

MADISON COUNTY, VIRGINIA PERSONNEL POLICIES MANUAL

SICK LEAVE BANK

POLICY NO. 8.6 **EFFECTIVE:** 01/02/2024

- A. Eligibility for Membership (1) All classified employees in regular full-time positions who are members of VRS Plan 1 or 2, and employees in regular part-time positions who were hired into those positions prior to July 1, 2014 and have completed their initial probationary period will be eligible to participate in the Sick Leave Bank.
- B. Those employees defined above are eligible for participation in the bank. The bank is frozen to Hybrid employees who are provided Short and Long-term Disability.

Membership in the bank is voluntary and will be maintained by occasional requests for donations from an employee of accumulated sick leave or county provided contributions from unused leave that cannot be claimed. An employee may donate more than eight (8) hours but must donate in 8-hour increments and may not donate more than 40 hours per year.

- C. The sick leave bank may not be drawn upon until after all sick, annual and compensatory leave has been exhausted by the employee. Credit toward annual and sick leave will be earned during the time an employee is using the sick leave bank.
- D. Days drawn from the Pool for any one period of eligibility must be consecutive, except additional periods of disability resulting from recurrence or relapse of the original illness which will be covered fully on a continuing basis up to the annual maximum of 45 days. Once a member has used all 45 days of Extended Leave Pool time, he must return to work and meet the requirements of section 3-20.8.3.1, above, before becoming reeligible to utilize the Pool.
- E. Employees will be eligible to draw days from the sick leave bank only after verification through the County Administrator's Office of a non-work related serious health condition, which includes illness, injury, impairment, or physical or mental disorder requiring inpatient care in a hospital, hospice, or residential medical care facility or continuing treatment by a health care provider. Employees must submit a doctor's statement verifying the employee's incapacity and an estimated length of time that the employee may be fully incapacitated. Each application to the sick leave bank will be adjudicated on a case-by-case basis. The County Administrator may require a second physician's certification from a

physician of the County Administrator's choice. Such certification will be at the County's expense. However, if the two physicians disagree whether a medical condition exists, it is within the sole discretion of the County to determine whose opinion prevails.

- F. Members utilizing sick leave from the bank will have to replace these days as set out below:
 - 1. 0-5 years of service: 6 hours per month
 - 2. 6-15 years of service: 12 hours per month
 - 3. Over 15 years of service: 15 hours per month
- G. Employees may be will be asked to contribute if the bank is depleted.
- H. Participating employees will not be permitted to withdraw their contributed days at any time, including separation from employment, but are eligible for the bank if needed.
- I. Any employee, upon termination of employment, may donate their unused sick leave to the sick leave bank.
- J. No benefits will be paid from the bank for a work-related injury or for a sickness for which an employee is entitled to Worker's Compensation or leave for illness or injury in line of duty.

K. DONATION OF ANNUAL LEAVE TO ANOTHER EMPLOYEE

As a general policy, annual leave or compensatory time shall not be donated or transferred from one employee to another employee. However, in cases of extreme hardship and based on individual circumstances and merit of each validated situation, the County Administrator may approve the donation of annual leave by one employee to another employee to be used as sick leave.

The donation and transfer of annual leave or compensatory time by one employee to another employee to be used as sick leave shall be subject to the following provisions:

- 1. Prior to submission of a formal request for transfer of annual leave, the responsible Department head and the County Administrator shall review the donating and the receiving employee's leave records to ascertain appropriateness of the request. If such review indicates a formal request is not warranted, no further action will be taken.
- 2. If deemed warranted, a formal request shall be submitted by the donating employee through his Department head to the County Administrator for

approval and certification. A copy of the completed request will be maintained by the County Administrator and a copy will be furnished the donor.

3. Mandatory limits shall not be established for this voluntary donation of annual leave or compensatory time, however, individual circumstances such as the amount of leave accrued by the donor, the probability of forfeiture, the nature of the hardship, etc. shall be considered in determining the appropriate amount to be approved for transfer.
4. To be eligible to receive donations of annual leave or compensatory time to be used as sick leave, would be recipients must have used all personal accruals of annual, sick, compensatory leave (if applicable) and authorized sick leave bank balances, if a contributing member of the sick leave bank.
5. Department heads shall not be eligible to donate or receive annual leave or compensatory time from their subordinate employees for use as sick leave, except that they may donate annual leave to or receive annual leave from other Department heads and employees of other departments.
6. Employees shall not be eligible to donate annual leave or compensatory time to their Department heads and supervisors.
7. The donation of annual leave from one employee to another employee for use as sick leave shall be a voluntary act on the part of the donor and is to be neither encouraged or discouraged by management. It is, however, recognized as a viable means of alleviating extreme hardships that may be incurred by County employees and is to be given management's support when justified.