

## CORPORATE POLICY

**SUBJECT: Sick Leave**

**CATEGORY: Human Resources**

**ORIGINAL DATE: May 13, 2004**

**REVIEWED DATE: June 26, 2017**

**REVISION DATE: August 26, 2020**

### **I. POLICY:**

The sick leave program enables eligible employees to accrue benefit time to be used in the event of illness, serious injury, or medical appointments. If an employee has accrued sick leave benefits, they will be paid for approved absences that occur during normally scheduled work hours. Employees may use their accrued sick leave for their own health condition or to care for a family member who requires the employee's care and attention.

Under the Illinois Caregiver Act 2017, sick leave may be used for time missed due to illness, injury or medical appointments of the employee's child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, stepparent, or domestic partner for reasonable periods of time as the employee's attendance may be necessary, on the same terms upon which the employee is able to use sick leave benefits for the employee's own illness or injury.

Employees may use sick leave for absences related to the death of an immediate family member, close acquaintance, or client (see Bereavement and Child Bereavement Leave policy). Sick leave may not be used as a substitute for vacation leave or for hours that the employee was not scheduled to work.

An employee may start to use their accrued sick leave benefits once the employee has worked one full calendar month of employment with the Lake County Health Department and Community Health Center (LCHD/CHC).

**Rates of Accrual:** Full and part-time regular employees accrue sick leave the first two pay periods of the month. Temporary employees are not eligible for sick leave. Eligible full-time regular employees will accrue one (1) sick day for each month worked.

Part-time regular employees whose Human Resources (HR) record reflects a normal weekly schedule of 20 hours or more will accrue one-tenth of their normal weekly hours each pay period. For example, if an employee's record reflects that they are normally scheduled to work 24 hours a week, the sick leave accrual rate will be 2.4 hours each pay period. If the employee's record reflects 32 normal weekly hours, the sick leave accrual rate will be 3.2 hours.

Employees will not accrue sick leave while they are on an unpaid leave of absence, including but not limited to, unpaid Family Medical Leave Act (FMLA) leave, extended medical leave, personal leave, or when they are receiving Illinois Municipal Retirement Fund (IMRF) disability benefits or worker's compensation benefits.

## **CORPORATE POLICY**

### **II. SCOPE:**

All LCHD/CHC employees.

### **III. PROCEDURE:**

- A. To receive compensation for sick leave, an employee must notify their immediate supervisor or their designee of the intended absence prior to the start of each workday that the employee will not be at work. If an employee misses more than one day of work, the employee is still required to call in prior to the start of each workday unless the employee has been placed on an approved FMLA leave or medical leave of absence. If requesting sick time in advance for appointments, a supervisor may deny a request if it unreasonably interferes with the efficient and effective operation of the program. If there is a pattern of requesting sick time on short notice and/or when it interferes with business operations, the supervisor may request a physician's note. In such cases, the request will be approved or denied contingent upon the employee providing the note.
- B. If an employee misses more than three (3) consecutive calendar days from work due to an illness or injury that appears to qualify as a serious health condition, the County may place the employee on a designated FMLA leave and require the employee to comply with the requirements of LCHD/CHC FMLA policy (see the FMLA policy for further details).
- C. If an employee has received work restrictions from a physician, the employee must communicate those restrictions to HR and their immediate supervisor a minimum of two business days before the employee returns to work. HR will work with the immediate supervisor to determine whether restrictions may be accommodated.
- D. Failure to comply with the LCHD/CHC policy and/or programmatic procedures, when giving notice of an intended absence, may result in the denial of sick leave benefits and/or disciplinary action. Employees who fail to comply with notification requirements may be considered absent without approved leave.
- E. Failure to provide a physician's statement or requested documentation may delay the employee's return to work and may result in disciplinary action and/or the denial of paid benefit time.
- F. Prior to returning to work, an employee may be required to have a fitness for duty examination conducted by a physician of LCHD/CHC's choosing and at the LCHD/CHC's expense. Requests for fitness for duty examinations must be approved by Lake County's Risk Management.
- G. The immediate supervisor may direct an employee who appears ill during a shift to use sick leave time or unpaid leave time to leave work to protect the health of other employees.
- H. An employee may be disciplined and/or denied the use of paid benefit time if the employee's attendance record reflects an abuse of sick leave. Evidence of such abuse may include, but is not limited to, a pattern of missed Mondays and/or Fridays (i.e., first or last day of the work week) or of attempts to use sick leave the day after or the day before a regularly scheduled day off (i.e., paid holiday, vacation day, compensatory day, personal day or a combination

## **CORPORATE POLICY**

- thereof), or any other pattern of excessive use of sick leave.
- I. The immediate supervisor or appropriate Director, with the concurrence of the HR Director or their designee, may direct an employee to leave work if there is reason to believe that the employee is unable to perform the essential functions of their job with or without a reasonable accommodation, or if the employee has presented work restrictions that prevent them from performing the essential functions of their position with or without a reasonable accommodation. If the employee does not have benefit time available to cover such an absence, the absence may be unpaid.
  - J. Sick leave hours taken are not considered hours worked and will be excluded when computing eligibility for overtime in the workweek in which it is taken.
  - K. Sick leave may be taken in no less than one quarter (1/4) hour increments.
    - 1. An employee who is on temporary or permanent disability may elect to use their sick leave benefits at full pay before receiving approved disability payments from the IMRF.
    - 2. Unused sick leave will be accumulated in the employee's sick leave bank and the balance may be carried forward for use in subsequent years. Currently, there is no restriction on the amount of sick leave that employees may carry in their sick bank, but there are restrictions on how much reimbursement employees may be eligible to receive for their sick leave, as provided below.
    - 3. Sick leave used for time missed due to illness, injury or medical appointments of the employee's child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, stepparent, or domestic partner cannot exceed the amount of sick leave accrued by an employee during a six (6) month period.
  - L. Sick Leave Payout at Termination
    - 1. If eligible, employees who leave LCHD/CHC employment in good standing and have at least thirty (30) unused sick leave days in their sick bank on the last day of their employment may be compensated at 50% of value for all unused sick leave accumulated up to a maximum of sixty (60) sick leave days. The daily calculation for part-time employee hours will be prorated according to the employee's normal weekly hours, as reflected in the employee's HR record.
    - 2. Employees may qualify for IMRF pension credit upon retirement for unpaid, unused, accumulated sick leave. Employees should consult IMRF directly for the most current information regarding IMRF policies on this matter.
    - 3. The law prohibits retaliating against or taking other adverse action against employees who exercise their rights or attempt to exercise their rights under the Act. Any threat of retaliation or attempt to do so should be reported immediately to the HR Director, the HR Manager or the appropriate Director. If an investigation reveals retaliation has occurred, it may result in disciplinary action up to and including termination.

#### **IV. REFERENCES:**

Bereavement and Child Bereavement Leave Policy  
Family Medical Leave Act (FMLA) Policy

## **CORPORATE POLICY**

**V. AUTHORS/REVIEWERS:**

Designated Review Team, Corporate Policy and Procedure Committee, Executive Team, and Lake County Board of Health Personnel Committee.

**VI. APPROVALS:**

Lake County Board of Health President

Signature: \_\_\_\_\_ Date: \_\_\_\_\_