

A. Eligibility

1. All employees except Elected Officials, intermittent employees, temporary employees, and employees in the Adult Work Experience Program are eligible to accrue sick leave from date of appointment. New hire employees hired under the Pima County Trainee Program are eligible to accrue sick leave from date of appointment.
2. A temporary employee extended beyond the first six (6) months of employment shall accrue and may use sick leave beginning with the period of extended employment. A temporary employee appointed to a regular appointment without a break in service shall be credited with sick leave from original date of hire.
3. Sick leave shall accrue during any approved leave of absence with pay.
4. Sick leave shall not accrue during any leave of absence without pay or suspension without pay.
5. Upon returning to County employment, an employee who retired from Pima County with fewer than 241 hours of unused sick leave hours is ineligible for reinstatement of any sick leave hours under Personnel Policy 8-106 F.2.
6. Upon returning to County employment, any employee who converted sick leave hours to annual leave for payout purposes is ineligible for reinstatement of any sick leave hours under Personnel Policy 8-106 F.2.
7. An employee who is reinstated or reemployed and did not convert sick leave hours to annual leave for payout purposes shall, upon reinstatement or reemployment, regain the accrued sick leave hours held at the time of termination.

B. Rate of Accrual

1. An eligible full-time employee shall accrue sick leave at the rate of three and seven tenths (3.7) hours per pay period.
2. An eligible part-time or variable-time employee shall accrue sick leave at a pro-rated amount of three and seven tenths (3.7) hours per pay period based on actual hours worked (excluding any overtime hours) plus any accrued paid leave used during the current pay period. Any pay received based upon donated hours will not be pro-rated nor calculated for accrual purposes. An eligible part-time or variable-time employee shall not accrue pro-rated sick leave for hours worked less than forty (40) in a pay period. For accrual purposes, hours paid are exclusive of premium hours worked.

C. Accumulation

1. An employee may accumulate sick leave up to a maximum of one thousand nine hundred twenty (1,920) hours (240 work days). Any accumulation in excess of this maximum shall not be credited to the employee.
2. A reinstated or reemployed employee shall regain the accrued sick leave held at the time of termination.

D. Use of Sick Leave

1. An eligible employee may use sick leave after three (3) months of continuous service. Accrued sick leave may be used prior to the first three (3) months of service for a job-related injury or job-related illness.
2. At the discretion of the Appointing Authority, an employee classified as Executive (E), Administrative (A), or Professional (P) may be required to use accrued sick leave for absences of less than a full work day when the Appointing Authority determines that voluntary partial day absences taken by the employee are excessive or have a negative impact on the operation of the department. Employees eligible for overtime are required to use sick leave for absences of less than a full work day.
3. Sick leave may be used for:
 - a. Illness of the employee or any surgical, medical, or dental care for the employee. An employee who requires leave for medical reasons may be eligible for leave under the provisions of the Family and Medical Leave Act (FMLA) of 1993, Personnel Policy 8-108 G. Both exempt and nonexempt employees are required to use all available accrued sick leave when on intermittent or full time FMLA leave.
 - b. Both exempt and non-exempt employees will be charged accrued annual or sick leave, to the extent accruals exist, for time taken as FMLA leave. Such annual or sick leave, to the extent accruals exist, is paid leave.
 - c. The illness of a spouse, mother, father, step-mother, step-father, grandparent, child, stepchild, foster child, grandchild, domestic partner or child of a domestic partner. The employee must file an affidavit with the department in order to take sick leave for the illness of the domestic partner or child of a domestic partner once a calendar year or more often if a relationship has changed in that calendar year or must have a current affidavit on file with the Human Resources Department for the domestic partner or child of the domestic partner enrolled under the County's health benefits plan.

- D. 3. d. Use of sick leave as defined in c. above is for a combined maximum of forty (40) hours per year (established by anniversary date). An employee who must care for a seriously ill spouse, child, or parent as defined in the Family and Medical Leave Act may be eligible for FMLA leave.
- e. Parental reasons, such as court appearance, registration of child(ren) for school, teacher conference, or adoption procedure that can only be scheduled during business hours. Paternity leave is included under leave for parental reasons for those employees not eligible for paternity leave under FMLA, Personnel Policy 8-108 G. Leave for parental reasons should be requested in advance, when possible. Leave for parental reasons is included in and not in addition to the forty (40) hour maximum cited in Paragraph 3.d. above.
- f. The birth and/or care of a child, or the placement of a child for adoption, foster care, or other legal custody. Employees who request leave for these reasons may be eligible for FMLA leave, Personnel Policy 8-108 G.
- g. Attendance at court proceedings under the Arizona Victim Leave Law, as detailed in Personnel Policy 8-108 H.
4. Sick leave shall not be charged against an employee's accrued balance for an authorized holiday which occurs while an employee is using sick leave.
5. An employee using annual leave who becomes ill may, upon verification of illness, charge the illness to accumulated sick leave.
6. In order to discourage excessive use of sick leave, any unused portion of the first fifty-six (56) hours of sick leave accrued during the current year (established by the end of the pay period in which the anniversary date falls) may be converted to annual leave at the employee's request. (EXAMPLE: If only eight (8) hours of sick leave have been used during the year, the employee may transfer up to forty eight (48) hours of sick leave to annual leave. If fifty-six (56) or more hours of sick leave have been used during the year, the employee cannot transfer any sick leave hours to annual leave).
- a. Transfer of sick leave hours to annual leave is done only at the written request of the employee. Requests must be made to the department within thirty (30) calendar days after the end of the year (established by anniversary date). Transfer credit becomes effective at the end of the payroll period in which the request is processed. This transfer applies to all permanent employees and to deputy sheriffs who have

- D. 6. a. completed one (1) year of their initial probation, including those who have two hundred forty (240) or more hours accrued on their anniversary date, after the adjustment to two hundred forty (240) hours has been made.

As an equivalent to full-time conversion, part-time and variable-time employees are eligible to convert fifty-eight per cent (58%) of sick leave hours accrued during the current year (established by the end of the pay period in which the anniversary date falls), less any sick leave used, to annual leave.

- b. A permanent County employee may request no less than four (4) nor more than fifty-six (56) hours of the first fifty-six (56) hours of sick leave accrued during the current year (established by anniversary date) be transferred to another County employee as sick leave credit provided: The donor has earned at least fifty-six (56) hours of sick leave during the current calendar year (established by anniversary date) and at the time of donation has not used more than fifty-two (52) of the first fifty-six (56) hours of sick leave accrued. The donor shall not be eligible to convert to annual leave that portion of the first fifty-six (56) hours of sick leave that has been donated.
- c. A permanent County employee who has accumulated the maximum amount of sick leave hours as established by PP 8-106.C.1 may request no less than four (4) nor more than fifty-six (56) hours be transferred to another County employee as sick leave credit. In no case, shall the donor be eligible to donate hours on or before the fifteenth (15th) pay period following the end of the pay period in which the donor's anniversary falls.

E. Leave Requests

To utilize sick leave, an employee must:

1. Report promptly to his/her immediate supervisor or department, giving the reason for the absence.
2. Keep the immediate supervisor or the department informed daily, unless approved otherwise by the supervisor, if the unscheduled sick leave exceeds one (1) work day. Failure to comply with the above may constitute an unauthorized absence without pay.
3. Provide the department written verification from a recognized physician or medical practitioner for use of sick leave lasting more than three (3) work days. Unless waived by the Appointing Authority, verification shall be provided upon return to work, or as requested by the department, and may be provided by mail or messenger if required.

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4. Permit the County to make verification of the illness in cases of suspected abuse of this Policy.
 5. Submit a written request for extended sick leave (over three [3] work days) to the department at least two (2) weeks in advance of the intended absence, or as soon as possible after an emergency situation arises which requires extended sick leave. The dates and duration of the sick leave should be noted in the written request. Requests for extended absences are reserved for situations involving an operation or hospitalization. Approval must be obtained from the department's authorized representative prior to the beginning of an extended sick leave. A department may authorize an extended sick leave in emergency situations when advance approval cannot be obtained.
 6. Submit leave requests under the provisions of FMLA consistent with Personnel Policy 8-108 G.

F. Disposition of Accrued Sick Leave

1. An employee who transfers from one County department to another shall retain any accumulated sick leave. An employee who changes from one employment type to another shall retain any accumulated sick leave and shall be eligible to use and/or accrue sick leave in accordance with his/her current employment type.
2. A permanent status employee who either resigned in good standing in accordance with Merit System Rules/Law Enforcement Merit System Rules or who was laid off and did not convert hours pursuant to PP 8-106.I and who returns to County employment within two (2) years from the effective date of resignation shall, upon passing probation, regain the accrued sick leave held at the time of resignation.

G. Voluntary Transfer of Accrued Sick Leave Hours to Another County Employee as Sick Leave Credit

A permanent County employee may request no less than four (4) nor more than forty (40) hours per pay period of his/her accrued sick leave as described below and in Section D. of this Policy be transferred to another County employee as sick leave credit, provided:

1. The recipient of the donated (transferred) hours is currently on an approved medical leave of absence without pay, including FMLA leave for his/her own serious health condition, or off work due to a workers' compensation injury and possesses a doctor's certification specifying that the recipient is not yet able to return to work.

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2. The recipient has exhausted all paid sick and annual leave and compensatory time from his/her own accounts.
 3. The recipient is under no obligation to repay the donated hours or monies.
 4. The donor has not given notice of resignation, has not scheduled or been scheduled for termination to include terminations defined in Merit System Rule 11, or has no intention to resign less than thirty-one (31) days prior to donating his/her sick leave hours.
 5. The donor initiates the request voluntarily in writing and submits the request to his/her department payroll representative for verification. The department payroll representative then forwards the written request to Central Payroll with the time summary. If the recipient is in a different department, a copy of the request should also be sent to the recipient's department payroll representative.
 6. The recipient shall begin to receive the donated leave time the next work day which follows the exhaustion of his/her own leave time as indicated in Paragraph 2. above.
 7. Leave hours donated to another employee shall be paid at the current rate of the recipient and all his/her deductions shall apply. Recipients, except for those currently receiving workers' compensation benefits, shall not accrue annual and sick leave benefits during the period of time they are using voluntarily transferred leave time.

For part-time and variable-time employees, donated time shall be pro-rated based on an average of the regular hours paid during the six (6) pay periods prior to the application of the donated time.

8. If more time was donated than the recipient required, only the needed amount shall be deducted from the donating employee.
9. An employee who retires from County service may donate to another employee as sick leave credit any portion of the sick leave hours subject to conversion to annual leave for retirement payout purposes, pursuant to H.4 below. The retiring employee may donate only those hours subject to conversion. The donated hours will be deducted from the total hours eligible for retirement payout. Employees who leave County service for reasons other than retirement are not eligible to donate accrued sick leave hours.

H. Conversion of Sick Leave Hours to Annual Leave Upon Retirement

1. A conversion of unused sick leave hours to annual leave upon retirement shall occur for employees taking normal, early or permanent disability retirement.

H. 2. Eligibility is limited to those employees who retire from County service into the Arizona State Retirement System, Public Safety Personnel Retirement System, or Corrections Officer Retirement Plan.

3. Conversion of unused hours of sick leave to annual leave shall be as follows:

| <u>Unused Hours of Sick Leave</u> | <u>Conversion To Annual Leave</u> |
|-----------------------------------|-----------------------------------|
| 0 - 240 hours | 0% of all hours up to 240 |
| 241 - 480 hours | 25% of all hours up to 480 |
| 481 - 720 hours | 35% of all hours up to 720 |
| 721 + hours | 50% of all hours |

4. The hours of sick leave converted to annual leave for retirement payout purposes shall not be included in the calculation of the two hundred forty (240) hours payoff limit specified in Personnel Policy 8-123.

I. Conversion of Sick Leave Hours to Annual Leave Upon Layoff

1. A conversion of unused sick leave hours to annual leave upon layoff is available to employees upon request and prior to the date of layoff. If an employee requests and receives this payout and returns to County employment, he or she is ineligible for reinstatement of sick leave hours under Personnel Policy 8-106 F.2.

2. Conversion of unused hours of sick leave to annual leave shall be in the same manner as set forth in Personnel Policy 8-106 H.3 and H.4.