

	Town of Chapel Hill, NC Sick Leave Personnel Policy	Policy Number: PP 2-6 Effective Date: July 1, 2017	I. POLICY II. PURPOSE III. PROCEDURE IV. FORMS/INSTRUCTIONS V. ADDITIONAL CONTACTS VI. DEFINITIONS VII. RESPONSIBILITIES VIII. APPENDICES IX. FAQ X. SCOPE XI. RELATED INFORMATION XII. POLICY HISTORY	Approved By:  Roger L. Stancil, Town Manager
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Sick Leave Policy

I. POLICY

Sick Leave with pay shall be granted to a regular employee for use when sick or for illness in the employee’s immediate family (including an employee’s domestic partner and the children of the domestic partner) which requires the employee’s care.

II. PURPOSE

Safe and healthy employees are valued by the Town. This policy creates paid leave for employees to maintain their own well-being as well as those around them. The policy also addresses sick leave abuse in an effort to support the Town value of Responsibility, which acknowledge that an employee’s duties impact he jobs of many other employees.

[Town of Chapel Hill Code of Ordinances 14-74 through 14-77](#)



Safety: We strive to maintain our own mental and physical well-being and the well-being of those around us. We are dedicated to a work environment that minimizes risk of injury or accident. We are also dedicated to an environment that provides for honest and courteous discussion of workplace issues without fear of repercussion.



Responsibility: We acknowledge that our duties impact the jobs of many other employees. We take ownership over our roles within the organization as a way to demonstrate our consideration for the time and efforts of our fellow employees as well as pride in our own work.

The Director of Human Resource Development is authorized to issue procedures consistent with this policy.

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	Sick Leave Procedures	Effective Date: July 1, 2017		 Cliff Turner, Director Human Resource Development

III. Sick Leave Procedures

These procedures are issued by the Director of Human Resource Development to implement the Sick Leave Policy, PP 2-6, issued by the Chapel Hill Town Manager. These procedures may be periodically updated.

A. Sick Leave Accrual:

1. Transfer of Sick Leave: New Employees: A new employee eligible for earning sick leave with the Town of Chapel Hill may transfer any earned, unused sick leave from another local government unit in North Carolina or from a North Carolina State Agency if the transfer occurs within 12 months of employment with that unit or agency. The employee is responsible for obtaining and providing documentation of such leave from the unit of government and providing it to the Town's Human Resource Development Department. ([Policy Guidance: Transfer of Sick Leave 10/29/2015](#))
2. Transfer of Sick Leave: Reinstated Employee: An employee who is reinstated or rehired to an eligible position within 12 months of leaving Town employ may transfer sick leave under the same provisions as a new employee as outlined in paragraph A.1. above.

3. Accrual Rates: Each regular employee with a work schedule of twenty (20) or more hours per week, or one thousand twenty (1020) hours per year shall accrue sick leave at the rate of twelve (12) work week equivalent days per year.

Average Weekly Work Hours	Annual Accrual Days	Weekly Accrual Amount (hours)	Biweekly Accrual Amount (hours)
20	12	0.95	1.90
37.5	12	1.73	3.46
38.5	12	1.78	3.56
40	12	1.85	3.70
42	12	1.94	3.88
56	12	2.58	5.16

4. Sick Leave Maximum Accrual: Sick leave shall be cumulative with no maximum accrual.
- B. Sick Leave Use: Sick leave must be accrued before it is used.
1. Employee: Accrued sick leave may be used if an employee must be absent from work due to any of the following conditions: sickness, bodily injury, quarantine, required physical or dental examinations or treatment, or exposure to a contagious disease when continued work might jeopardize the health of others.
 2. Use of Sick Leave for Qualifying Family Members—non-FMLA Definition: Sick leave may also be used to care for members of an employee's [immediate family as defined by this policy](#).
 3. While receiving disability payments from the Town: When an employee only receives disability paid for by the Town for up to one half base pay, sick leave hours up to one half of the employee's average workweek may be used.
 4. While receiving disability payments from supplemental disability policy paid for by the employee: When an employee is only receiving disability payments from a supplemental policy paid for by the employee, sick leave may be used as usual. **In the event an employee receives both Town and supplemental disability, please consult with HRD before using any leave.**

5. Sick Leave Approval: Use of accrued sick leave must be approved by the employee's immediate supervisor, or in their absence, someone within the employee's chain of command.
 6. Notification: Departments may establish an operational deadline by which employees must notify their immediate supervisor and other designees of their intention to take sick leave. In the absence of such a Department deadline, employees must provide 24 hour advance notice of the need to take sick leave when the need is foreseeable. When a 24 hour notice is not possible, the employee must provide notice as soon as is practical.
- C. Excessive Absenteeism: In the event that an employee is absent from work for a period of time which exceeds approved paid leave or an unpaid leave granted by the Town, such absenteeism shall be grounds for disciplinary action up to and including termination. Other patterns of unapproved absenteeism may also be considered grounds for disciplinary action up to and including termination.
- D. Sick Leave Abuse: Claiming or taking sick leave under false pretense to obtain time off with pay shall be considered sick leave abuse. Employees found to be abusing sick leave shall be subject to disciplinary action up to and including termination.

Examples of sick leave abuse may include, but are not limited to:

1. Calling in sick on a day that was previously denied as a vacation day
2. Establishing a pattern of taking sick leave around a weekend, scheduled days off, or around holidays
3. A pattern of taking sick leave as soon as it is accrued
4. Traveling outside the employee's immediate home area while on sick leave, unless it is to obtain medical treatment from a medical professional.

- E. Medical Examination and Physician Certification:
1. May be requested at any time: To ensure that sick leave privileges are used only for authorized purposes, employees may be asked to obtain Medical Certification.

2. Absences of Three or More Days: Employees who are absent for three or more consecutive days may be required to provide medical certification of the illness to their supervisor upon returning to work.
- F. Effects of Termination upon Sick Leave: All sick leave accrued by an employee shall terminate without compensation when the employee retires, resigns, is laid off, or terminated by the Town.
1. Rehire within 12 months: An employee who left Town employ in good standing and is then rehired or reinstated by the Town within 12 months into a position eligible for earning sick leave, shall have any remaining unused sick leave that is still on Town's roster reinstated. Sick leave that was transferred to a new employer can be transferred back to the Town according to the provisions of paragraph A.1 and A.2 above. ([Policy Guidance: Transfer of Sick Leave 10/29/2015](#))

IV. FORMS/INSTRUCTIONS

- A. Qualifying employees who wish to transfer unused sick leave according to the provisions of this policy should obtain verification from their former employer's Human Resources department on letterhead, signed by an authorized representative, with contact information included. This information should be given to the Town's Human Resource Development Department.

V. ADDITIONAL CONTACTS

Human Resource Development 919-968-2700 or HR@townofchapelhill.org
 Ombuds office 919-265-0806 or Ombuds@townofchapelhill.org

VI. DEFINITIONS

- A. **Average Workday**: for purposes of this policy, is derived from average scheduled weekly hours or average actually weekly hours divided by 5.
- B. **Domestic Partner**: Two individuals who have reached the age of majority and live together in a long-term relationship of indefinite duration, which an exclusive mutual commitment in which the partners share the necessities of life and are financially interdependent. Also, domestic partners are not married to anyone else, do not have another domestic partner, and are not related by blood more closely than would bar their marriage in this state.
- C. **Immediate Family Member—non-FMLA definition**: Immediate family members include parents; step-parents; parents-in-law; grandparents; children; grandchildren; step-children; domestic partners; the children of domestic partners; siblings (when employee is the sole care provider); and spouses.

- D. **Pay Period:** Regular 7 or 14 day period in which work is performed and for which pay is received. Saturday through Friday for most weekly employees and Tuesday through Monday of the second week for most bi-weekly employees.
- E. **Unexcused Absence:** An absence that fails to comply with this policy or established departmental practices.

VII. RESPONSIBILITIES

All Employees are expected to:

- a) Be aware of the Town's Sick Leave policy and procedure
 - b) Use sick leave only for its intended purpose
 - c) Provide notice as requested by the department
 - d) Provide documentation upon request
 - e) Ask questions about anything they do not understand
 - f) Request sick leave according to their department's procedures
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- a) Follow the Sick Leave policy
 - b) Request documentation and maintain in employee file as needed
 - c) Request HRD assistance in investigating patterns of sick leave use which might indicate possible abuse of sick leave

All Human Resource Development staff members are expected to:

- a) Provide Guidance for employees and managers on sick leave policy and procedures
- b) Help departments investigate patterns of sick leave use which might indicate abuse.

All Department Heads are expected to:

- a) Assure that employees know their department's procedures for requesting sick leave

VIII. APPENDICES None

IX. FREQUENTLY ASKED QUESTIONS None

X. SCOPE This policy applies to all regular full and part time employees

XI. RELATED INFORMATION

Town of Chapel Hill Code of Ordinances [Chapter 14, Sections 14-74 through 14-80](#)

Coordination with Additional Policies: Depending on the circumstances of the employee's situation, the provisions of this policy may interact with other policies in [the Medical Leave](#)

[Cluster of policies](#) as well as health insurance and disability benefits offered by the Town (see list below). Employees should consult with their Human Resource Development Representative for more information.

Medical Leave Cluster of Polices:

- Family and Medical Leave Act PP 2-8
- Sick Leave PP 2-6
- Workers Compensation PP 2-10
- Leave Donation PP 2-1
- Non-FMLA Medical Leave PP 2-13
- Reinstatement and Rehire of Former Employees PP 3-4

Benefit Policies

- Health Insurance PP 6-1

XII: POLICY HISTORY

Adopted December 1, 2012

Revised and updated July 1, 2017 to include Transfer of Sick Leave Provisions and provide a non-FMLA definition of immediate family.

This policy replaces and supersedes any previous Town policies, departmental policies, handbooks, or unwritten policies or practices covering the same subject. Departmental policies in compliance with this policy are referenced in Section XI **Related Information**. In the event of any disparity between this policy and the Town's Code of Ordinances and/or applicable local, state, or federal laws, the Town's Ordinance and/or applicable laws shall prevail.