human Resources Director every 30 days.