

FRANKLIN COUNTY RESOLUTION 2017 364

BEFORE THE BOARD OF COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

UPDATE FRANKLIN COUNTY SICK LEAVE POLICY

WHEREAS, changes to RCW 49.46 effective January 1, 2018 require employers to grant paid sick leave accruals to all employees, regardless of other benefits status; and


WHEREAS, the Franklin County Sick Leave Policy must be updated to comply with the changes in the law; and

WHEREAS, the Board of Franklin County Commissioners constitutes the legislative authority of Franklin County and deems this to be in the best interest of the County.

NOW, THEREFORE, BE IT RESOLVED the Franklin County Board of Commissioners does hereby adopt the attached Franklin County Sick Leave Policy, effective January 1, 2018.

APPROVED this 13 day of December, 2017.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON



Chair



Chair Pro Tem



Member

ATTEST:



Clerk to the Board



FRANKLIN COUNTY SICK LEAVE POLICY

Effective January 1, 2018

I. PURPOSE

Sick leave is available for employees to care for their health and the health of their family members.

II. DEFINITIONS

1. Child: Biological, adopted, or foster child, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent.
2. Family Member: Child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling.
3. Parent: Biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
4. Preventive Care: Medical, dental, or optical appointments and/or treatment.

III. ELIGIBILITY

1. Regular, benefits-eligible full-time employees are eligible for sick leave based on their regularly scheduled work week.
 - a. 40-Hour work week employees will accrue 8 hours of sick leave per month.
 - b. 37.5-Hour work week employees will accrue 7.5 hours of sick leave per month.
2. Regular, benefits-eligible part-time employees earn prorated sick leave based on the total Full-Time Equivalent (FTE) of their position.
3. Employees not eligible for benefits earn sick leave at a rate of one hour per 40 hours worked.

IV. ACCRUAL

1. Sick leave hours are accrued after payroll is processed on the last day of the month for semi-monthly employees, and after payroll is processed on the payday for the second pay period of the month for bi-weekly employees.
2. Employees earn sick leave hours for their first month of employment if they physically work at least 40 hours in the month.
3. Separating employees will receive sick leave credit for the month in which they separate if they physically work at least 40 hours in the month. Leave hours shall not be used to extend an employee's separation date for the purposes of sick leave accrual.
4. For employees not eligible for benefits, hours are accrued based on hours worked on active duty and does not include on-call or standby hours, even if such time is compensated.

V. MAXIMUM CARRYOVER

1. For benefits-eligible full-time employees, as of December 31 of each year, sick leave may not exceed a total of 900 hours for 37.5 hours per work week employees and 960 hours for 40 hours per work week employees. Sick leave balances will be reduced as of January 1 of the succeeding year and 25% of excess hours will be deposited to the employee's VEBA account. Provided, at no time may an employee be compensated for more than 900 hours or 960 hours upon separation of employment.
2. For benefits-eligible part-time employees, as of December 31 of each year, maximum hours will be prorated based on the FTE of the position. Sick leave balances will be reduced as of January 1 of the succeeding year and 25% of excess hours will be deposited to the employee's HRA VEBA account.
3. For employees not eligible for benefits, as of December 31 of each year, sick leave may not exceed a total of 40 hours. Sick leave balances will be reduced to 40 hours as of January 1 of the succeeding year and excess will be forfeit.

VI. COMPUTATION OF PAYMENT

1. Sick leave shall be computed at the employee's regular straight time hourly rate.
2. Sick leave hours are not considered hours worked for the purposes of overtime calculations.
3. Employees transferring to a position not eligible for sick leave accruals, will be paid out accrued sick leave hours consistent with the payout for a separating employee.
4. For benefits-eligible employees, upon separation of employment, 25% of unused accrued sick leave hours, up to the maximum accrual, will be deposited into the employee's HRA VEBA account.
5. For employees not eligible for benefits, unused sick leave hours upon separation of employment, will be forfeit.

VII. USE

1. Sick leave may be taken for any of the following reasons:
 - a. An employee's mental or physical illness, injury, health condition, and/or preventive care appointment.
 - b. Exposure to an infectious disease during such period as their attendance would jeopardize the health of County employees or the public.
 - c. Care of a family member with an illness, injury, health condition and/or preventive care appointment.
 - d. Closure of the employee's workplace or child's school/place of care by order of a public official for any health-related reasons.

- e. If the employee or family member is a victim of domestic violence, sexual assault, or stalking.
- 2. Sick leave may not be applied for employees out on approved vacation, personal leave, or compensatory time.
- 3. Employees are not permitted to use sick leave in excess of their accrued balance.
 - a. Any sick leave taken prior to the accrual of sick leave shall be considered leave without pay and payment not received for the hours.
 - (i) For salaried employees, leave without pay hours will be deducted from the employee's salary at the effective hourly rate for the pay period in which the leave without pay was taken.
 - (ii) All accrued leave hours, including but not limited to, sick leave, vacation, personal leave, and comp time, shall be exhausted prior to any leave without pay.

VIII. REASONABLE NOTICE

- 1. If the need for sick leave is foreseeable, the employee must provide notice at least 10 days in advance, or as soon as practicable.
- 2. If the need for sick leave is unforeseeable, the employee must provide notice as soon as possible before the start of their shift, unless it is not practicable to do so.
 - a. In the event the employee is unable to contact the employer, another person may provide notice on behalf of the employee. In this situation, the employee must contact their supervisor as soon as it is practicable.

IX. VERIFICATION

For sick leave exceeding three working days, the employee may be required to provide the County with a physician's certification and physician's approval for return to work.

- 1. If requested, the employee will have 10 days to provide verification.
- 2. If an employee anticipates providing verification will result in an unreasonable burden or expense, the employee must provide an explanation of the unreasonable burden or expense for consideration.

X. REINSTATEMENT

If an employee leaves employment and is rehired within 12 months of separation any accrued, unused sick leave will be reinstated to the employee's sick leave balance and available for immediate use.

- 1. Leave hours paid out upon separation will be considered used and ineligible for reinstatement upon rehire.
- 2. If an employee is rehired in a subsequent calendar year, the reinstatement amount will not exceed the maximum carryover amount for the employee's previous position.

XI. RECORDS RETENTION

The elected official or department head is responsible for maintaining leave records for each employee, including but not limited to, records relating to the approval or denial of leave requests, in accordance with applicable document retention schedules.

XII. REPEALER

As of the date of adoption of this Sick Leave Policy by the Board of County Commissioners, any and all prior sick leave policies are hereby repealed and superseded by this Sick Leave Policy.

The proposed policy does not supersede any sick leave provisions currently in place pursuant to a Collective Bargaining Agreement. It also does not impact any notification and/or verification as required under Franklin County's FMLA Policy.

RECOMMENDATION: Adoption of the policy is recommended by HR. None of the reviewing parties below have indicated they do not support adoption.

COORDINATION: All elected officials, department heads, and the accounting division of the Auditor's Office were afforded the opportunity to review and provide comment; legal review was completed by J. Johnson in the Prosecuting Attorney's Office.

All questions/concerns/suggestions brought during review period were discussed and resolved and/or integrated into the proposed policy.

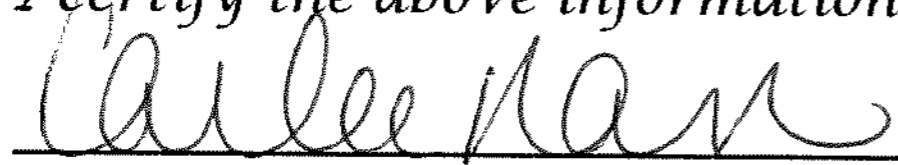
ATTACHMENTS: (Documents you are submitting to the Board)

1. Resolution
2. Sick Leave Policy

HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list name(s) of parties that will need a pdf)

n/a

I certify the above information is accurate and complete.



Carlee Nave, HR Director