

ROBERTS COUNTY SICK LEAVE POOL POLICY

Adopted March 11, 2019
Amended November 12, 2019

PURPOSE

The Sick Leave Pool Policy is to provide additional sick leave days to County employees in the event of a catastrophic/debilitating illness or injury, surgery, or disability that prevents an employee from active employment. Hours may be applied from the pool only after the Employee has exhausted all accrued sick leave, emergency leave, comp time, and vacation leave.

DEFINITIONS

"Eligible Employee" means a Regular Full or Part Time County employee with twelve (12) or more months of continuous employment with Roberts County.

"Member" is an eligible employee who voluntarily contributes eight (8) to forty (40) hours of accumulated sick leave per calendar year to the pool.

Catastrophic/debilitating illness or injury is defined as terminal, life-threatening, and/or severe condition or conditions affecting the physical/mental health of the member that prevents the employee from performing normal work related tasks, that requires the services of a licensed physician for a prolonged period of time and that forces the member to exhaust all of his/her accrued leave time (sick leave, emergency leave, and vacation leave) and to lose compensation from the County.

"Licensed Physician" as defined by the Texas Insurance Code, is one who is practicing within the scope of his/her license.

"Sick Leave Days from the Pool" are those days granted to a member who has a qualifying condition and is unable to perform the duties of his/her position.

Qualifying conditions are a catastrophic/debilitating condition or combination of severe conditions affecting the physical/mental health of a member as authenticated by a licensed physician.

"Unit of Sick Leave Days" is the number of sick days which are awarded from the pool and shall be, within the discretion of the Committee, up to eighty (80) hours per sick leave pool request.

"Preliminary Term" is the initial period of eligibility for this policy, April 1, 2019 through September 30, 2019.

EXAMPLES (amended 11/12/19)

Qualifying catastrophic/debilitating illness/injuries or conditions generally considered include, but are **NOT** limited to:

- Stroke with residual paralyses or weakness
- Incapacitating heart attack
- Major life saving surgery (mastectomy, heart bypass, prostate surgery)
- Cancer
- Hepatitis, broken hip, car wreck requiring hospitalization
- Other life threatening conditions that prevent an employee from performing normal work tasks and that require the ongoing care/treatment from licensed medical personnel.

Examples of illness/injuries that generally would not be considered severe enough to be catastrophic/debilitating include but would **NOT** be limited to:

- Certain broken bones
- Cold/flu/allergy
- Minor surgery with no complications such as appendectomy, tonsillectomy, day surgery
- Pregnancy with minor or no complications

Normal pregnancies without complications and routine surgeries without complications are not considered by the County to be catastrophic/debilitating illnesses.

ADMINISTRATOR

The Commissioner's Court shall appoint the County Treasurer to be the Administrator. The Administrator will be responsible for developing forms for contributing leave to or using leave from the Roberts County Sick Leave Pool. The Pool Administrator will

issue memos as necessary within the Departments to advise employees of how the Committee interprets or administers provisions of this policy.

COMPOSITION OF COMMITTEE (amended 11/12/19)

The Committee shall be composed of five (5) Committee Members as appointed by the Commissioner's Court.

- County Judge
- County Attorney
- County Treasurer
- Administrative Assistant (Judge's Office)
- County Extension Agent

COMMITTEE DUTIES RESPONSIBILITIES (amended 11/12/19)

The Committee Members reserves the right to approve, disapprove, or modify the number of days requested from the pool.

The decision of the Committee Members shall be based on a majority vote of the members. A quorum shall be based on at least three (3) Committee Members.

All Elected Official approved Sick Leave requests SHALL be delivered to the Administrator.

PROCEDURES FOR JOINING

Eligible employees may join by contributing eight (8) to forty (40) hours of accumulated sick leave per year. Application for membership must be submitted to the Pool Administrator for approval by the Commissioner's Court.

After approval from the Commissioner's Court, applications for membership will be given to the County Treasurer's Office for adjustment of sick leave on the members' records. Open enrollment for the Preliminary Term will be March 15, 2019 through April 1, 2019, for each subsequent year, open enrollment will be during the month of September each year.

CONTRIBUTION OF DAYS

To maintain eligibility, a participating member must contribute at least eight (8) hours, but **NOT** more than forty (40) hours, from his/her accumulated sick leave per year. The hour(s) donated will be subtracted from the member's accumulated sick leave record by the County Treasurer's office.

The donated sick leave hours(s) will become property of the pool and **CANNOT** be returned. If the pool falls below two hundred forty (240) hours, the Committee shall request that members contribute extra hour(s), up to forty (40) hours.

If the sick leave pool accumulates a reasonable level of sick days, as determined by the Commissioner's Court, the Commissioner's Court may decide to not accept additional donations of sick leave and all current members shall remain eligible for withdrawals from the pool until the next signup period.

To ensure all Eligible Employees are able to participate in the Preliminary Term, the Court hereby grants each Eligible Employee eight (8) additional hours of sick leave. The County Treasurer's office shall record this additional eight (8) hours as being accumulated by each Eligible Employee as of March 15, 2019. Furthermore, the County Treasurer's office shall ensure that as of April 1, 2019, no Eligible Employee has more than four hundred eighty (480) accumulated hours of sick leave recorded.

GENERAL PROVISIONS

Members who terminate employment with Roberts County or who are terminated forfeit membership in the pool at the effective date of their termination.

Members on approved leave of absence shall retain membership in the pool during the year in which they contributed.

An employee who voluntary terminates his/her employment with Roberts County may donate up to eighty (80) hours of his/her accumulated sick leave days to the pool regardless of membership in the pool. The Commissioner's Court may accept or reject the donated days based on the "reasonable level" of the pool considerations.

Employees who make contributions to the pool **MAY NOT** stipulate who is to receive their contributions. Members who use the Sick Leave Pool are **NOT** required to pay back Sick Leave Days from the Pool. Employees shall not accrue vacation or additional sick leave while using approved sick leave from the Pool.

APPLYING FOR SICK LEAVE DAYS

If a member has a qualifying condition requiring additional sick leave days after all accumulated Sick Leave Days, vacation, and

personal leave time have been used; the member may submit a request for Sick Leave Days from the Pool. Sick leave pool request forms are available from the County Treasurer's Office.

A member who requests Sick Leave Days from the Pool must submit to the Administrator a Sick Leave Pool request form which includes the attending licensed physician's statement which: a) identifies the nature of the qualifying condition; b) the date of initial onset of the qualifying condition; and c) the anticipated date the member will be eligible to return to work on either an unrestricted full-time or on a part-time performance basis per requirements of the member's department. Sick leave pool request forms must be submitted no more than ten (10) working days before the exhaustion of the member's accumulated sick leave and/or vacation days.

The Committee may refuse to consider a request that does **NOT** have the required information. If a member is critically ill and unable to file a request for Sick Leave Days from the Pool the Elected Official may submit an application at the request of the employee's family.

GRANTING OF SICK LEAVE DAYS FROM THE POOL (amended 11/12/19)

Under no circumstances will sick leave days be credited to an employee until the Committee has formally approved a request for sick leave days from the pool.

It is important that the requesting employee and the Elected Official, for whom they work, carefully monitor the requesting employee's sick leave balance to allow time for proper Committee meeting postings to occur, before a request for sick leave days from the pool can be formally considered and approved.

Days granted from the pool shall be in units of not more than eighty (80) consecutive working hours. At the end of the Unit of Sick Leave Days, the member may apply for an extension by submitting an updated statement from the licensed physician. A member may draw out up to a maximum of three hundred sixty (360) hours or one-third of the total amount of hours in the pool at the time of the member's request, whichever is less.

Sick Leave Days from the Pool shall be granted only for absences from working days and shall not be granted for holidays.

The Pool may be used only by the individual member for his/her personal qualifying condition. The pool may **NOT** be used by a member to assist with a family member who is ill or disabled.

The Committee shall review and forward to the County Treasurer's office its decisions on all requests to draw on the pool within five (5) working days after a request is received.

Total Sick Leave Days from the Pool may **NOT** be granted that exceed one-third of the hours in the pool at the time of the members request or three hundred sixty (360) hours, whichever is less. The Committee Members shall determine the exact amount of Sick Leave Days from the Pool that a member is awarded/granted/assigned.

Pregnancy will **NOT** be covered by the pool, but complications due to the pregnancy or delivery will be considered.

Sick leave hours from the pool may **NOT** be granted for the period of disability when monies are payable to the member under the Worker's Compensation Act.

APPEALS (amended 11/12/19)

A member may appeal the Committee's decision only by submitting a written request to appear before the Committee. The decision of the Committee, after it has heard the member's presentation, is final. There shall be no appeal of this second decision of the Committee.

AMENDMENTS

This Policy may be amended at any time upon the recommendation of the Commissioner's Court. Any such recommended amendments must be approved by the Commissioner's Court. The Commissioner's Court reserves the right to amend this policy upon its own initiative.

Approved in Open Court this _____ day of _____, 2019

Signature