



SICK LEAVE

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This policy applies to all Non-elected, Regular employees unless otherwise addressed in a bargaining unit contract.

Definitions:

Child – a biological, adopted, or foster child, a stepchild, a child’s spouse, or a child of a person standing in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status

Grandchild – a child of the employee’s child

Grandparent – a parent of a parent of an employee

Parent – a biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse

Parent-in-Law – a parent of the spouse of an employee

Spouse – a husband or wife, as the case may be, or a state registered domestic partner

Health Condition That Requires Treatment or Supervision – includes: any medical condition requiring treatment or medication that the family member cannot self-administer; any medical or mental health condition which would endanger the family member’s safety or recovery without the presence of the employee; or any condition warranting treatment or preventive health care such as physical, dental, optical or immunization services, when the employee must be present to authorize and when sick leave may otherwise be used for the employee’s preventive health care.

Serious Health Condition – an illness, injury, impairment, or physical or mental condition that involves any period of incapacity or treatment connected with inpatient care in a hospital, hospice or residential medical care facility, and any period of incapacity or subsequent treatment or recovery in connection with such inpatient care; or that involves continuing treatment by or under the supervision of a health care provider or a provider of health care services and which includes any period of incapacity.

Emergency Condition – a health condition that is a sudden, generally unexpected occurrence or set of circumstances related to one’s health demanding immediate action, and is typically very short term in nature.

1. Sick Leave is Granted to the Employee in Order That the Employee Need Not Work When Ill Nor Suffer Loss of Pay Due to Illness.

This policy follows the sick leave benefits established by Washington State Initiative 1433, WAC 296, and RCW 49.46. Any discrepancies between state law and this policy will default to the law unless this policy provides a greater benefit to the employee.

2. Sick Leave is Accrued Per Pay Period

Full-time employees accrue sick leave at a rate of four hours for each completed pay period. A completed pay period of service will be credited for sick leave if an employee works at least 50% of the hours in the pay period.

For part-time employees working 50% time or more, sick leave shall be prorated. Half their scheduled hours per pay period must be worked to earn benefits.

Part-time employees working less than 50% time and temporary employees earn sick leave benefits at one hour for every forty hours worked.

Employees are eligible to use sick leave benefits in the pay period following when they are earned.

3. Sick Leave May Be Accumulated to a Total of 960 Hours.

Sick leave is allowed to accumulate throughout the calendar year. On December 31st sick leave accrued beyond 960 hours shall be automatically forfeited without action on the part of any party.

4. Sick Leave is not Paid Out Upon Termination but May be Reinstated if Returning to Employment.

Sick leave is not paid out upon termination of employment.

Employees returning to Whitman County employment within twelve calendar months will have their sick leave balance on record at the end of their previous employment reinstated. Such employee will be eligible to use the reinstated balance but no new accrual until their 90th day of new employment.

5. A Conversion of Sick Leave to Vacation is Allowed.

Four hours of sick leave in excess of 960 hours may be converted to one hour of vacation. All accrual maximums still apply. Converted vacation days are not compensable upon an employee's departure or retirement. Therefore, each department must develop a system for keeping track of converted vacation hours. (See sick leave conversion procedure)

6. Sick Leave Hours May Be Drawn Upon After Ninety Days of Employment.

Although sick leave benefits are earned from the date of employment for those who qualify, employees will not be eligible to draw upon this benefit until they have been employed for 90 calendar days.

7. Sick Leave Cannot Be Used or Earned During a Leave Without Pay and Cannot Be Used or Earned During a Suspension Without Pay.

8. Sick Leave Hours Shall Be Charged at a Rate of One Hour Leave for One Hour of Absence.

Only hours during the employee's scheduled work shift are charged and are charged at a rate of one hour leave for one hour of absence. Records will be kept in hours and charged according to the working hours absent.

Only accrued hours may be used. Employees may not take advance leave until it has been earned.

9. At the Employee's Option, Annual Leave may be Used as Sick Leave, but Sick Leave Shall Not be Used as Annual Leave.

Sick leave is only to be taken under the conditions outlined in number ten of this policy. It is neither for additional annual leave nor to compensate employees for time off the job for any reason.

10. Employees Transferred to Another Department Within the County Shall Retain Accumulated Sick Leave Benefits.

11. The Approved Uses of Sick Leave Shall be as Follows:

1. An illness or injury incapacitating the employee. An absence resulting from an employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;
2. Exposure to a contagious disease, during which period attendance at work would constitute a health threat to other employees or the public.

3. Doctor or dental appointments.
4. Illness in the immediate family. To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care. Family member means the same as defined in RCW 49.46.210.
5. Any employee may use up to five days of accrued sick leave to grieve or make funeral and estate arrangements, attend and travel to and from the funeral for any member of the employee's immediate family. The "immediate family" shall be defined consistent with RCW 49.46.210(2). All other leave for funerals will be taken without pay or taken out of compensatory time or vacation time, subject to notice and approval.
6. When the employees' workplace or their child's school or place of care has been closed by a public official for any health-related reason or the declaration of an emergency by a local, state or federal government.
7. For absences that qualify for leave under the state's Domestic Violence Leave Act

12. Employees are Responsible for Notifying the Supervisor of Illness and may be Required to Provide a Physician Verification.

Employees are responsible for notifying their supervisor of the need for sick leave as soon as they become aware of the need or, in the case of unforeseeable circumstances, no later than the beginning of the work shift.

The Department Head may require a verification of illness from a doctor for absences exceeding three work days. The employee must be given at least thirty days to provide the verification. The reason for the verification is to verify the absence is an authorized purpose under RCW 49.46. The verification is not required to explain the nature of the condition. Physician verification may not result in unreasonable burden or expense to the employee. If the employee believes it will result in being unreasonable, he/she may submit a written justification to the elected official or department head which explains why compliance is a problem. The justification must include: verification that the leave is authorized under RCW 49.46; and an explanation of how the physician verification requirement is an unreasonable burden or expense.

The department must review the written justification and consider alternatives within ten calendar days. Alternatives must include, but are not limited to: accepting the written justification provided by the employee; and ways to mitigate the employee's expense.

Employees shall make automated time off request through Time Clock Plus or complete a leave request form as provided by each department.

Verification of leave for the Family Medical Leave Act (FMLA) or Paid Family Leave (PFML) supersedes the requirements set forth in this policy.

13. A Consistent Lack of Sick Hours or Unauthorized Use May Result in Discipline.

After one year of employment, an employee whose record indicates a consistent lack of more than five days of accumulated sick leave or a persistent pattern of using one or more sick leave days per month may be reviewed for abuse by the Department Head. No authorized sick absences (RCW 49.46) may be used in resulting discipline.

If an employee's use of sick leave is found to be for a purpose not covered by RCW 49.46 the payment of such sick leave may be withheld from the employee's paycheck. However, the sick hours in question may not be deducted from the employee's balance.

Departments will provide notice of disciplinary action against the employee in person and in writing. If the employee contends the sick leave was authorized under RCW, he/she may file a complaint with the Washington State Department of Labor & Industries.

Each Department Head shall be responsible for monitoring employee accruals so they do not drop below zero. For no reason should accruals drop below zero unless due to errors in the payroll process or other established processes (i.e. worker's compensation sick buy back, sick bank donations, etc.). These processes shall be corrected as soon as possible.

Retaliation against employees who use sick leave as authorized under RCW 49.46 is prohibited under WAC 296-128-770.

14. Employees May use Accrued Sick Leave in Accordance with Industrial Insurance Regulations.

An employee who is eligible for Labor and Industry compensation because of time off for an on-the-job injury, shall be paid sick leave in the amount of the difference between the employee's regular pay and the amount paid by the L & I after the first three days off the job. Full amount of sick leave will be paid in the first three days. Should an employee be later paid by L & I for the first three days, that amount shall be credited to Whitman County from the money due the employee from the next payroll and the three days of sick leave will be reinstated. The prorated part of sick leave as determined by the ratio of regular sick leave and L & I compensation shall be charged the employee for time off the job.

When an employee has exhausted his/her sick leave benefits, the County will cease payment of their regular salary and the employee will retain the L & I payments. At this time the County will also discontinue payment of benefits. If the employee feels he/she will be able to return to work in a reasonable period of time, that employee may request to go on a "leave of absence without pay." Leaves of this nature will generally not be granted for periods of illness or injury expected to be greater than ninety (90) days.

15. Employees Who Take Sick Leave Due to an Injury, Surgery, or Extended Illness, Must Present a Return to Work Form for Either Regular or Light Duty Signed by Their Physician.

Light Duty work assignments and their duration are allowed at the discretion of the Elected Official/Department Head and/or authorized designee.

16. Employees May Access the Whitman County Sick Bank.

Employees may make donations to and access the Whitman County sick bank under certain conditions and requirements and in accordance with State and Federal regulations.

The sick bank is managed on a first come first serve basis. The order in which employees may draw on the bank shall be determined by the date of their written request.

All employees in need of hours must make a written request to HR and submit a certification from his/her physician indicating illness, injury or surgery (except in the case of pregnancy). Employees may use the sick bank for up to three months. Sick bank use may be extended beyond three months at the discretion of the Department Head/Elected Official.

All employees donating hours must complete a sick bank donation form.

Employees must use all leave accruals and banks before becoming eligible to access the sick bank.

Sick bank hours shall be used on an as needed basis only. Hours donated to a specific person via the bank will be taken from the donor in the following payroll and given to the general bank if not used. Hours donated to the general bank account may also be accessed on an as needed basis unless circumstances deem otherwise.

Employees must have a minimum 240 hours of accumulated sick leave in order to donate. Maintaining an accrual of 240 hours of sick leave before an employee can donate is to assure that donors do not jeopardize their own "account."

Employees may donate up to 48 hours once per year.

Employees who become elected officials are allowed to transfer up to 200 hours of sick leave to the sick leave bank during the one month prior to taking elected office. No transfer may occur after January 1st of the year their term of elected office begins.

Employees may designate the donation to another eligible employee or give to the general bank.

If an employee has frequent or chronic medical problems, it is suggested that they not donate to assure they do not jeopardize their own account.