

BOARD OF COUNTY COMMISSIONERS SARPY COUNTY, NEBRASKA

**RESOLUTION AMENDING THE PERSONNEL POLICY AND
PROCEDURES MANUAL**

WHEREAS, pursuant to Neb. Rev. Stat. § 23-104 (Reissue 2007), the County has the power to do all acts in relation to the concerns of the County necessary to the exercise of its corporate powers; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103 (Reissue 2007), the powers of the County as a body are exercised by the County Board; and,

WHEREAS, Sarpy County has adopted certain policies and procedures regarding the performance of County business and of employees of the County, and

WHEREAS, it is recognized that Sarpy County recently became subject to the County Civil Service Act and is in the process of establishing a Personnel Policy Board in order to follow the procedures under the County Civil Service Act. Further, it is recognized that the Sick Leave and Vacation Leave Policies are subject to future amendments under the County Civil Service Act.

NOW, THEREFORE, BE IT RESOLVED by the Sarpy County Board of Commissioners that the revised Sick Leave Policy and Vacation Leave Policy, copies of which are attached hereto, are hereby adopted into the Sarpy County Policy and Procedure Manual with an effective date of December 1, 2011 and future practices of the County shall be in conformity with the same.

BE IT FURTHER RESOLVED that all previous Resolutions or parts of Resolutions of the Sarpy County Board of Commissioners on said subjects or in conflict with the provisions of this Resolution are hereby repealed.

The above Resolution was approved by a vote of the Sarpy County Board of Commissioners at a public meeting duly held in accordance with applicable law on the 22nd day of November, 2011.



Tom Richards
Sarpy County Board Chairman

Renee Lousman
County Clerk
Deputy



POLICIES & PROCEDURES MANUAL



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| TOPIC: <i>Sick Leave</i> | APPROVED: <i>July 20, 2004</i> REVISED: <i>September 06, 2005</i> <i>November 22, 2011</i> |
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SICK LEAVE

I. PURPOSE

The purpose of sick leave is to provide a benefit to those eligible County employees who are unable to attend work due to short-term illness or injury. It may also be used in conjunction with an approved long-term medical leave of absence to provide some measure of income protection for extended illness or disabilities.

Definition

Sick leave will be considered for a bona fide illness or injury for reasons other than illness or injury arising out of and in the course of County employment.

II. ACCRUAL

1. Full-time employees will accrue sick pay benefits at a rate of 4.00 hours per payroll period (104 hours per year).
2. Part-time employees will accrue sick pay benefits at a rate of four hours for each eighty (80) hours worked, not including overtime hours.
3. Sick leave shall not be accrued by emergency or temporary employees

III. ACCUMULATION AND CONVERSION

Non-Exempt Hourly Employees:

Nine hundred and sixty (960) hours of sick leave may be accumulated. If the maximum is reached, there will be no additional accrual of sick leave until the employee's balance drops below the maximum. Upon reaching eight hundred (800) hours of sick leave, an employee may convert up to one-hundred sixty (160) hours of sick leave (at a 2:1 ratio) into vacation hours and/or pay once per calendar year. For example, one-hundred sixty (160) hours of sick leave would convert into eighty (80) hours of vacation or pay.

Exempt Employees:

One thousand forty (1,040) hours of sick leave may be accumulated. If the maximum is reached, there will be no additional accrual of sick leave until the employee's balance drops below the maximum. Upon reaching eight hundred (800) hours of sick leave, an employee may convert up to two-hundred forty (240) hours of sick leave (at a 2:1 ratio) into vacation hours and/or pay once per calendar year. For example, two-hundred forty (240) hours of sick leave would convert to one-hundred twenty (120) hours of vacation or pay.



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IV. GENERAL PROCEDURE

Sick leave will be considered for a nonwork-related bona-fide illness or injury. Employees will be entitled to utilize sick leave for treatment of drug or alcohol addiction, injury, pregnancy, or sickness which renders an employee incapable of performing his or her required job duties, for medical and dental care, or for exposure to contagious disease under circumstances in which the health of other employees or the public would be endangered by the employees attendance on duty.

Employees may utilize their sick time in order to keep medical or dental appointments.

Employees may utilize their sick time for the illness of his or her immediate family (Spouse, children, and mother/father) where the employee's attendance is required. Only twenty (20) hours per fiscal year of the employee's sick time may be used for parents or children living outside the home.

Sick leave may be used at .025 increments (15 minutes intervals).

In order to continue accruing vacation and sick leave hours, an employee must be in an active pay status unless on Family and Medical Leave (FMLA).

When unable to report to work, the employee must notify his/her immediate supervisor as early as possible, except in an obvious emergency. During absence due to illness, the employee must notify his/her supervisor daily of their progress and expected date of return unless on FMLA.

Sick pay will be paid only for approved absences and for time when the employee would normally be scheduled for work.

Employees not on FMLA using sick leave for **three (3)** consecutive workdays must submit a physician's certificate in order to receive sick pay, unless waived by the department head or elected official. The cost, if any, of the certificate shall be paid by the employee. For a lesser period of absence, the department head or elected official may, at his or her discretion, require evidence of illness from a physician.

Sick leave shall not be used as vacation leave. Once sick leave is exhausted, vacation pay will be used to continue compensation.

IV. SEPARATION OF SERVICE

For employees with less than ten (10) years of service upon retirement, resignation, dismissal (except for dismissal for disciplinary cause), or death, such employee or his/her beneficiaries shall be paid one-fourth (1/4) of his/her accumulated sick leave.



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For employees with ten (10) or more years of service, upon separation from service, an employee or his/her beneficiaries shall be paid one half (1/2) of his/her accumulated sick leave.

Under each case, such amounts shall be paid at the rate of payment based upon the employee's regular rate of pay at the time of separation.

An employee on a Non-FMLA approved absence without pay will not earn sick leave benefits until they return to a paid status.

V. OTHER PROVISIONS

This policy should be read in conjunction and coordinated with all applicable contract provisions, personnel rules, and all state and federal laws including, but not limited to, the Nebraska Workers' Compensation Act, the American with Disabilities Act (ADA), and the Family and Medical Leave Act (FMLA).



POLICIES & PROCEDURES MANUAL



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| TOPIC: <i>Vacation Leave</i> | APPROVED: <i>July 20, 2004</i> REVISED: <i>September 06, 2005</i> <i>November 22, 2011</i> |
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I. PURPOSE

Vacation benefits are provided for the purpose of rest, relaxation, and a planned interruption from the workplace or to attend to personal affairs and should ordinarily be taken within 12 months of the date earned. Elected Officials, Department Heads, supervisors, and employees have the responsibility to plan vacation leave schedules which meet the operating requirements of their department and time off needs of the staff.

II. BENEFITS DETAILS

Eligibility

All introductory and tenured employees are eligible to accrue vacation hours each payroll period, as long as they remain in a paid status. Employees classified as temporary, emergency, or student/interns shall NOT be eligible for vacation accrual.

Employees in an "Introductory Status" shall earn vacation leave from their starting date of employment but may not take vacation leave until the completion of their introductory period at the discretion of the Elected Official / Department Head.

Determination of Benefits

Accrual will be based upon the following schedule.

Full-Time Employees

| <u>YEARS OF SERVICE</u> | <u>ANNUAL ACCUMULATION</u> | <u>HOURS ACCRUED PER PAY PERIOD</u> |
|-------------------------|----------------------------|-------------------------------------|
| 1 – 5 years | 88 hours vacation | 3.385 hours per pay period |
| 6 – 9 years | 128 hours vacation | 4.923 hours per pay period |
| 10 years | 136 hours vacation | 5.230 hours per pay period |
| 11 years | 144 hours vacation | 5.538 hours per pay period |
| 12 years | 152 hours vacation | 5.846 hours per pay period |
| 13 years | 160 hours vacation | 6.153 hours per pay period |
| 14 years | 168 hours vacation | 6.461 hours per pay period |
| 15-19 years | 176 hours vacation | 6.769 hours per pay period |
| 20+ years | 188 hours vacation | 7.231 hours per pay period |

Part-Time Employees

Part-time employees accrue vacation in relation to the total number of hours, excluding overtime, worked per year at a rate of one (1) hour for every twenty-six (26) hours worked.



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III. POLICY & PROCEDURE

Vacations will be scheduled at the convenience of the department; however, each Elected/Appointed Official or Department Head will endeavor to schedule the work so as to allow employees to take vacation at their requested time.

Scheduling conflicts that occur due to more than one person requesting leave at the same time and which cause undue constraints upon the department will be resolved by seniority of the requesting employee. Vacation leave may not be taken unless previously approved by the department's Elected/Appointed Official or Department Head along with sufficient accrual accumulation.

Vacation may be taken at a minimum of ½ (one-half) hour increments and a maximum of the total vacation hours accumulated.

In order to encourage the use of vacation time, employees may only accrue a maximum of 360 hours of vacation leave. If the maximum is reached, there will be no additional accrual of vacation leave until the employee's balance drops below the maximum.

An employee is not permitted to work and receive vacation pay for the same time.

An employee on Non-FMLA leave of absence without pay will not earn vacation benefits until they return to a paid status.

Exempt employees (as defined in the Fair Labor Standards Act) upon reaching 120 hours of accrued vacation leave may convert up to eighty (80) hours of vacation leave into compensation at a 1:1 ratio once per calendar year.

Upon separation the employee or his/her beneficiary shall be paid all accumulated vacation computed on the basis of the employee's regular pay as of his/her last day of employment.