

# SCIOTO COUNTY BOARD OF DEVELOPMENTAL DISABILITIES

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## **POLICY 3.05.05 SICK LEAVE**

(ORC 124.38, 124.382, 124.39; OAC. 123:1-32-10)

### **A. Accrual**

1. All full-time, part-time permanent, and substitute Scioto County Board of Developmental Disabilities staff will accrue sick leave at the rate of four and six-tenths (4.6) hours for each eighty hours of service per Section 124.38 of the Revised Code, or the pro-rated amount, based on .0575 hours earned per hour worked.
2. Sick leave shall not exceed the amount of time a permanent employee actually works in any pay period. Sick leave is earned only when an employee is in active pay status (i.e., for only those days for which the employee is actually paid).
3. Sick leave does accrue during overtime work (hours in excess of 40 worked within one week at the rate of 0.0575 per hour).
4. Nine-month employees shall not earn sick leave during the months in which they are not working. (Ref.: OAG 82-055)

### **B. Request for Leave Form**

To justify the use of sick leave, all employees are required to complete and sign a leave request form. If the leave has not been pre-approved, the employee must complete the form on the first day back to work following an illness. The completed form is to be given to the employee's immediate supervisor that same day. The leave request form is then forwarded to the Human Resources Office within two business days.

### **D. When to Use Sick Leave**

1. An employee may utilize paid sick leave to care for ailing members of his/her immediate family. Immediate family is defined as:

a. spouse;	b. parent or legal guardian;
c. child;	d. brother;
e. sister;	f. grandparent;
g. grandchild;	h. mother-in-law;
i. father-in-law;	j. Step-sibling;
k. Step-parent	l. Step-child;
m. foster child;	n. daughter-in-law;
o. son-in-law;	p. sister-in-law;
q. brother-in-law.	

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2. For a staff member to utilize paid sick leave for the care of family members other than those listed above, approval must be received from the Superintendent or his/her designee.
3. When sick leave is requested for the care of a member of the immediate family, the Superintendent may require a physician's certificate stating that the presence of the staff member is necessary for the care of the ill person.
4. Funeral leave will be charged against a staff member's accumulated sick leave.

### E. How to Use Sick Leave

1. Employees who are off work and utilizing paid sick leave are expected to be at home, in a physician's office, pharmacy, hospital or illness-related facility, or traveling to or from such places.
2. Sick leave may be taken in increments of one quarter hour or more. The hours charged for a day will depend on the employee's scheduled workday. Sick leave may not be used before it has been accrued.
3. With the Supervisor's approval, the employee may use compensatory time instead of sick leave, if available.
4. Sick time used by an employee is considered non-work time for purposes of calculating overtime pay or compensatory time accrual. (Ref.: ORC 4111.03(D))
5. Employees are required to report off to work daily, unless other arrangements have been made. (See also the policy on Tardiness and Attendance.)
6. Employees who use sick leave for an absence of three or more consecutive working days may be required to provide a statement from an attending medical practitioner explaining the nature of the illness. Falsification of such a document will lead to disciplinary action.
7. The Superintendent has the authority to investigate the reasons for an employee's absence. The Superintendent may deny the use of sick leave if the employee fails provide a qualifying reason for the leave.

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## D. Extenuating Circumstances

1. Time that is declared a calamity will not be deducted from pre-approved sick leave.
2. An employee who is unable to work and needs to extend his/her sick leave beyond three days must provide the Superintendent or supervisor with an explanation of the reason for the leave and an approximate return to work date. The Superintendent may designate the leave to be Family and Medical Leave, if the condition qualifies under the law. FML will be credited against the employee's twelve week entitlement from the date of the qualifying event. (See also policy on family and medical leave)
3. If an illness continues beyond the time covered by earned sick leave, an employee shall use earned vacation leave, compensatory time or personal leave prior to requesting an unpaid leave of absence. Any leave of absence beyond that required by law is discretionary, as determined by the Superintendent.

## F. Unused Sick Leave

1. Unused sick leave may be accumulated on an unlimited basis; however, upon the retirement or death of a staff member who has ten or more years of service with the Scioto County Board, said staff member or his/her beneficiary will be paid for earned but unused sick leave in accordance with the policy regarding benefits at separation from employment.
2. A staff member who transfers from one county office to another, or who transfers from other public employment in Ohio to Scioto County employment without interruption in service, shall be credited with the unused balance of his/her sick leave accumulated in his/her prior service. The staff member is responsible for obtaining certification of his/her previously accumulated sick leave from his/her previous employer.
3. A staff member who has been separated from Scioto County employment who is later re-employed by the County shall be credited with his/her previously accumulated sick leave, provided the reemployment occurs within ten years of the date of the staff member's last separation from Scioto County employment, and said employee was not reimbursed for his/her accumulated sick leave.