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Cancels: Personnel Policy Manual Dated 1991, Section 11.14 as Amended by Resolution No. 2-97, Resolution No. 4-97 and Resolution No. 3-00; Memo dated August 5, 1993, Family & Medical leave Act of 1993 State Law and Federal Law; Memo dated January 19, 1996, Subject – sick leave

## **POLICY-HR-3504**

See Also: RCW 49.78, Family Leave (FORM-HR-3504)

Approved by: \_\_\_\_\_

Thomas A. Green, Chair  
Intercity Transit Authority

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Mike Harbour, General Manager

Written by: Ed Rutledge

### **USING SICK LEAVE**

#### **Definitions:**

“Child” - natural, step, adoptive family member or person for whom the employee is a custodial parent who is nineteen (19) years of age or under with a health condition that requires treatment or supervision or a child of any age who is incapable of self-support owing to development or physical disability with a health condition requiring treatment or supervision.

“Designated Other” – No more than one individual which the employee designates, in lieu of a spouse, no more than once in a twelve month period. Human Resources must receive the designation in writing.

“Emergency” – an unforeseen or unforeseeable event or circumstance of an urgent nature requiring an immediate response.

“mother” or “father” - natural, step, or adoptive family relationships.

“mother-in-law” or “father-in-law” – natural or step-in-law family relationships.

This policy applies to all non-represented employees of Intercity Transit.

#### **1. Sick Leave Does NOT Intend Absence**

Paid sick leave does NOT promote a permissive level of absence. Employees may receive sick leave as paid time away from work duties when such absence is necessary for the well-being of the employee.

#### **2. Employee’s Start Date Determines Eligibility**

The employee's start date for sick leave accrual benefits determines eligibility for use of paid sick leave. Introductory employees may use paid sick leave during their introductory period. An employee on an unpaid leave of absence for a full month (thirty continuous calendar days) does NOT accrue paid sick leave. Temporary employees do NOT accrue paid sick leave.

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### **3. Employees Accrue Sick Leave**

Employees accrue paid sick leave credit for each full month (thirty continuous calendar days) of service in which the employee is in Intercity Transit employment and paid status. An employee receives prorated sick leave for any month in which the employee experience unpaid leave of absence for more than half of the pay period. A disciplinary suspension is considered unpaid leave. The prorated sick leave is based on the number of paid hours received by the employee for the pay period. An employee on an unpaid leave for a full month (thirty continuous calendar days) does NOT accrue paid sick leave hours.

Full-time (equates to forty hours or more per week) employees accrue paid sick leave credit at the rate of eight hours per month. Three-quarter time (equates to thirty to thirty-nine hours per week) employees accrue paid sick leave credit at the rate of six hours per month. Half-time (equates to twenty to twenty-nine hours per week) employees accrue paid sick leave credit at the rate of four hours per month. Employees working less than twenty hours per week do NOT accrue paid sick leave credits.

### **4. Intercity Transit Limits Accruals**

Sick leave accrues from year to year. Intercity Transit established a maximum accrual limit of 960 hours. Employees with sick leave accruals in excess of 960 hours must reduce their accrued sick leave to 960 hours at the end of the pay period in which the excess accrual occurs. Except as provided in Sections 5 and 6 of this Policy, employees shall NOT receive pay for sick leave in-lieu of taking it, nor will employees receive pay for sick leave upon separation from Intercity Transit employment.

### **5. Employees May Trade Sick Leave**

Employees accruing in excess of 400 hours of sick leave may, annually in June, exercise one of the following options for hours in excess of 400 hours:

- Continue to accrue sick leave.
- Trade four hour increments of sick leave for one hour of vacation, up to ninety-six hours of sick leave each year.

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- Trade four hour increments of sick leave for one hour of pay, up to ninety-six hours of sick leave each year.

Intercity Transit pays all sick leave buy-back at the employee’s regular, straight-time rate of pay at the time of the buy-back.

### **6. Employee Receives Pay for Sick Leave at Retirement or Layoff**

Upon separation of employment, under non-disciplinary circumstances, for the purpose of retirement or layoff and with completion of at least five years of employment with the Employer, each employee receives pay for all accumulated sick leave at the following rate:

Hours of Accrued Sick Leave	Buy-Back Rate
0 to 400	1 to 5 for all hours 1 to 400
401 to 600	1 to 4 for all hours 1 to 600
601 to 960	1 to 3 for all hours 1 to 960

### **7. Employee Notifies Supervisor When Need to Use Sick Leave**

Employees must promptly notify their supervisor whenever the use of sick leave becomes necessary. Employee submits notification in writing, or substantiated in writing, and signed by the employee in accordance with departmental procedures. Notification must occur prior to the start of the employee's work shift and in accordance with the call-in / reporting procedures established for the department. An employee shall:

- Advise his/her supervisor of the reason for requesting sick leave;
- Advise his/her supervisor of the probable duration of absence; and
- Keep his/her supervisor informed of his/her condition during a sick leave absence, including the submission of requested documents or medical verifications as requested by the employee's supervisor.

### **8. Supervisor Must Approve Sick Leave**

Payment of sick leave hours requires supervisory approval.

### **9. Employees May Use Sick Leave for Scheduled Appointments**

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When possible, employees schedule medical and dental appointments during their off-duty time. The employee and department will schedule sick leave requests for normal doctor and dentist appointments without undue disruption to department operations.

### **10. Intercity Transit Provides Sick Leave for Employee's Needs**

Employees may use sick leave to attend to their needs as follows:

- Bona fide personal injury or illness of the employee;
- Forced quarantine of the employee;
- Inpatient or outpatient medical care and appointments; and
- Dental care and appointments.

### **11. Employee May Use Sick Leave for Care of Family**

The employee may use sick leave to attend to the needs of his/her family as follows:

- To care for the employee's spouse or "designated other" with a health condition that requires treatment or supervision;
- To care for an employee's "child,"
- To care for an employee's "mother or father" with a health condition that requires treatment or supervision; or
- To care for an employee's "mother-in-law or father-in-law" with a health condition that requires treatment or supervision.

### **12. Intercity Transit Provides Family Leave**

In addition to sick leave, Intercity Transit provides for Family Leave under Washington State's Family Leave Law (FORM-HR-3504). An employee may take up to twelve work weeks of leave per year for the following purposes:

- The arrival of a new child (through birth, adoption or foster placement with the employee).

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- The care provided by the employee associated with the serious health condition of the employee or the employee's spouse, child or parent.

In the case of pregnancy or childbirth related disability, this leave is without reducing a leave entitlement under the FMLA.

As a matter of courtesy, employees should provide Intercity Transit written notice if they intend to take Family Leave thirty days before the anticipated first day of the leave, unless an “emergency” exists.

### **13. Intercity Transit May Require Medical Certification**

An employee’s supervisor, department director or the Human Resources Director may require the employee to produce medical certification in support of the request for sick leave. Intercity Transit may require the employee to submit medical certification that the employee can safely perform his/her regular duties after the use of sick leave. Intercity Transit reserves the right to require an examination of the employee by an Intercity Transit paid physician prior to returning to work, when the employee uses sick leave for illness or health reasons.

### **14. Employee Uses Vacation Leave When Sick Leave Exhausted**

When an employee exhausts all available sick leave hours and continues to need time away from work, the employee must use vacation leave credits available to the employee.

### **15. Employee May Request Medical Leave of Absence**

An employee may request a medical related leave of absence, without pay, from the employee's department director. See POLICY-HR-3505.

### **16. Human Resources Coordinates Sick Leave With Workers’ Compensation**

An employee receiving worker's compensation disability insurance payments during a medical related leave shall use only the number of sick leave hours that, together with the workers’ compensation benefits payments, represent the employee's normal pay for the same period. Human Resources will calculate use of paid sick leave hours on a retroactive basis back to the first day in which the employee was off work.

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If the employee elects to use paid sick leave to supplement the employee's earnings, the employee must notify Human Resources at the start of his/her disability leave. Once the employee elects to use paid sick leave to supplement his/her earnings, the employee may NOT reverse the election. An employee may NOT elect to use only a portion of his/her accrued sick leave.

Upon return to work from a worker's compensation leave period, an employee may elect to purchase back all or a portion of, his/her leave hours used and paid to the employee during the disability period. Once the employee makes payment to Intercity Transit for the total amount due based on the number of hours the employee elected to buy back, staff will add the employee's number of leave hours back to the employee's accrual records.

### **17. Employee Uses Sick Leave in Fifteen Minute Increments**

Employees must use sick leave in fifteen minute increments.

### **18. Employees Abusing Sick Leave May Receive Discipline**

In the event an employee misuses, falsifies, or abuses sick leave, the employee will forfeit any sick leave compensation. The employee may become subject to disciplinary action including termination of employment.