

<i>Jefferson County Policies & Procedures</i>			
Policy Name:	Absence Time with Pay	Approved:	6/2/2011
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Associated:			

Policy

The Jefferson County Commission will provide paid absence time for full-time (non-sworn) employees of Jefferson County under certain conditions.

Provisions

Paid absence days shall include Holidays, Vacation, Sick Leave, Bereavement, Court Leave, Annual Military Training, and Authorized Leave (AL).

The benefit year for the purpose of calculating accrued leave shall be based in regular hours paid, limited to 70/80 hours in a pay period. Regular hours paid shall not include overtime or on-call hours.

A day is based upon the County's established number of hours in the work day for an employee's particular position and shall never exceed eight (8) hours. Annual leave cannot be accrued for hours not paid nor for hours worked beyond the normal workweek which shall not exceed 40 hours.

The benefit year for Maintenance , Animal Control, Assessor's Office, Emergency Communications staff, Homeland Security, Sworn Deputies, and Department Heads shall be 2080 hours. The balance of the County employees will have a benefit year of 1820 hours.

Sheriff's Deputies' vacation accrual is given in accordance with West Virginia Code 7-14-17a and sick day accrual is given in accordance with West Virginia Code 7-14-17b, both of which are different from this policy.

Use of paid time benefit: It is not permitted to substitute a different paid benefit time in place of another to avoid "unpaid" status. Accrued leave can only be applied to the category from which it is earned. Therefore, accrued sick leave cannot be applied as vacation leave or vice versa. Exception: In the event an employee has scheduled a vacation day and the Courthouse/County Government is closed due to natural disaster or adverse weather, the employee may reschedule their vacation day.

Procedures

Holiday Pay

- The Jefferson County Commission will adopt the observed Holiday schedule as prescribed by WV Code.
- Full-time employees will be compensated one day off of Holiday pay for all designated holidays.
- Non-exempt employees who work on a holiday shall receive their regular rate of pay for each hour worked on the designated holiday, plus holiday pay.

- Designated holidays shall be recognized from the period 10:00 p.m. to 10:00
- Holidays occurring during approved vacation or sick leave will be considered as holiday pay and will not be charged against any accrued leave (sick or vacation).
- To qualify for holiday pay, the employee must work the last scheduled workday before the holiday and the first scheduled workday following the holiday or have had vacation leave pre-approved.

The following County personnel shall observe calendar holidays which differ from the official Holiday Schedule:

- Emergency Communications
- Sworn Law Enforcement Officers

Vacation Accrual

Vacation Leave is a reward for service and offers the employee a break from the daily routine. Vacation time is earned according to the following schedule:

Emplymt Anniversary	Length of Continuous Service	Mo. Rate of Accrual	Accrued Days	Lifetime Maximum Days
0-5	after 1 mo. -59 th	1.25 days	15	20
5-10	60 th mo. – 119 th	1.5 days	18	23
10-15	120 th mo. – 179 th	1.75 days	21	26
15 plus	180 th mo.	2 days	24	29

- Vacation is earned based on completed service as of the first day of the month.
- Vacation days accrued over the maximum accrual number are lost. At no point during the year can the number of vacation days exceed the maximum accrual amount; also at fiscal year-end the maximum number of vacation days that can be carried over cannot exceed the maximum accrual amount. Absences in excess of the accrual are taken without pay. Time worked in excess of 70/80 hours does not add to the vacation accumulation.
- Vacation leave should be scheduled in advance at the convenience of the Elected Official/Department Head. Consideration should be given to any specific request of an employee.
- Requests for same vacation time within one department will be decided by service time.
- Newly hired employees will be credited with and eligible to use three (3) days of vacation upon completion of their probationary period, based upon the approved rate of accrual. Absence time during the probationary period is taken without pay.
- Vacation pay is based on the employee's regular hourly rate of pay for the number of hours of vacation leave used. Holidays are not charged against scheduled accrued vacation or to sick leave when supported by acceptable medical verification.
- Accrued but unused vacation days are reimbursed upon termination of employment (voluntary or otherwise) not to exceed the maximum accrual based on years of service.

SICK LEAVE

Accrual of Sick Leave

- Sick leave is defined as time off with pay because of personal or family illness or injury.
- Sick leave is accrued at a rate equivalent to one and a half (1.5) days per month. Time worked in excess of 70/80 hours does not add to the accumulation.
- Accrued sick leave may be taken during the probationary period.

Sick leave accrues while an employee is absent from work due to illness, injury, or caring for a sick family member and is receiving a paycheck.

Intermittent Sick Leave

Intermittent sick leave is defined as short term absence from work due to a minor medical condition, e.g., cold, flu, etc. Intermittent sick leave is recognized for family members to include; spouse, child, parent, grandparent, or any other member of the household. At the Elected Official/Department Head's discretion, a physician's statement (verification) may be requested at any time.; five (5) or more consecutive days of sick leave require a physician's statement.

To qualify for approved sick leave, the employee shall notify his/her immediate supervisor by the start of their scheduled shift of work, or in accordance with established office procedures.

Extended Sick Leave

Extended sick leave is defined as a prolonged absence from work due to a serious medical situation, e.g., surgery, recovery from serious illness, childbirth, etc. Any extended sick leave which meets the requirements for FMLA shall run concurrently with FMLA. The Elected Official/Department Head shall comply with FMLA provisions pertaining to certification and recertification, when applicable.

An employee shall be eligible for extended sick leave if he/she has sufficient accrued sick leave, or extended by vacation leave at the employee's option, to cover the duration of the absence. A physician's statement describing the medical condition and stipulating the needed time off work is required.

The Elected Official/Department Head shall maintain a record in the employee's personnel file. Notice shall be given to the payroll administrator of the anticipated duration of the leave in order to ensure continuity of benefits and related issues.

The Elected Official/Department Head shall be responsible for assuring that the employee has sufficient accrued sick leave and vacation leave at the employee's option, to cover the period of absence specified by the attending physician. If there is not sufficient accrued leave available, the employee will be placed on leave without pay. The employee shall be responsible for payment of all optional medical, life, vision, dental and family coverage(s). The payment will be calculated by the benefits administrator or payroll clerk. Those funds must be remitted to the Jefferson County Sheriff's Tax office by the first day.

If the employee's physician orders additional time off work beyond the original approved

leave of absence, the Elected Official/Department Head shall immediately notify the payroll administrator to insure the continuation of medical benefits.

Suspected Misuse of Leave

When an employee appears to have a pattern or incident of leave that is inconsistent with the reasons provided in this policy, the Elected Official/Department Head may request appropriate substantiation of the employee's claim for leave.. Misuse of leave may include, but is not limited to, frequent use of sick leave rendering employee's services undependable; requesting sick leave for days where annual leave was previously denied; and requesting unplanned leave in connection with scheduled days off, which days off include annual leave, weekends, and holidays. The Elected Official/Department Head shall provide the employee with notice of the requirement for appropriate substantiation at the time the request for unplanned leave is made.

Bereavement

An employee may be granted up to three (3) days of paid leave for the death in the immediate family. Immediate family shall refer to the employee's spouse/significant other, children, grandchildren, stepchildren, father, step-father, mother, step-mother, legal guardian, sister, brother, mother-in-law, father-in-law, son-in-law, daughter-in-law. Leave may commence upon notice of the death.

An employee may be granted up to two (2) days paid leave upon the death of an employee's grandparent, spouse's grandparents, aunt, uncle, cousin, niece, nephew, brother-in-law, or sister-in-law. Leave may commence at the discretion of the Elected Official/Department Head.

One day funeral leave with pay may be granted at the discretion of the Elected Official/Department Head.

Employees who must attend a family member's funeral which does not fall within the immediate family category and must travel in excess of two hundred (200) miles may be granted paid leave at the discretion of the Elected Official/Department Head.

Military Leave

a. State Active Duty and Reserve Military Service. -- In accordance with the provisions of W. Va. Code §15-1F-1(a), all officers and employees of the County who are members of the National Guard or of any of the reserve components of the armed forces of the federal government are entitled to a leave of absence from employment without loss of pay, status, or efficiency rating, on all days during which they are engaged in drills or parades, or for examination to determine fitness for duty, inactive duty training, funeral honors duty for the State or federal government, active duty for training or active service for the State all to include reasonable travel time to and from the duty location, for a maximum period of thirty working days, not to exceed two hundred forty (240) hours, in any one calendar year when ordered or authorized by proper authority. An

employee need not exhaust all annual leave or sick leave. Furthermore, the leave of absence is considered as time worked for the County in computing seniority, eligibility for salary increase and experience with the agency. The terms of this subdivision do not apply under the provisions of any military selective service act. An employee shall provide to the appropriate department head or elected official written notification of an obligation or intention to perform military duty and such written orders, as soon as available, in support of the request for military leave. None of the unused days of military leave for which an officer or employee is eligible under this subdivision may be carried over and used in the next calendar year. An employee on extended federal active duty or full-time National Guard duty is eligible for leave provided in this subdivision only in the year he or she is called to active duty, and in subsequent years only after he or she has been discharged from military duty and returned to County employment.

b. Federal Active Duty. -- In accordance with the provisions of W. Va. Code §15-1F-1(b), all officers and employees of the County who are ordered or called to active duty by properly designated federal authority are eligible for an additional leave of absence from employment without loss of pay, status, or efficiency rating for a maximum period of thirty working days, not to exceed two hundred forty (240) hours, for a call to active duty, active duty for training, initial active duty for training, or full-time National Guard duty, all to include reasonable travel time to and from the duty location. All officers and employees of the State called to federal active duty or full-time National Guard duty who have not used all or some portion of the thirty working days of military leave granted by subdivision (a) of this subsection are eligible to use those unused days in the same calendar year prior to using the thirty days for which they are eligible under this subdivision, up to a maximum of sixty days, not to exceed four hundred eighty (480) hours, for a single call to active duty. None of the unused days for which an officer or employee is eligible under subdivision (a) may be carried over and used in the next calendar year. An employee on extended federal active duty or full-time National Guard duty is eligible for leave provided in subdivision (a) of this subsection only in the year he or she is called to active duty, and, in subsequent years, only for a subsequent call to duty and only after he or she has been discharged from military duty and returned to County employment. The term "without loss of pay" means that the employee shall continue to receive his or her normal salary or compensation, notwithstanding the fact that the employee may have received other compensation from federal or state sources during the same period. Separate orders that result in consecutive active duty assignments in which the employee does not return to work shall be considered a single call to active duty. An employee will only be eligible for an additional 30 days under subdivision (b) for a subsequent call to duty only after he or she has returned to County employment.

Jury Duty

Employees who receive notice that they have been selected for jury duty are required to notify their supervisor no later than their next scheduled work day. Time off from work due to jury duty shall be with pay, based on the employee's regular rate of pay for the number of hours off work. Employees are expected to return to work once they have been excused from

jury duty during regular working hours.

The employee is required to remit any payment received for services rendered as a jurist. The employee may retain mileage reimbursement and any payment for services rendered while serving as a jurist during non-work hours

Administrative Leave

In the event the Courthouse/County Government is closed due to natural disaster, adverse weather conditions, etc. an employee will be excused from attending work without loss of compensation.

Essential staff will be advised when/how to report for duty, if necessary.

Liberal Leave

In the event adverse weather conditions exist and an employee feels that it is unsafe to travel to work, liberal leave will be in effect. Liberal leave allows an employee to take a day's vacation or a day off without pay if unable to get to work. Employees are responsible for contacting their supervisor to advise if they choose Liberal Leave or request other accommodations. Essential staff will be advised when/how to report for duty.

Record Keeping

Elected Officials/Department Heads or their designee will be responsible for record keeping pertinent to these guidelines. This record keeping does not preclude any records required by the Clerk of the County Commission or the payroll clerk.