POLICY STATEMENT:

Sick leave is a benefit provided to cover illnesses of the employee or covered dependents, but it is expected that the actual use of sick leave will normally be less than the number of days which are provided per year. Sick leave accruals accumulate to provide the employee coverage for severe or catastrophic illnesses.

Although the City provides sick leave accrual at the rate of fifteen days per year, excessive absences on the part of the employee may signal a performance problem to the supervisor. Continued use of sick leave at higher than average rates as defined by a department director may create situations within a work group which hamper accomplishment of the tasks. A supervisor may take remedial action by setting attendance goals or enforcing the appropriate disciplinary action.

Employees who die while in service of the City or while on authorized military leave of absence shall be paid for all unused sick leave not to exceed 90 working days. Payment shall be made to the estate of the employee or beneficiary of the sick leave benefit, whichever the employee has designated. Employees who leave the service of the City, except as provided for in this paragraph, shall not be paid for unused accrued sick leave. Civil Service employees are an exception to this rule; please see Section V of this policy for full details.

ADMINISTRATIVE PROCEDURES:

I. SICK LEAVE ACCRUAL (NON-CIVIL SERVICE)

A. Sick Leave Pay

No cash payments will be made for unused accrued sick leave.

B. Accrual

1. Sick leave is accrued at the rate of ten hours (10) for regular full-time employees and prorated for regular part-time employees (seven and one-half (7.5) hours for three-quarter time employees and five (5) hours for half-time employees) for each month of continuous service.
Sick leave hours are accrued on the 1st and 15th of each month in halved amounts. For example, a full time employee accrues five (5) hours of sick leave on the 1st and 15th of the month, while a half-time employee accrues two and one-half (2.5) hours of sick leave on the 1st and 15th of the month. Sick leave can be used during the pay period in which it is accrued.

Sick leave may not be used before it is accrued.

2. Sick leave may be accumulated up to a maximum of 90 days (720 hours for full time employees; 540 hours for three-quarter time employees; and 360 hours for half time employees). All employees with accrual in excess of 90 days (720 hours) prior to October 1, 1981, may retain all accruals until such accrual is down to 720 hours at which time the accrual can never exceed 720 hours (See Section V for Civil Service Accrual).

3. Sick leave will not accrue during any unpaid leave of absence (see Family & Medical Leave policy no. 107.04; Non-FMLA Medical Leave policy 111.07; and Personal Leave Without Pay policy no. 111.08).

II. NOTIFICATION

A. To receive paid sick leave, an employee shall notify the supervisor or authorized representative at least 30 minutes before the time set for beginning of work. Employees must also comply with departmental policies, if applicable.

B. Employees are required to contact their supervisor daily if absent for more than one day, unless otherwise approved by the supervisor. Exceptions would be hospitalization, a prolonged or catastrophic illness, or a determination by the City that the absences qualify as family and medical leave (see Family & Medical Leave policy no. 107.04).

C. Employees who become ill during the period of their vacation may request that their vacation be temporarily terminated and that their time be charged to sick leave. A physician's statement will normally be required in such instances.

III. CONDITIONS FOR USE

A. Sick leave may be used in 15 minute intervals. Official holidays and regular days off shall not count against sick leave.

B. Sick leave may be allowed in cases of personal illness, doctor's or dentist's visits, or physical incapacity of the employee. Additionally, sick leave may be used when an employee is required to attend to their spouse, child, parent, or dependent who is ill, incapacitated, or incapable of self-care; or, to attend a bona fide counseling session by a qualified counselor. In the case of critical illness or emergency medical situations, sick leave may also be used for immediate family (spouse, father, mother, children, brother, sister, grandchildren, grandparents, father-in-law, mother-in-law,

For purposes of this policy, a critical illness will be defined as a life-threatening condition. An emergency medical situation will be a medical condition requiring immediate treatment.

C. Supervisors may require satisfactory proof of illness/injury or of the need for attending to a family member and may deny, upon consultation with Human Resources, any sick leave in the absence of such documentation.

D. After accumulated sick leave has been exhausted, employees may use authorized accrued vacation time. Upon the exhaustion of all paid leave, the employee may be eligible for unpaid leave until returning to work unless additional leave has been approved through the Catastrophic Leave Donation directive (no. 111.05). leave.

It is the employee's responsibility to provide a doctor's prognosis and an estimated return date to Human Resources so they can consult with the supervisor to determine whether the position can be left open or filled temporarily based on the following criteria:

- length of leave requested
- workload requirements
- employee's past work record
- employee's ability to perform in same position upon return

E. After 90 consecutive days of disability, the long-term disability plan will go into effect for all eligible employees who make application. Accrued sick leave may be used in conjunction with long-term disability.

F. Accrued sick leave may be used in conjunction with the workers’ compensation plan to meet but not exceed an employee's regular pay (see Policy no. 409.01).

G. Sick leave benefits will not be paid for the same time an employee receives holiday pay, death in the family leave pay, vacation/bonus time pay or any other paid leave benefit.

H. Sick leave is not considered “time worked” for overtime purposes and will be paid at straight time unless the hours worked exceed the sick leave used.

I. An exempt employee is not subject to salary reductions for absences of less than eight (8) hours unless they have exhausted all accrued leave (reference 29 CFR 541.710). The exempt employee is required to first use accumulated sick and vacation hours. If the employee has no sick or vacation accruals, the employee may be granted discretionary time or may be granted leave without pay.

IV. MISUSE OF SICK LEAVE

Misuse of sick leave by an employee may affect the service provided to our customers and/or the
productivity of other employees in the workgroup, especially those who seek assistance, advice, or guidance from an absent employee.

“Misuse” is considered the use of sick leave for that which it was not intended or provided and may constitute a violation of this policy. Examples of “misuse” may include, but are not limited to, the following:

- Patterned sick leave usage before and/or after holidays;
- Patterned period of sick leave usage before and/or after weekends or regular days off;
- Patterned period of sick leave usage after pay days;
- Absence following overtime worked;
- Absence following denial of a vacation request;
- Continued pattern of maintaining zero or near zero leave balances; and/or
- Excessive absenteeism – e.g., the use of more sick leave than is granted.

Leave required by federal or state law such as Family and Medical Leave and Workers’ Compensation shall not be considered when determining whether or not there is misuse of sick leave.

If a supervisor suspects that an employee is misusing sick leave, the supervisor, upon consultation with Human Resources, may require a suitable explanation or documentation to determine whether the sick leave was used according to this policy.

V. SICK LEAVE PAY AND ACCRUAL (CIVIL SERVICE)

A. Sick Leave Pay

Civil Service employees may be paid for accrued sick leave up to a maximum of 90 working days pursuant to Chapter 143 of the Texas Local Government Code.

B. Accrual

Sick leave is accrued at the following rate for each month of continuous service:

1. Ten (10) hours for Police Civil Service as well as Fire Civil Service working 40-hour work weeks, with unlimited accrual.

2. Fifteen (15) hours for Fire Civil Service employees working a 12-hour shifts, with unlimited accrual.

Sick leave hours are accrued on the 1st and 15th of each month in halved amounts.