

HUMAN RESOURCES POLICY
Fauquier County, Virginia

Policy Title: Sick Leave Bank
Section No.: 2-N

Effective Date: 10/15/01
Supersedes Policy: 12/18/90

I. PURPOSE

It is the objective of the Board of Supervisors to allow employees to participate in a Sick Leave Bank program. The Sick Leave Bank shall provide an income replacement benefit, subject to specific provisions, to those participants who are unable to work due to an illness or non-work related injury.

II. SCOPE

All permanent full-time and permanent part-time employees may elect to participate in the Sick Leave Bank.

III. DEFINITIONS

Illness/Non-work Related Injury

Illnesses or non-work related injuries are defined as medical conditions which preclude an employee from performing his or her job duties, including disability related to pregnancy or childbirth and/or employee exposure to a contagious disease such that his or her presence on the job might jeopardize the health of others.

IV. PROCEDURES

A. Enrollment

1. An employee shall enroll in the Sick Leave Bank through the donation of one day of sick leave. One day of sick leave equates to 7.5 hours for 37.5 hour workweek employees, 8 hours for 40 hour workweek employees and 8.4 hours for 42 hour workweek employees.
2. Part-time permanent employee sick leave donations shall be made on a prorated basis.
3. New employees may enroll in the Sick Leave Bank through the Human Resources Department within one month of employment.

4. Open enrollment for current employees shall occur during the month of January.
5. Employees become members of the Sick Leave Bank immediately upon their donation of sick leave to the Bank.

B. Accessing The Sick Leave Bank

1. Employees shall be required to exhaust all annual and compensatory leave prior to use of the Sick Leave Bank.
2. All but one week of sick leave shall be exhausted prior to use of the Sick Leave Bank. One week of sick leave shall be calculated based upon the employee's normally scheduled workweek.
3. The first thirty (30) calendar days of illness or non-work related injury shall not be covered by the Bank, but must be covered by the employee's own accumulated leave balances. During these thirty (30) days, the employee must be completely incapacitated from performing work duties. Intermittent work schedules/days shall not be counted toward the first thirty (30) consecutive days of illness or non-work related injury.
4. If an employee does not have an accumulated leave balance, he or she shall be placed on leave without pay status until the thirty-first (31st) day of the illness or non-work related injury before entering the Sick Leave Bank.

C. Sick Leave Bank Stipulations

1. A member may withdraw a maximum of sixty (60) working days within a 12-month period, starting with the first date of withdrawal from the Bank.
2. Days withdrawn from the Bank for any one period of eligibility must be consecutive. Additional periods of disability resulting from the recurrence or relapse of the original illness or non-work related injury shall be covered through the Sick Leave Bank contingent upon a doctor's notification of recurrence or relapse.
3. In no instance shall the Sick Leave Bank pay more than the sixty (60) day maximum within a 12-month period.
4. Participation in the Sick Leave Bank shall run concurrently with Family Medical Leave.

5. No benefits shall be paid from the Sick Leave Bank for a work-related illness or injury for which an employee is entitled to Workers' Compensation.

D. Verification Of Illness Or Non-work Related Injury

1. A doctor's statement shall be required from the employee prior to utilizing the Sick Leave Bank.
2. The doctor's statement must be submitted to the Department Head or supervisor fifteen (15) days prior to each payroll date.
3. At the discretion of the Department Head, and with the concurrence of the Human Resources Director, an employee may be requested to submit to a physical examination which shall be conducted by a licensed physician under contract with the general government.

E. Assessment Of Additional Sick Days

1. Employees utilizing sick leave days from the Bank shall not have to replace those days, except as regular contributing members of the Bank.
2. Members of the Bank will automatically be assessed additional hours of leave if the Bank is depleted to 500 hours, or at the discretion of the Finance Department.
3. Members who have no sick leave to contribute at the time of assessment will be assessed within sixty (60) calendar days of the announcement of assessment.

F. Cessation Of Sick Leave Bank Membership

1. An employee may cease membership in the Sick Leave Bank if he or she does not agree to the additional assessment of sick days, but shall lose all previously contributed days.
2. Members must notify the Human Resources Department in writing if they wish to cease participation in the Bank.

G. Donation Of Leave To The Sick Leave Bank

1. In December of each year, members of the Bank may donate any of their accrued annual leave that is in excess of the maximum yearly accumulation amount to the Bank.

2. Upon termination of employment, members may donate any portion of their accrued annual or sick leave to the Sick Leave Bank.
3. The sick leave balances of employees who terminate before the three year vesting period for sick leave shall be added to the Sick Leave Bank.
4. Unused leave that has been donated to employees in conjunction with the Leave Donation policy shall be added to the Sick Leave Bank.

H. Debiting Of Sick Leave Bank Time

Sick leave shall be debited from an established Sick Leave Bank fund line and not from the recipient's departmental budget line.