

## ABSENCE TIME WITH PAY

### 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.

The benefit year for Maintenance (including 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.

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.

### Procedures

#### **Holiday Pay**

- The Jefferson County Commission will adopt the observed Holiday schedule as prescribed by WV Code.
- Full-time employees will be compensated a **maximum** of eight (8) hours of Holiday pay for all designated holidays.
- Non-exempt employees who work on a holiday shall receive a rate of time and-one-half (1.5) for each hour worked on the designated holiday, plus holiday pay.
- Exempt employees who are required to 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 a.m.
- 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:

Year(s) of Employment	Length of Continuous Service	Monthly Rate of Accrual	Accrued Days	Maximum Accrual
0-2	After 1 mo. – 23	.83 day	10	14
2 -5	24 <sup>th</sup> mo. – 59 <sup>th</sup>	1 day	12	17
5 - 10	60 <sup>th</sup> mo. – 119 <sup>th</sup>	1.25 days	15	20
10 – 15	120 <sup>th</sup> mo. – 179 <sup>th</sup>	1.5 days	18	23
15 - 20	180 <sup>th</sup> mo. – 240 <sup>th</sup>	1.75 days	21	26
20 Plus	240 <sup>th</sup> mo. – beyond	2 days	24	28

- Vacation days accrued over the maximum accrual number are lost. 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 (1) day 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 sick leave is used.

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.

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 of each month for the duration of the leave.

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.

### **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**

Military Leave will be granted to full-time employees who are called to serve for a domestic emergency or to attend summer camp which requires time off, and will receive full pay differential for a period not to exceed thirty (30) calendar days (**not to exceed 210 or 240 hours**). Each military leave of absence will be granted up to the limit set by law and the employee will be eligible for employment in accordance with the applicable Federal laws.

Benefits shall not be applicable when individuals are ordered or called to active duty by the President. (West Virginia code 15-1F-1).

The military leave will be granted for the duration of the required active service. The employee's position will be held in the same manner.

### **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. 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.

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