

St. Clair County Commission

Revised Policy #802 – EMERGENCY SICK-LEAVE POLICY

Approved April 10, 2007

General Conditions: The St. Clair County Commission is authorized to declare an “employee sick-leave emergency” when a County employee or a County Employee’s family member experiences an unexpected and extended period of illness or terminal illness. For purposes of this policy, an unexpected and extended period of illness is an illness, injury, impairment or physical or mental condition that involves (1) inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, and any treatment for the condition for which hospitalization is required and any necessary period of recovery there from or (2) a condition that, although inpatient care is not required, requires continuing treatment by a health care provider. The illness must be such that the affected individual is unable to work, attend school or perform other regular daily activities due to the illness for a duration of longer than two calendar weeks. A terminal illness is one for which the anticipated life expectancy is less than 6 months.

Unexpected Need Requirement: The intent of this policy is to provide an additional possible avenue of financial support to employees who could not reasonably predict the need for leave. That is, the need for leave must be unexpected. Where an employee knows or reasonably could have predicted that he or she would need leave for their condition or that of a family member, the employee is not eligible for emergency sick leave designation. Examples of conditions that are not eligible for emergency sick leave designation include, but are not limited to, elective medical procedures and maternity leaves for pregnancies without complications.

Family Member: For leave related to an employee’s family member, the employee’s presence must be necessary, as certified by a treating physician, to provide care to the family member. Family member as provided herein shall include only the employee’s spouse, parent, child, sibling, grandchild, grandparent, child’s spouse, spouse’s child and/or spouse’s parent.

Exhaustion Requirement: The employee must exhaust all of his/her accumulated sick leave, annual leave and compensatory time prior to becoming eligible for receipt of donated time. The employee must submit a completed “Request for Declaration of Emergency Illness” form to his/her Appointment Authority for approval and then to the St. Clair County Commission for final authorization. A certification from the employee’s or the employee’s family member’s treating physician on a form provided by the County will be required to consider the request.

Employee Transfers: When an “employee sick-leave emergency” is declared as provided within this policy, any employee who is in a pay grade not more than five pay grades lower than the approved employee may transfer to the approved employee all or part of his/her accumulated sick leave, annual leave, or compensatory time hours in eight (8) hour increments by completing a “Leave Donation Form.” For example, an employee in Pay Grade 10 is eligible to donate to an employee in Pay Grade 14. However, the same employee in Pay Grade 10 is not eligible to donate to an employee in Pay Grade 21. The restriction applies only where an employee donates “up” the Pay Grade as there is no restriction for donating from a higher Pay Grade to a lower Pay

Grade. The donation of hours is totally voluntary. All current employee emergency sick leave designations will be posted in the same manner as in-house job advertisements described in Policy 115 (Recruitment and Hiring). Although the County recognizes there will be a natural flow of information among County employees, any form of solicitation or coercion to request donated leave or suggest that leave should be donated will absolutely not be tolerated and will result in disciplinary action up to and including termination. Employees are encouraged to report any requests or suggestions related to leave donation that they consider inappropriate. No employee shall be penalized for not participating in the process.

Department Approval: The "Leave Donation Form" must be completed and approved by the employee donating leave, his/her immediate supervisor and the Appointing Authority. The supervisor will submit the form, along with the payroll time card on which the leave adjustment is to be made, to the St. Clair County Commission Payroll Department.

Use of Donated Hours: Upon receipt of the "Leave Donation Form" the Payroll Department will transfer the donated leave hours from the donating employee to the employee receiving the donated hours. The total number of donated leave hours will appear on the recipient's payroll notice in the sick-leave hours category, and can be utilized immediately. Each donation will be processed in the order it is received by the Payroll Department. The total donated leave hours for any one period of illness will be restricted to 480 hours (60 days) subject to review after 60 days has been exhausted.

Donated hours are for the sole purpose of enduring a serious illness. Donations may be made each pay period until the emergency situation ends; therefore employees should use caution when donating hours. Any unused portion of donated hours will belong to the recipient and will be treated as outlined in Section 306, Sick Leave Benefits, of the handbook. This policy does not apply to on-the-job injuries where the employee is injured on the job and receiving workers compensation benefits or where the employee is eligible to receive any other form of short-term compensation that replaces more than 50% of the employee's average gross weekly wages. Normal sick-leave accrual will continue during the time the employee is utilizing donated sick leave. St. Clair County reserves the right to amend or terminate this policy at any time.