



COUNTY OF PRINCE GEORGE
Human Resources Department
P.O. Box 68
Prince George, VA 23875
Phone (804) 722-8669 Fax (804) 732-1967

Nancy V. Shaffer
Director of Human Resources

MEMORANDUM

To: Mr. Percy Ashcraft
County Administrator

From: Nancy V. Shaffer
Human Resources Director

Date: March 9, 2018

Re: Personnel Policy Changes

Staff has reviewed the personnel policies related to Hiring, Leave and Sick Leave Bank and have a recommendation to update those policies effective March 27, 2018. Staff's recommendation is listed below.

Proposed Changes:

Hiring

Included language to the policy that guarantees the list of candidates selected for interviews will be shared with the Department of Human Resources prior to the interviews being scheduled. The Human Resources Department will then in turn gain the approval of the County Administrator to proceed with scheduling the interviews. Human Resources must approve the interview process to verify that there is no inherent violation of Equal Employment Opportunity. Guidelines were established concerning reference checks and clarification was made that the County Administrator must approve all offers of permanent employment prior to the offer of employment being made. A Department of Motor Vehicle (DMV) check was added as an additional step in the pre-employment process. This is in accordance with Administrative Policy entitled *Vehicle* section 110.1. Verbiage was added to the section entitled *Selection and Notification of Offer* to state that the Department Director must submit a hiring memo to the Department of Human Resources along with all relevant information about the candidate in order for Human Resources to obtain approval from the County Administrator to hire the selected candidate. This policy affects full-time, part-time regular and part-time temporary hires. In the section entitled *Modification of Part-time/Full-time Status*, it was established in order to move from part-time status to an existing vacant full-time status, it must be approved by the County Administrator and the position must be posted internally for 10 days to allow all interested parties to apply.

Leave

Staff added PTO to the payout in section 24.3. Staff clarified the comp time threshold at the end of the calendar year in section 24.5. Staff revised section 24.15 to strike through Sick leave reserve (SLR) as this was not utilized during the Hybrid opt-in period.

Sick Leave Bank

Updated language was added throughout this policy, as it has not been revised since it was established in 2006. Under the section entitled Eligibility for Membership, verbiage was added to clarify that employees covered under the VRS Hybrid plan are not eligible to participate, as they do not earn sick leave accruals, but instead earn paid time off (PTO). In section 25.3 entitled Terms of Membership, gives the County Administrator authority to approve late entry into the sick leave bank if deemed necessary. There were four forms created to support this policy and they are attached for your review.

Please place on the Board of Supervisor's agenda the review and adoption of the changes. I am available at your convenience to discuss further.

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	SUPERSEDES: April 27, 2010	DATE ISSUED: May 11, 2010
SUBJECT: Hiring	AUTHORIZATION: Adopted by the Board of Supervisors April 27, 2010; to become effective April 27, 2010	

5.1 Application for Employment

All applicants shall be directed to the Human Resources Department to complete the appropriate forms of job-related information relevant to the requirements of the position or vacancy for which they are applying, including a chronological statement of previous employment. References shall be required. Resumes may be added but will not substitute for a completed application form.

5.2 Interviewing

All applications shall be carefully screened and ranked according to previously established qualifications, knowledge, skills, and abilities necessary to perform those duties outlined for the position. Those applicants/applications whose knowledge, abilities, and skills most closely match those needed for the position, shall be invited for a panel interview. Before contacting the candidate for an interview, the candidates selected for an interview will be sent to the Human Resources Department prior to the interviews being scheduled. Human Resources will share that information with the County Administrator who will then give their approval to schedule those interviews.

The Department Director with the approval of the County Administrator or designee shall select at least three (3) individuals to serve on the interview panel. The interview panel should be composed of other Department Directors, supervisory staff employed by the County, appropriate professionals, or other individuals outside of County employment.

~~All questions to be asked in~~ the interview process must be approved by the ~~County Administrator or designee~~ Human Resources Department in order to determine and verify that there are no inherent violations of Equal Employment Opportunity (EEO) laws. Each panel member will rank the applicant's answers to ~~those~~ specific questions on a rating schedule approved by the Department of Human Resources.

When the panel has finished interviewing all of the selected applicants, the three top rated applicants may be invited for a final interview with the Department Director in whose Department the vacant position(s) exists. The

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final interview will include approved questions, and the applicant(s) shall be ranked and considered in filling existing vacancies at hand. If more than one vacant position exists, the panel may present to the Department Director for consideration up to three applicants for each vacancy.

5.3 Testing

The Department Director may test specific and essential applicant skills that are required to fulfill the duties of the vacancy. Such tests shall be designed by and the parameters for satisfactory completion promulgated by the Director of the affected department, with the approval of the County Administrator. Such tests may be designed for both outside recruitment and promotional purposes. All testing shall be consistent with State and Federal regulations concerning employee selection, including the Americans with Disabilities Act.

5.4 References

The Department Director shall make any necessary contacts for the purpose of checking references on the top qualified candidate(s). References shall preferably be obtained by telephone, but where necessary, written reference checks will be made. Reference checks should be completed before a contingent offer is made. No offer of permanent employment shall be made without ~~When written reference checks are required, applicants will be offered employment with the understanding that their employment status is dependent upon the results of reference checks~~ approval by the County Administrator.

Falsification or deletion of pertinent information shall result in immediate termination of the interviewing process or of employment.

5.5 Pre-Employment Physical

Refer to Section 7.1.

5.6 Pre-Employment Criminal Background Check

Refer to Prince George County's Code Article 1, 2-1, titled "Employment, licensing, and volunteer service; background check."

5.7 Pre-Employment Department of Motor Vehicle Check

Applicants will be subject to a DMV background check for pre-employment and subsequent checks by the County. Refer to Section 110.1 in the Administrative Policies.

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Regardless whether or not driving a vehicle is an essential function of the position applied for, the results of the DMV background check may be considered as part of the hiring process.

5.87 Selection and Notification of Offer

The Department Director will select the top candidate on job-related criteria. When a finalist is selected, prior to notification of that individual, the Department Director ~~shall~~shall submit the hiring memo to the Human Resources Department along with all relevant information about the candidate to obtain approval from the County Administrator to hire the individual. meet with the County Administrator to discuss details of employment. Upon consensusOnly after approval has been obtained by the County Administrator, the successful candidate shall be notified and a permanent offer made. Approval from the County Administrator must be obtained before any offer of employment is made for Full- Time, Part-Time Regular and Part-Time Temporary positions.

5.98 Disqualification of Applicants

The County Administrator or Department Director of the concerned department may remove from further consideration, at any time, the application of any applicant who:

1. Does not possess the minimum job-related qualifications,
2. Has made false statements of any material fact or practiced deception in the application,
3. Fails to accept appointment within five (5) days or report for duty within the time prescribed in the offer.

5.109 Notice of Rejection of an Application

Whenever an application or applicant is rejected, notice of such rejection shall be given to the applicant by the County Administrator or designee in written form.

5.110 Application Files

Applications of unsuccessful candidates for a specific opening shall be retained on file with the Human Resources Department and will remain active for a period of twelve (12) months, following the filling of the position for which such application was filed. The applications may be reviewed subsequently for future openings for which the applicant may qualify. After this time period, it will be necessary for the applicant to reapply for future openings.

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Applications of candidates, which have been disqualified due to falsification of information or omission of pertinent information or failure to accept appointment within five (5) days or to report for duty within the time prescribed in the offer, shall be entered into a closed file and will not be reconsidered.

5.124 Reporting for Duty

A new employee shall be instructed to report directly to their assigned Department Director on the first day of work.

5.132 Hiring Part-time Regular Employees

A continuous year-round position utilized for no less than 20 hours per week and paid on an hourly basis for hours actually worked shall be designated a part-time regular employee when the position has been included on the approved position control chart.

Part-time regular employees shall be recruited, hired, evaluated, and reviewed on their performance in the same manner as full-time employees. Part-time regular employees shall also be eligible for any special annual salary increase afforded to full-time employees, by the Board of Supervisors; however, this shall be inapplicable to any position for which the County is nothing more than the fiscal agent.

Part-time regular employees are eligible to receive one half of the County's contribution for health insurance premiums, provided the employee is responsible for the remainder of the premium. Sick, annual and holiday leave shall be granted in accordance with section 24 of the personnel policies on a pro rata basis based on the regularly scheduled hours of work. Part-Time Regular employees shall be approved by the County Administrator prior to a job offer being made in accordance with section 5.7 of this policy.

5.143 Hiring Temporary Employees

A temporary employee may be recruited, as approved by the Department of Human Resources, to assist in the handling of workloads of unknown duration, seasonal employment, casual employment, or employment of an emergency nature, for an indefinite time period, or for completion of a specific task or project. Temporary employees shall be approved by the County Administrator prior to a job offer being made in accordance with section 5.7 of this policy.

~~A temporary employee shall not be hired at a rate less than the minimum of the pay grade into which the job is classified.~~ Temporary employees shall not be entitled to other benefits, offered to full-time employees. A temporary employee shall not be entitled to County fringe benefits unless specifically authorized by the County Administrator in the job creation process.

If a temporary employee gains regular full-time or part-time employment with the County, the employee shall be considered as a new hire the date the

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personnel action is effected, unless otherwise designated by the County Administrator.

5.154 Hiring Former Employees

A former employee may be rehired providing his/her qualifications meet the requirements of the vacant position, and he/she was an employee in good standing at the time of separation.

The County Administrator or designee shall review the personnel folder of a former employee prior to the actual job offer to determine whether to rehire or not based on previous employment record.

A former employee who is rehired shall be processed in the same manner as a new hire. For purposes of computing benefits due, the employee shall be considered as a new appointment and shall serve the required probationary period.

5.165 Reinstatement of Former Employees

A former employee of the County may be returned to employment in the same capacity following a separation of no more than thirty one consecutive calendar days. The employee may return to duty in the same position and class, subsequent to approval of the Department Head and County Administrator, provided the position has not been filled. Anniversary dates for all reinstated employees will remain unchanged, except when a reinstated employee has missed one or more full pay periods prior to reinstatement, in which case the anniversary date will be amended to reflect the days missed to the nearest full pay period. All time worked previous to reinstatement shall be counted towards the probationary period and annual leave accrual rate; however, employees shall not accrue leave for actual time missed prior to reinstatement.

5.176 Hiring of Auxiliary Police Officers

Any auxiliary police officer who applies for the position of full-time police officer shall not be required to participate in the complete application process; they will be exempt from the written exam, physical agility tests, and/or the oral interview. The auxiliary police officer may submit an application anytime during the recruitment period. The application shall be reviewed by the Chief of Police, and if approved a conditional offer of employment shall be given to the auxiliary police officer. The conditional offer will include a thorough background check, psychological exam, physical exam, drug screen, and polygraph exam. The auxiliary police officer shall pass all exam phases required by the conditional offer of employment to be considered for full-time employment with the Police Department.

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5.18 Modification of Part-time/Full-time Status

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Upon request of the Department Director, with approval of the County Administrator, an employee's status may be ~~increased to full time or~~ decreased to part-time. An increase from part-time to an existing vacant full time status must be approved by the County Administrator and, at minimum, advertised internally for 10 days to allow all interested parties to apply.

Employees may also request a change in status, and such request would be subject to the approval of the Department Director and the County Administrator. All changes in status are subject to budgetary and position control constraints of the Department.

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	SUPERSEDES: March 14, 2014	DATE ISSUED: February 25, 2015
SUBJECT: Leave	AUTHORIZATION: Adopted by the Board of Supervisors February 24, 2015; to become effective January 1, 2015	

24.1 Annual Leave Accrual

Annual leave accrues semi-monthly at the end of each pay period. Pay periods are defined as the 1st through the 15th and the 16th through the last day of the month. An employee cannot use annual leave until it is accrued. Therefore, the amount of annual leave used during a pay period shall not exceed an employee's annual leave balance at the beginning of the pay period. Annual leave does not accrue when an employee is on leave without pay for any part of a pay period.

Annual leave shall accrue per pay period for 40 hour/week employees as set forth below:

<u>Years of Service</u>	<u>Accrual Rate</u>	<u>Days Accrued</u>	<u>Maximum Allowed</u>
Zero to Five	4 hours	Twelve Days	192 hours or 24 Days
Six to Ten	5 hours	Fifteen Days	240 hours or 30 Days
Eleven to Fifteen	6 hours	Eighteen Days	288 hours or 36 Days
Sixteen to Twenty	7 hours	Twenty-one Days	336 hours or 42 Days
Twenty-one and above	8 hours	Twenty-four Days	384 hours or 48 Days

Annual leave shall accrue per pay period for EMT/Firefighter on a 28 day 24-hour shift schedule as set forth below:

<u>Years of Service</u>	<u>Accrual Rate</u>	<u>Days Accrued</u>	<u>Maximum Allowed</u>
Zero to Five	6 hours	Twelve Days	288 hours or 24 Days
Six to Ten	7.5 hours	Fifteen Days	360 hours or 30 Days
Eleven to Fifteen	9 hours	Eighteen Days	432 hours or 36 Days
Sixteen to Twenty	10.5 hours	Twenty-one Days	504 hours or 42 Days
Twenty-one and above	12 hours	Twenty-four Days	576 hours or 48 Days

Annual leave shall accrue per pay period for part-time regular employees, ~~regardless of hours worked in a standard workweek,~~ as set forth below:

<u>Years of Service</u>	<u>Accrual Rate</u>	<u>Days Accrued</u>	<u>Maximum Allowed</u>
Zero to Five	2 hours	Twelve Days	96 hours or 24 Days
Six to Ten	2.5 hours	Fifteen Days	120 hours or 30 Days
Eleven to Fifteen	3 hours	Eighteen Days	144 hours or 36 Days
Sixteen to Twenty	3.5 hours	Twenty-one Days	168 hours or 42 Days
Twenty-one and above	4 hours	Twenty-four Days	192 hours or 48 Days

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24.2 Approval of Annual Leave

Annual leave must be approved in advance, except in the case of illness or emergency. An employee seeking to use his/her annual leave shall submit a Leave Request Form or submit an accrual request through Employee Self Service (ESS) to their Department Director at least forty-eight hours in advance of the first day of requested leave. Requests for annual leave of more than two (2) consecutive work days must be submitted to the Department Director at least one (1) week in advance of the first day of requested leave. All requests for use of annual leave are subject to approval by the Department Director, who in his/her sole discretion, may approve use of annual leave with shorter notice than specified in this section, if circumstances warrant. County Administrator shall endorse leave per policy and compliance. Department Directors may establish a policy, as approved by the County Administrator, that requires employees to utilize up to 5 consecutive days of annual leave within a 12 month period.

24.3 Annual Leave & PTO Payout

Employees who have accrued annual or PTO leave may request a pay out of a portion of their accrued annual or PTO leave subject to the provisions set forth in the Annual Leave & PTO Payout Administrative Policy and budgetary constraints. Employees with 40 hours or less in accrued leave will not be permitted to participate in a pay out of any portion.

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24.4 Sick Leave

Sick Leave shall be defined as leave with pay granted to an employee for any of the following events related to the employee, employee's spouse, or employee's dependent children, or employee's parent; however, sick leave used for the illness or incapacity of the employee's parent shall not exceed 40 hours per calendar year:

1. illness
2. bodily injury resulting in disability
3. medical and dental appointments

An employee must notify the Department each day of absence due to illness or injury, unless the illness or injury will result in the employee's absence of more than twenty-four (24) consecutive working hours in which case the expected duration of the absence will be communicated to the Department Director. Employees who are absent for extended periods shall notify the Department Director of their status at least once each week.

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When an employee is incapacitated by an extended personal illness or disability, participating members of the Sick Leave Bank may utilize the Bank as an additional source of leave days. Refer to Section 25.

Sick leave shall accrue at the end of each pay period at a rate of 4 hours for 40 hour/week employees. Sick leave shall accrue at the end of each pay period at a rate of 6 hours for EMT/Firefighter on a 28 day 24-hour shift schedule. Sick leave shall accrue at the end of each pay period at a rate of 2 hours for part-time regular employees, ~~regardless of hours worked, in a standard workweek~~. There is no limit on sick leave accrual. Sick leave does not accrue when an employee is on leave without pay for any part of a pay period.

24.5 Compensatory Leave

Compensatory time may be accrued in lieu of overtime according to the Fair Labor Standards Act. A notice to the employee that compensatory time will be given in lieu of overtime pay may evidence an agreement or understanding. This agreement or understanding to provide compensatory time off in lieu of monetary overtime compensation may take the form of an expressed condition of employment, provided the employee knowingly and voluntarily agrees to it as a condition of employment, and the employee is informed that the compensatory time received may be preserved, used or cashed out consistent with the provisions of FLSA/FMLA.

An agreement or understanding is presumed to exist with respect to any employee who fails to express to the employer an unwillingness to accept compensatory time off in lieu of overtime pay. The employee's decision to accept compensatory time off in lieu of monetary overtime payments must be made freely and without coercion or pressure.

Department Directors may have the right to deny an employee's request to earn overtime if the employee is unwilling to accept compensatory time.

Full-time employees generally may accrue up to 240 hours of compensatory time. Full-time employees who work in a public safety capacity may accumulate up to 480 hours of compensatory time. Employees who have accrued compensatory time and requested use of this compensatory time shall be permitted to use such time off within a reasonable period after making the request, if such use does not unduly disrupt the operations of the County. Compensatory leave must be approved in advance, except in the case of illness or emergency. An employee seeking to use his/her compensatory leave shall submit a Leave Request Form or submit an accrual request through ESS to their Department Director at least forty-eight hours in advance of the first day of requested leave. Requests for compensatory leave of more than two (2) consecutive work days must be submitted to the Department

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Director at least one (1) week in advance of the first day of requested leave. All requests for use of compensatory leave are subject to approval by the Department Director, who in his/her sole discretion may approve use of compensatory leave with shorter notice than specified in this section, if circumstances warrant.

Compensatory leave balances for all full-time employees may not exceed 120 hours at the end of the calendar year. To achieve this goal, Department Directors may require employees to use compensatory time first, in lieu of annual leave. Any hours that exceed the 120 hour threshold will be paid to the employee and they will remain at the 120 hour balance. At the discretion of the County Administrator, should extenuating circumstance arise, this time period may be temporarily adjusted. Forfeiture of accrued annual leave may occur if the balance exceeds the maximum allowed at calendar end.

24.6 Volunteer Leave

Leave taken that allows employees to perform acts of a charitable or giving nature at a charity and/or organization as approved by the County Administrator. Full-time employees will be allowed to take up to sixteen (16) hours of leave per year. All part-time employees will be allowed to take up to eight (8) hours per year. A volunteer leave form must be ~~attached to leave slip~~ to be turned in to payroll during the pay period in which the leave was taken. A Volunteer Leave Form may be obtained in ~~Human Resources~~ Employee Self Service.

24.7 Physician's Certificate

Employees must submit a physician's certificate to their Department Director to obtain sick leave for absences due to illness/injury in excess of three or more consecutive work days (36 hours for 28 day 24-hour shift employees) within two (2) work days (24 hours for 28 day 24-hour shift employees) after returning to work. If a Physician's Certificate is not furnished, sick leave will be denied and the absences shall be considered as leave without pay, in the absence ~~of~~ extenuating circumstances. The Department Director may, for good cause shown, waive the certificate requirement.

24.8 Pay-Out Policy

Annual leave shall be paid out at no more than the maximum number of hours allowed in carry-over upon termination of employment at the rate of pay in effect at the time of termination.

Compensatory leave shall be paid out at 100% upon termination of employment at the rate of pay in effect at the time of termination.

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Upon separation from employment, with the exception of involuntary termination, sick leave shall be paid out as set forth below:

0-90 days of service	0% of accrued leave
91 days to 5 years of service	10% of accrued leave
6 to 10 years of service	15% accrued leave
11 to 15 years of service	20% of accrued leave
16 or more years of service	25% of accrued leave

24.9 Military Leave

Any employee who is a member of the Armed Forces of the United States, National Guard or the Military Reserve Forces of the United States and who is ordered in accordance with the Code of Virginia, article 10, section 44-93 and Title 38 of the United States Code, Chapter 43, shall be granted a leave of absence with pay, not to exceed 15 regularly scheduled work days per federal year defined as October 1st through September 30th. For 28 day 24-hour shift employees, one day equals 12 hours for military leave purposes. For all other employees, one day equals 8 hours for military leave purposes. The employee may retain both the pay check from the County and the pay check from the military.

During the period of paid military leave, the respective employee shall continue to accrue all employment benefits, including sick, annual leave, and compensatory leave, as well as paid medical and retirement benefits. Paid military leave will not count towards hours worked for the calculation of overtime. Once available paid military leave is exhausted, the employee must take available annual leave or other eligible leave time to continue to receive all employment benefits. Once the employee has exhausted all available annual leave or other eligible leave, the employee will be considered to be on military leave of absence without pay. Employees on unpaid leave of absence do not accrue benefits but may choose to continue health insurance through Cobra coverage by paying the entire monthly premium.

On receipt of orders, the employee will submit a request for leave form, with a copy of the orders attached, to their immediate supervisor and for submission to the Human Resources and Payroll offices. Unless giving notice is precluded by military necessity or is otherwise impossible or unreasonable, a copy of the employee's military orders should be submitted to the employee's supervisor as proof of authorization for the leave as soon as it is available. The copy of the military orders should be retained in the employee's personnel file in the Human Resources department.

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The use of Military Leave with proper orders is mandatory and is not within the discretion of the supervisor. Additional Military Leave provisions may apply; contact Human Resources for more information. The Human Resources department will provide further information to employees regarding their benefits which will include their retirement coverage during unpaid military leave of absences.

Should the employee go on ~~l~~leave without pay status, the employee must adhere to the Leave of Absence without pay policy outlined in section 24.14 of the personnel policy. Employees will be afforded reemployment rights if required conditions are met.

24.10 Civil Leave

In an attempt to help an employee perform certain civic responsibilities when called upon, the County shall provide leave for court appearances or service on a jury panel. Any person who is summoned to serve on jury duty or any person, except a defendant in a criminal case, who is summoned or subpoenaed to appear in any court of law or equity when a case is to be heard or who, having appeared, is required in writing by the court to appear at any future hearing, shall neither be discharged from employment, nor have any adverse personnel action taken against him/her, nor shall he/she be required to use sick leave or annual leave as a result of his/her absence from employment due to such jury duty or court appearance, upon giving reasonable notice to his/her employer of such court appearance or summons. No person who is summoned to serve on jury duty shall be required to work on the day of his/her service except, however, after an employee has testified and been excused or after jurors have been excused for the day, the employee shall return to work if he/she can arrive four (4) hours before working hours end. The requirement to return to work shall not apply when the employee's work shift begins on or after 5:00 p.m. on the day of his/her appearance for jury duty or begins before 3:00 a.m. on the day following the day of his/her appearance for jury duty.

Employees shall submit to the ~~County Administrator~~Department Director, a copy of their official summons for jury duty or witness services within 24 hours of receiving such notice. Employees acting in the capacity of a paid consultant as secondary employment when summoned or subpoenaed to appear in court, shall be required to use annual leave.

24.11 Administrative Leave

Exempt employees shall earn hour-for-hour administrative leave when called on to work a designated County Holiday or Administrative closing, having

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received previous authorization to do so. Administrative leave may be substituted for another prior approved leave.

Upon the written request of any employee, and with the recommendation of the Department Director, the County Administrator may grant administrative leave, with or without pay, to an employee in an amount not to exceed one day in extraordinary circumstances where the need for leave does not fit within any other leave category.

24.12 Bereavement Leave

In case of the death of an employee's immediate relative: spouse, parent, step-parent, sibling, step-sibling, child, step-child, grandparent, grandchild, guardian, and same relatives of spouse, inclusive of those relationships arising from adoption, a regular employee will be allowed up to three (3) regularly-scheduled work days off with pay upon notification of the employee's Department Director, who will notify the County Administrator. EMT/Firefighter on a 28 day 24-hour shift schedule may receive up to thirty-six (36) hours off with pay upon notification of the employee's Department Director, who will notify the County Administrator. The employee's time off from work, because of a death in the family, must actually be taken immediately following the death. A leave form shall be promptly submitted for bereavement leave and will supersede other leave already approved.

In the event of multiple deaths in the employee's immediate family, each death shall be treated separately and the bereavement leave shall be granted accordingly.

24.13 Family Medical Leave Act

The County will adhere to the mandates of the Family Medical Leave Act of 1993. Employees of the County who meet the guidelines established by FMLA shall be entitled to use up to, but not exceeding, twelve (12) weeks (60 work days) of family medical leave during a twelve (12) month period for the following events and/or conditions. ~~EMT/Firefighters on a 28 day 24 hour shift count work days in 12 hour increments; therefore 1 shift = 2 work days, 3 shifts = 6 work days, etc.~~

1. care of the employee's newborn child,
2. placement of a child for adoption or foster care,
3. care of an employee's spouse, child or parent with a serious health condition,
4. employee's own serious health condition that makes the employee unable to perform the functions of his/her position,

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5. Other circumstances as may be implemented through enacted revisions to the FMLA.

For the purpose of this policy, a twelve (12) month period will begin with the first day of leave taken and extend through twelve (12) weeks (60 work days). Request for Family Medical Leave, if possible, should be submitted 30 days in advance and must be approved by the County Administrator or his/her designee. Physician certification of the qualifying leave event shall be provided by the employee prior to granting provisions of this policy.

Employees utilizing medical leave under FMLA shall be required to use paid accumulated sick and/or annual leave, if available, concurrently with FMLA. Use of accrued leave for qualifying purposes must be in accordance with the leave policies established by the Prince George County Personnel Policy Manual.

There are occurrences when an employee does not specifically request leave under FMLA, but his/her leave may qualify as FMLA leave. This leave may be designated by the employer as FMLA leave. The Director of Human Resources or designee must inform the employee that leave will be designated as FMLA leave in accordance with FMLA regulations.

Extended periods of sick leave (6 consecutive working days or more) shall be designated as FMLA leave and counted towards the twelve (12) week entitlement. Shorter periods of leave that qualify (any subsequent treatment or period of incapacity relating to the same condition) may be designated at the discretion of the Director of Human Resources or designee. Department Directors are required to notify the Department of Human Resources on the morning of the sixth day of continued absence for any of their employees.

If the County was not aware of the reason for an employee's leave, and the leave qualifies for FMLA, leave may be retroactively designated as FMLA leave within two (2) business days of the employee's return to work. If medical certifications fail to confirm the absence as a qualifying event under FMLA, the employer must withdraw the designation with appropriate notice to the employee.

Once an employee has exhausted FMLA leave and cannot return to work, the County is not obligated to hold the employee's position even if the employee has a remaining accrued leave balance.

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In cases where both spouses work for the county (inclusive of school employees), leave for the birth or adoption of a child is limited to twelve (12) weeks combined.

(See Employee Rights and Responsibilities under The Family and Medical Leave Act at the end of this Policy for additional information)

24.14 Leave of Absence Without Pay

The County recognizes that a matter of unusual or emergency nature may cause an employee to leave the job for a specific period of time. A leave of absence without pay may be granted in necessary circumstances, not to exceed six (6) months. Approval for a leave of absence for all full-time employees should be presented in writing from the employee with the recommendation of the Department Director to the County Administrator for approval, prior to such leave. The County Administrator may approve up to eight (8) weeks leave of absence without pay. Time periods in excess of eight (8) weeks require Board approval.

The Board of Supervisors may extend the six (6) months leave of absence for an additional six (6) months resulting in a maximum leave of absence period of twelve (12) months.

An employee will not accrue ~~annual or sick leave~~ any type of leave when in a leave without pay status. An employee will not be compensated for holidays while on leave without pay.

An employee on leave due to suspension based on a criminal investigation will have annual and sick leave balances restored in full if the employee is reinstated. Holiday hours will be restored, if applicable.

Although an employee may be considered for promotion while in a leave without pay status, the date of the promotion cannot become effective while on leave without pay.

Leave without pay for less than 30 days does not affect an employee's anniversary date. When leave without pay is granted for 30 days or more, the employee's anniversary date shall be adjusted month for month.

Except for certain provisions of the Family and Medical Leave Act, and when an employee is on approved leave with or without pay status, retention of a position for the employee cannot be guaranteed.

24.15 Paid Time Off Plan

General Information regarding the paid time off plan is as follows:

1. New full-time employees hired on or after January 1, 2014 who are enrolled in the VRS Hybrid Plan ~~and current full-time employees who~~

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~~choose to enroll with the VRS Hybrid Plan~~ will receive PTO in place of annual leave and sick leave. Holidays and all other forms of paid leave are separate and remain outside the PTO structure.

~~2. Existing employees currently covered by VRS plan 1 or plan 2 benefits (other than those in hazardous duty positions covered under the enhanced benefits) will be given a one-time open enrollment period (Approximately January–April 2014) to voluntarily opt into the VRS Hybrid plan effective July 1, 2014. Employees' elections are irrevocable. Any sick leave that a current VRS plan 1 or plan 2 employee has will be converted into a frozen SLR once they convert to the Hybrid plan.~~

~~3. Annual leave balances for employees that elect the Hybrid plan will roll over to PTO at their current values. PTO balances up to the maximum carryover will be paid out at termination or retirement at the employee's current hourly rate.~~

~~4. VRS Hybrid plan employees that are absent due to sickness, injury or disability will use PTO or other accrued leave for the first 5 consecutive missed work days, and then will be able to use their frozen sick leave reserve. If sick leave is exhausted, or the employee had no sick leave reserve to begin with, the employee will continue to receive 60% of their weekly salary up to 125 working days from the initial day absent. The County will contract for a third-party advice to pay service at no cost to employees to assist with claims. Long-term disability may be available after that.~~

24.16 Introduction

The Paid Time Off (PTO) plan is a comprehensive program that recognizes the many diverse needs of employees for time off from work and also includes a disability plan providing income protection during periods of extended illness or injury. Hours accrued in the PTO plan may be used for any purpose when scheduled in advance or at times when unforeseen circumstances cause an unscheduled absence. For unplanned absences, employees must follow department procedures for supervisor approval.

24.17 Definitions

Elimination Period – A waiting period before an employee can utilize short-term or long-term disability benefits.

Paid Time Off (PTO) – A leave program that combines annual and sick leave into one leave bank.

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~~Sick Leave Reserve (SLR) – Hours that are transferred from an employee's traditional sick leave plan to their PTO leave plan when they elect to participate in PTO. Once transferred, SLR may only be used in certain situations as outlined below.~~

Short-term Disability (STD) – A benefit that pays qualified employees in most cases, 60% of their salary for up to 125 working days.

~~24.18 Eligibility and Conversion~~

- ~~1. Employees hired on or after January 1, 2014 unless they are in a hazardous duty position covered under the enhanced benefit or transferring as a VRS plan 1 or plan 2 employee, are automatically enrolled in the PTO plan.~~
- ~~2. Employees hired prior to January 1, 2014 with the exception of hazardous duty positions covered under the enhanced benefit and those transferring as a VRS plan 1 or plan 2 employee.~~

~~Active full time employees hired prior to January 1, 2014 were provided the option to voluntarily convert from the VRS plan 1 or plan 2 to the VRS Hybrid plan during a one time enrollment period. Employees who elected to convert to the Hybrid Plan which encompasses the PTO plan were allowed to reserve their sick leave balance for future use. The Sick Leave Reserve (SLR) reflects the number of sick leave hours transferred as of January 1, 2014. Once an employee transfers to the PTO plan, sick leave hours no longer accrue. The SLR can only be used to supplement short-term disability pay. Once sick leave hours are exhausted, the SLR will no longer exist. SLR may not be used during the 7 calendar day elimination period for short term disability and may not be used once short term disability expires.~~

24.19 Traditional Leave Plans

~~Full time employees hired prior to January 1, 2014, who choose not to enroll in the Hybrid plan, will remain in their traditional leave plan in accordance with the County Personnel Policy; Section 24; Leave.~~

The following leave program is available to employees in the PTO plan and employees in the traditional leave plan in accordance with the County Personnel Policy, Section 24; Leave: bereavement leave, civil leave, standard holidays, military leave, compensatory leave, ~~C~~charitable leave, administrative leave, and volunteer leave.

24.20 Paid Time off Accrual

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PTO is a single category of leave to be used in lieu of traditional annual leave and sick leave. When properly scheduled, PTO can be used for vacations, personal or family business, illness, family illness, doctor's appointment, and other reasons. PTO cannot be used until it has been accrued and must be approved in advance for planned absences. For unplanned absences, employees must follow department procedures for supervisor approval.

PTO is accrued based on years of service for each completed pay period of service at the following rates:

PTO Accrual Schedule

Current Schedule					PTO Plan		
Years of service	AL Days	Sick Days	Total Days	AL Carryover	Years of service	Total Days	Carryover
0-5 years	42	42	24	24	0-5 years	21	28
6-10 years	45	42	27	30	6-10 years	24	34
11-15 years	48	42	30	36	11-15 years	27	38
16-20 years	24	42	33	42	16-20 years	30	44
21+ years	24	42	36	48	21+ years	33	50

Years of Full-Time Service	Accrued Hours per Pay Period	Accrued Hours per Year	Carryover Maximum
0-5 years	7	168 hours	224 hours
6-10 years	8	192 hours	272 hours
11-15 years	9	216 hours	304 hours
16-20 years	10	240 hours	352 hours
21+ years	11	264 hours	400 hours

PTO is accrued during 24 pay periods each calendar year. At the end of each year, all PTO leave in excess of the maximum carryover balance, which is unused by the pay period which includes December 31, is forfeited. It is the employee's sole responsibility to monitor his or her PTO balance. Any notices received by management are a courtesy and do not relieve employees of the responsibility to monitor PTO balances.

A full-time employee who changes their status to part-time and later back to full-time status with no break in service shall be given credit for previous full-

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time service for the purposes of establishing the employee's PTO accrual rate.
~~Accrued sick leave will be transferred into the employee's SLR.~~

When employees have exhausted all of their PTO, they may be placed in a leave-without-pay status. During the time employees are in a leave-without-pay-status, they will not accrue PTO leave.

PTO will not be counted as hours worked for the purposes of calculating overtime pay.

Upon separation or retirement, employees are paid for accumulated PTO leave at their regular hourly rate up to the maximum allowable balance.
~~Employees that have a SLR balance will forfeit the remainder of the balance upon termination.~~

A former full-time employee separated from the county in good standing or due to a reduction in force, who is reemployed full-time within 31 consecutive calendar days, shall be given credit for previous service solely for the purpose of accruing PTO. See Personnel Policy 5.15; Reinstatement of Former Employees.

24.21 Scheduling and Use of Paid Time Off Hours

PTO leave requests may be granted if the request does not conflict with the needs or objectives of the department. The decision of department management as to when PTO leave may be taken is final. Operational needs of the department may be considered when preparing leave schedules. Unscheduled PTO leave should be kept to a minimum whenever possible by planning and scheduling absences. Supervisors may request verification of unscheduled absences by requiring a physician's statement. When an unforeseen need for PTO occurs, employees must notify the appropriate supervisor prior to the start of the shift. Failure to notify the supervisor of an absence or excessive unscheduled leave is considered grounds for disciplinary action.

It is recommended that employees maintain sufficient PTO hours to cover the 7-day elimination period and to supplement any anticipated short-term disability. Employees are not provided job protection when in leave-without-pay or STD status except when they have been concurrently approved for FMLA. For more information on FMLA, refer to section 24.13; Family Medical Leave Act in the County Personnel Policies.

24.22 Short-Term Disability

1. Short-term Disability Plan – Short-term disability (STD) is a component of the PTO plan that provides, in most cases, income replacement at 60% of

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an employee's base pay when an employee is unable to work due to an illness, injury, or disability. All PTO enrollees are eligible to participate in short-term disability at no cost to them.

2. **Waiting Period for New Employees**– Work-related disability is provided when an employee begins employment in the VRS – Hybrid plan; non-work related disability has a one–year waiting period.
3. **Exceptions to the waiting period** – The waiting period of seven calendar days will be waived for catastrophic or chronic conditions.
4. **Elimination Period** – There is a 7 calendar day elimination period before STD benefits are payable when an employee is unable to work due to a work-related illness, injury, or disability. An employee must use accrued leave or PTO for the first 7 consecutive calendar days of missed work. ~~SLR may only be used after PTO or other accrued leave have been used for the first five consecutive days.~~ Leave without pay may not be taken until such time that the PTO bank and SLR or other accruals have been exhausted. Once PTO ~~and SLR are~~ and other accruals have been exhausted, the employee may be placed on leave without pay.
5. **Worker's Compensation Claim** – If the employee is unable to work due to a work-related injury, and worker's compensation benefits have been approved, the employee would be paid in accordance with the county personnel policies; section 26.1; Worker's Compensation Insurance and no STD benefits would be due to the employee. If the employee has been denied worker's compensation for a work-related injury, the STD claim is subject to approval by the third party advice-to-pay vendor and if approved, there is a 7 calendar day waiting period before income replacement is paid.
6. **Filing a Claim** – It is the employee's responsibility to immediately initiate a claim form as soon as they believe they will be out of work for more than 7 calendar days in the event of a work-related illness, injury, or disability, but in no case shall it be later than the last day of the elimination period. Employees must contact the Human Resources Department or their supervisor to begin the claim process through our third-party vendor. When possible, the medical certification should be submitted with the claim form; however, the employee has a maximum of 15 days to submit the medical certification form.
7. **STD Benefits** – Upon the advice to pay from our third party vendor, employees are eligible for the following income replacement for work-related illness, injury, or disability and non-work related disabilities for a maximum period of 125 working days:

Income replacement for work-related disabilities

Months of continuous service	Workdays of income replacement at 100%	Workdays of income replacement at 80%	Workdays of income replacement at 60%
Fewer than 60	0	0	125
60-119	85	25	15
120 or more	85	40	0

Income replacement for non-work-related disabilities

Months of continuous service	Workdays of income replacement at 100%	Workdays of income replacement at 80%	Workdays of income replacement at 60%
Less than 12	0	0	0
13-59	0	0	125
60-119	25	25	75
120-179	25	50	50
180 or more	25	75	25

Employees must use any remaining ~~SLR~~ or PTO or other accruals to supplement STD to remain at 100% of their pay. In no instance shall the supplement exceed 100% of the employee's regular base pay rate. Employees will not accrue PTO while they are receiving benefits under STD. STD benefits are paid by the county on regular county paydays and are based on the employee's regular rate of pay. STD benefits are subject to state and federal withholdings in the year they are received. Deductions from the employee's pay check will continue. County contributions will also continue as long as the employee is on STD. Employees receiving benefits from STD will receive VRS service and salary credit as defined in VRS guidelines.

*VRS - Hybrid employees have the option to purchase a supplemental Short-term disability policy that will assist should their claim be denied or during the one year waiting period. These policies are offered through a third-party vendor and are available for payroll deductions.

8. Pre-Existing Limitation – There is no pre-existing condition clause.
9. Discontinuation of STD Benefits – STD benefits will be terminated at the earliest of the events below:
 - a. At the conclusion of the 125 working day STD maximum benefit

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- b. When an employee is no longer sick, injured, or disabled based on medical determination
 - c. Failure of the employee to provide medical certification of illness, injury, or disability
 - d. Termination of employment
 - e. The employee becomes deceased
 - f. Failure of the employee to provide documentation that he continues to be unable to work due to illness, injury, or disability or any other required documentation
 - g. Falsification of records or other fraud or misuse
10. Return to Work – When an employee who has been out on STD for his own serious health condition is ready to return to work, the employee will be required to present a statement from his health care provider certifying that the employee is medically able to return to work. If an employee returns to work prior to the end of the STD - 125 working day benefit maximum for less than 45 calendar days and becomes disabled again due to the original disability (a recurrence), STD benefits will resume without a new elimination period.

A recurring disability or a new disability occurring after a return to work of 45 or more calendar days will be deemed a new disability. This will result in a new STD claim, with a new elimination period before benefits apply.

If an employee is able to return to work on a modified or reduced schedule during the 125 work day benefit period, a request for part-time STD benefits must be reviewed and approved. Once this has been approved, and during the 125 working day benefit period, wages for hours worked are paid and STD replaces the regular hours not worked at the 60% pay replacement level.

11. Request for an Independent Medical Examination – The employee's department Director, in coordination with the Human Resources Department, may at any time request that the employee receiving STD report to the Medical Center for an independent medical review to provide a second opinion.
12. Overpayments – If STD benefits are overpaid for any reason, the County has the right to recover the amount overpaid.

24.23 Long-Term Disability

When an employee is not expected to be able to return to work at the expiration of STD benefits, LTD benefits will begin upon the expiration of the maximum period of 125 working days for which the employee receives STD

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benefits. The county's third party vendor will be responsible for payment to the employee directly for any LTD benefits that they are eligible for.

1. Maximum Benefit Period – The following table will display the maximum benefit period for LTD:

Age at date of disability	Maximum benefit period
59 or younger	To Social Security normal retirement age (SSNRA)
60 through 64	5 years
65 through 68	To age 70
69 or older	1 year

2. Military Disability Benefits Offset – LTD benefits will not be offset for any military disability benefits received by the employee.
3. Worker's Compensation Benefit Offset – Any amount received by the employee from worker's compensation, including amounts for partial or total disability, will reduce the LTD benefit.
4. Group Insurance Disability Offset – Any amount received from another group disability plan provided by the employer will reduce LTD benefits provided through the PTO plan.
5. Taxability – The benefit is taxable since the employer pays premiums for the disability insurance. The third party vendor will provide appropriate income tax forms to the employee for the period in which they are on LTD.
6. Employee Contributions – The third party vendor will be responsible for collecting the required minimum 1% contribution for the defined contribution while the employee is on LTD. The third party vendor will submit those premiums to the county for submission to VRS during such time as the employee is on LTD. The employee is eligible to remain on the employer's health and dental insurance and shall pay the entire premium (employee + employer portion) to the county on a monthly basis as indicated by the county.
7. Retirement Benefit – When the employee's 1% defined contribution is received, this ensures that the employee continues to receive credible compensation for their retirement. The employer will not contribute to the employee's retirement during such time as the employee is on LTD.
8. Mental Disorder Limitation – Mental disorders will not be limited under the policy.

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9. Rehabilitation Incentive – While the employee is participating in an approved rehabilitation plan, the LTD benefit will be increased by 10% of pre-disability earnings.
10. Survivors Benefit – If the employee dies while LTD is payable and the employee had been continuously disabled for 180 days, a lump-sum survivor benefit in the amount of three times the monthly benefit is paid.

24.24 Healthy Living Day

1. General Provisions - It is the policy of Prince George County to allow county employees an additional source of administrative leave for utilizing minimal personal sick leave from work. This is known as the Healthy Living Day.
2. Eligibility for Participation - The Healthy Living Day is a voluntary benefit offered on an annual basis to county employees who utilize minimal personal sick leave from work. Full-time employees who meet the identified criteria and use less than 24 hours of personal sick leave in a 12 month period will be awarded eight hours of administrative leave. Part-time regular employees who meet the identified criteria and use less than 12 hours of personal sick leave in a 12 month period will be awarded four hours of administrative leave. 24 hour shift employees who meet the identified criteria and use less than 36 hours of personal sick leave in a 12 month period will be awarded 12 hours of administrative leave in a 12 month period. Time will be earned after the 12 month period has ended.
3. Terms of Participation - Employee participation is voluntary. In order to participate in the Healthy Living Day, each employee will be required to sign a form agreeing to the eligibility requirements and submit that form to the Wellness Committee during the month of December. The program will run from January 1 to December 31st each year.

Employees must submit a leave slip, to be approved by their supervisor, for personal sick time used. A leave slip will be required for personal sick time though employees may be allowed to flex their hours of work. Employees will not have sick leave deducted from their accrual balances if it is not needed. This is for record keeping purposes only for the Healthy Living Day. Wellness visits, to include all preventive services such as the eye doctor, dentist, annual exams, etc. would not count against the designated hours of sick leave. Leave used for sick children or parents, nor their wellness visits, would count against the designated hours of sick leave. Employees that utilize FMLA during the calendar year would no longer be qualified to participate for the initiative. According to the Personnel manual,

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extended sick leave of six working days or more will be designated as FMLA.

4. Use of Administrative Leave - Employees would be required to use Administrative Leave, earned from the Healthy Living Day, before the use of annual leave or compensatory time.
- 4.
5. Disqualification of Participation -When an employee utilizes the maximum designated amount of personal sick time, the employee would be disqualified from earning the Healthy Living Day.
6. Administration - The personal sick leave used will be recorded by the Finance Department. All approved personal sick time leave slips must be forwarded to the Finance Department for record keeping purposes and for posting of the designated hours of administrative leave at the end of the calendar year.

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**EMPLOYEE RIGHTS AND RESPONSIBILITIES
UNDER THE FAMILY AND MEDICAL LEAVE ACT**

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan," on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

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Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to: (1) Interfere with, restrain, or deny the exercise of any right provided under FMLA; and (2) Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

COUNTY OF PRINCE GEORGE PERSONNEL POLICIES Prince George, Virginia	POLICY NUMBER: 25.1 through 25.7	Page 1 of 4
	SUPERSEDES:	DATE ISSUED: January 1, 2006
SUBJECT: Sick Leave Bank	AUTHORIZATION: Adopted by the Board of Supervisors December 13, 2005; to become effective January 1, 2006	

25.1 General Provisions

It is the policy of Prince George County to allow members of the Sick Leave Bank an additional source of leave days when they are incapacitated by an extended personal illness or disability.

25.2 Eligibility for Membership

All full-time regular and part-time regular Prince George County employees who work 20 hours or more per week in regular status and who earn sick leave accruals will be eligible to participate in the Sick Leave Bank. VRS Hybrid employees covered under PTO will not be eligible to participate in the Sick Leave Bank.

25.3 Terms of Membership

Membership in the Sick Leave Bank is voluntary. In order to participate in the Bank, each employee will be required to submit an Application for Sick Leave Bank Membership to Human Resources by the assigned due date during the month of December and contribute sick leave hours equal to two work days. Participation will begin as of January 1. New employees may enroll in the bank within one month of successful completion of probationary period; however, they will not be eligible to utilize the benefits of the Bank for a period of six months subsequent to enrollment. Employees who have met their one year probationary period who decide to join in subsequent years are eligible to utilize the benefits of the Bank after a six month waiting period.

The County Administrator has the right to approve a late entry into the Sick Leave Bank if deemed necessary.

Each January 1st thereafter, each participating employee will be required to contribute one additional day of sick leave to the bank. The County Administrator will determine the need and extent of future contributions. Upon termination of employment, the County shall contribute three days of the terminating employee's non-reimbursed sick leave to the bank.

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Membership in the Bank is continuous and sick leave will be contributed from the employee's accrued sick leave as outlined above, unless the employee ~~opts to terminate completes a Termination of~~ Sick Leave Bank Membership ~~Form and returns it to- by notifying~~ the Human Resource Office before December 15th, with an effective date of the following January 1.

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An employee must be enrolled in the Bank for a period of six months prior to becoming eligible to utilize the benefits of the Sick Leave Bank.

25.4 Use of Sick Leave Bank

The participating employee must make application for the benefit, using the Application for Withdrawal of Sick Leave Bank Days and must submit the application and Physician's Certification of Disability to the Human Resource Office. The request shall be returned to the Human Resources Office no later than five (5) days after all accrued sick and compensatory leave have been exhausted.

No member of the Bank will be granted sick leave from the bank until his/her own ~~sick leave and compensatory~~ leave ~~has~~ been depleted. A minimum of ~~thirty ten (1030)~~ consecutive ~~calendar calendar~~ days of illness will not be covered by the bank and will be considered leave without pay.

A maximum of ~~thirty ninety (9030)~~ work calendar days may be drawn by a member within a 12-month period, starting with the first date of withdrawal from the bank. Days drawn from the bank for any one period of eligibility must be consecutive, except disability resulting from recurrence or relapse of the original illness.

Members utilizing sick leave days from the bank will not have to replace these days except as a regular contributing member of the bank.

The sick leave bank may also be used by an enrolled employee for an illness or injury of an employee's spouse or dependent child residing in the employee's home.

No benefits will be paid from the bank for a work-related injury or sickness which is occupationally-related; self-inflicted injuries; injuries ~~occurring in the course related to commission of a felony or misdemeanor; of committing a felony or assault;~~ or, during any disciplinary suspensions.

The employee must be able, in all likelihood, to return to work and confirms in writing, their intention to do so. The Medical Certification form must also state the same from the employee's treating physician.

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Participation in the Sick Leave Bank shall run concurrently with Family Medical Leave.

25.5 Termination of Membership in the Bank

A participating member may discontinue participation by giving written notice to Human Resources by December 15th, with an effective date of the following January 1.

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Upon termination of employment or withdrawal of membership, a participating employee will not be permitted to withdraw his/her contributed days.

25.6 Administration

The Sick Leave Bank will be administered by the Human Resource Office through an advisory board of four (4) employees and a representative from the Department of Human Resources. The four members of the advisory board shall be appointed from those employees expressing an interest in serving.

The advisory board will review all applications for Bank use, ensuring that they meet policy guidelines. The board will meet as a group to discuss and determine the decision on every request submitted. A decision will be rendered within ten (10) working days of receiving the application and all required documentation from the employee.

The decision of the advisory board can be appealed to the County Administrator within ten calendar-working days of the receipt of the decision. The advisory board members shall not vote on his/her own Sick Leave Bank request.

25.7 Termination of the Sick Leave Bank

If it becomes necessary to terminate or modify the Bank for any reason, the County shall not be held responsible to anyone then eligible or who may be or becomes eligible to participate in the Bank.

If the Bank becomes inoperative, the sick leave days remaining in the Bank at that time shall be distributed according to the following:

1. First, to the bank members currently drawing sick leave days from the Bank, until all unused sick leave hours are exhausted or until the member has received the maximum allowable entitlement.

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2. Second, to those bank members who have applications pending decision at the time the Bank becomes inoperative, and who are eligible for these benefits.
3. Third, the benefits remaining in the bank shall be returned to its active members prorated in direct proportion to their individual contributions.

EMPLOYEE SICK LEAVE BANK ENROLLMENT FORM

Employee to complete (Please type or print)

Please complete this form if you wish to donate leave to join or renew your membership in the employee Sick Leave Bank.

Name: _____ EE# _____

Department: _____ Hire Date: _____

*If you are joining the Leave Bank for the first time, you must be a member for at least six months before you are eligible to receive leave from the Bank.

If you are joining the Sick Leave Bank during Open Enrollment, please complete this portion:

I hereby request to participate in the Prince George County Sick Leave Bank and authorize the contribution of two days of my accumulated sick leave to participate. Additional contributions may be required if deemed necessary by the County Administrator.

I understand that sick leave contributions to the Bank will not be returned if I cancel participation in the Bank or terminate service with the County.

I have read the Sick Leave Bank provisions and understand the benefits of membership.

Employee Signature: _____ Date: _____

If you are renewing membership in the Sick Leave Bank during Open Enrollment, please complete this portion:

I hereby certify that I agree to donate eight (8) hours of sick leave to renew membership in the employee Sick Leave Bank and to continue my participation. I understand that sick leave contributions to the Bank will not be returned if I cancel participation in the Bank or terminate service with the County.

Employee Signature: _____ Date: _____

_____ of sick leave was removed from the employee's balance on _____ by _____.
hrs. Date initials

EMPLOYEE SICK LEAVE BANK WITHDRAWAL REQUEST FORM

To be completed by employee (Please type or print)

Name: _____ EE # _____

Job Title: _____ Department: _____

Home Address: _____

Request Type: New _____ Updated _____

Signature: _____ Date: _____

TO BE COMPLETED BY THE HUMAN RESOURCES DEPARTMENT

HR Representative: _____ Email: _____

Phone #: _____ Fax #: _____

Last date employee worked: _____

Leave Bank membership expiration date: _____

Hours needed: _____ Hrs. Dates to cover: From _____ To _____

Can County accommodate a modified duty assignment? Yes _____ No _____

Is the employee on FMLA leave? Yes _____ No _____ if yes, provide the end date:

Is this absence due to an on-the-job injury? Yes _____ No _____ if yes, is the

employee approved for worker's compensation? Yes _____ No _____

Has the employee applied for Disability Retirement? Yes _____ No _____

HR Representative Signature _____ Date _____

***A copy of most current sick leave bank membership form is required to accompany this form**

TO BE COMPLETED BY THE HUMAN RESOURCES DEPARTMENT

This employee has exhausted all forms of leave time. The employee has been a member of the Leave Bank for at least six months. I have reviewed the employee's records and I certify that this request meets all of the criteria specified in this section.

HR Representative Signature: _____ Date: _____

**EMPLOYEE SICK LEAVE BANK REQUEST
MEDICAL CERTIFICATION FORM**

(To be completed by employee's treating physician)

PATIENT'S NAME: _____

DIAGNOSIS: _____

SUMMARY OF TREATMENT(S) & PROCEDURE(S): _____

START DATE OF CURRENT INCAPACITY: _____

SURGERY DATE (IF APPLICABLE): _____

HOSPITALIZATION DATE(S) (IF APPLICABLE): _____

CAN EMPLOYEE WORK IN A MODIFIED CAPACITY? YES _____ NO _____

IF YES, PROVIDE RESTRICTIONS FOR MODIFIED DUTY:

DO YOU BELIEVE THE EMPLOYEE WILL LIKELY BE ABLE TO RETURN TO FULL-DUTY?

YES ___ NO ___ IF NO, PROVIDE FURTHER INFORMATION. _____

DATE EMPLOYEE IS LIKELY TO RETURN TO:

MODIFIED DUTY: _____ FULL DUTY: _____

PHYSICIAN'S NAME (PRINTED)

PHYSICIAN'S PHONE NUMBER

PHYSICIAN'S SIGNATURE

DATE FORM COMPLETED

EMPLOYEE SIGNATURE (My signature is my consent to release this information to my employer)

PLEASE ATTACH MEDICAL VERIFICATION OF SURGERY OR BIRTH- (TYPE OF BIRTH IS REQUIRED)

Failure to provide sufficient medical documentation may delay the processing of this request. This information shall be treated as a confidential medical record; it shall not be placed in the employee's personnel file. Only those individuals with a need to know this information will be given access to it. An employee who fails to appropriately safeguard the confidentiality of this information will be subject to disciplinary action up to, and including termination from County employment.

Board of Supervisors
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 27th day of March, 2018.

Present:

Alan R. Carmichael, Chairman
Donald R. Hunter, Vice-Chairman
Floyd M. Brown, Jr.
Marlene J. Waymack
T. J. Webb

Vote:

A-2

On motion of _____, seconded by _____, which carried unanimously, the following Resolution was adopted:

RESOLUTION; PROPOSED REVISIONS; PRINCE GEORGE COUNTY PERSONNEL POLICY; SECTIONS 5.1 THROUGH 5.17 ENTITLED *HIRING*, SECTIONS 24.1 THROUGH 24.24 ENTITLED *LEAVE*, AND SECTIONS 25.1 THROUGH 25.7 ENTITLED *SICK LEAVE BANK*

WHEREAS the Prince George County Personnel Policy Manual has been reviewed by staff and it has been recommended that the existing policy entitled *Hiring* be reviewed and considered for modification;

WHEREAS the Prince George County Personnel Policy Manual has been reviewed by staff and it has been recommended that the existing policy entitled *Leave* be reviewed and considered for modification;

WHEREAS the Prince George County Personnel Policy Manual has been reviewed by staff and it has been recommended that the existing policy entitled *Sick Leave Bank* be reviewed and considered for modification;

NOW, THEREFORE, BE IT RESOLVED That the Board of Supervisors of the County of Prince George, this 27th day of March, 2018 does hereby amend the Prince George County Personnel Policy by revising policies entitled *Hiring*, *Leave* and *Sick Leave Bank* as requested.

A Copy Teste:

Percy C. Ashcraft
County Administrator