

## 2B-4 MEDICAL LEAVE

### **SICK LEAVE RESERVE**

An employee with a sick leave reserve balance may use it if the employee is absent from work due to a medical situation or illness for at least 3 business days.

1. Sick Leave Reserve may be used for the employee's medical situation or illness, or the medical situation or illness of a spouse, child, or parent.
2. The department head may request an employee to supply written verification by a physician of the illness supporting the request for sick leave reserve benefits.
3. Unused sick leave reserve is canceled upon termination of employment, without compensation to the employee.

### **EXTENDED MEDICAL LEAVE BENEFIT (EMLB)**

The Commissioners Court has implemented a benefit that enables eligible employees to access additional leave in the event of a serious medical injury or illness and is facilitated under the direction of the Director of Human Resources as the administrator of this benefit.

***The benefit is designed to offer additional support to employees on extended leaves of absences when combined with their existing available resources, such as PTO or sick leave reserves. There is no guarantee or intention to fully compensate any eligible employee for the entire duration of their necessary leave of absence.***

The following guidelines apply:

- i. Request for medical leave pool hours:
  1. **Regular full-time or regular part-time employees** that have completed one year of continuous service may submit a request for medical leave hours to the Human Resources Department.
    - a. A medical certification from the medical provider verifying serious injury or illness may be requested by the County for absences exceeding 30 consecutive days.
  2. medical leave pool requests may be made under the following circumstances:
    - a. For the employee's own medical situation or illness or the medical situation of a dependent family member. For purposes of this policy, "family" includes spouse, child, employee's parents, or spouse's parents only.
    - b. A serious medical situation or illness for the purpose of medical leave, is defined as:
      - i. A health condition lasting more than 30 consecutive days and requiring leave of absence and continuing treatment by a physician.
      - ii. Any period of incapacity due to pregnancy or prenatal care lasting more than 30 consecutive days.

- iii. To care for the birth, adoption, or foster placement of a child.
- iv. Any period of incapacity due to a chronic, serious health condition that continues over an extended period of time and requires regular follow-ups with a health care provider (examples: surgery, heart attack, cancer, other injury/illness requiring hospitalization)
- v. A permanent or long-term condition for which treatment may not be effective, requiring supervision by a health care professional (examples: terminal cancer, Alzheimer's disease, stroke).
- c. An eligible employee may only request use of extended medical leave once in any 12-month period if they have contributed to the medical leave pool in that year.
- d. An eligible employee must exhaust available paid leave, up to 80 hours, as of the date of the determination. For the purposes of this policy paid leave includes paid time off, comp time, sick leave reserve, and/or holiday bank. Comp time must be utilized before paid time off or sick leave reserve.
- e. Employees must be in good standing with the County, which includes:
  - i. Not being on a performance improvement plan.
  - ii. Having no active disciplinary actions.
  - iii. Meeting attendance and conduct standards as outlined in the employee handbook.

iii. Determination of Medical Leave Eligibility:

- a. If the administrator, or designee, determines that the employee is eligible and that the request meets all other eligibility requirements, Human Resources will approve the transfer of time as a lump-sum from the pool to the employee's medical leave bank, in the amount of 480 hours.
- b. The time will be credited to the employee and used in the manner as any other approved leave during the course of the extended leave of absence for the specified medical situation on the request.
- c. The employee must coordinate with the Department Head/Elected Official, if the leave of absence extends beyond the approved medical leave pool hours in accordance with policies 2B-12 regarding Family Medical Leave Act and 2B-13 regarding other leave of absences, if applicable.
- d. Unused medical leave shall be returned to the pool upon the conclusion of the indicated medical situation and cannot be used intermittently.

iv. Exclusions:

- a. The employee is not entitled to any payment for unused medical leave contributed to or acquired from the County medical leave pool.
- b. The estate of a deceased employee (or family member) is not entitled to any payment for unused medical leave contributed to or acquired by that employee from the County medical leave pool.
- c. Injuries sustained while on the job during the course of employment are not eligible for benefits from the medical leave pool.

v. General Rules:

- a. All requests and medical information submitted will be treated with the utmost confidentiality and in compliance with applicable laws.
- b. Exceptions to any section of the policy may be considered on a case by case basis, subject to Commissioners Court review and approval.
- c. This policy will be reviewed annually, and any changes will be communicated via county email and published to the Human Resources website page.