

**BEFORE THE BOARD OF CURRY COUNTY COMMISSIONERS
IN AND FOR THE COUNTY OF CURRY, OREGON**

**IN THE MATTER OF AN ORDER AMENDING)
THE CURRY COUNTY PERSONNEL RULES)**

ORDER: 23082

WHEREAS, Curry County has in place a set of Personnel Rules that were last revised in its entirety December of 2018 with order No. 20600, dated December 19, 2018; and

WHEREAS, Curry County amended the Personnel Rules to incorporate changes that had been made on order No. 22058, dated August 4, 2021; and

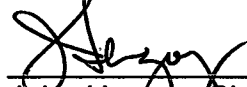
WHEREAS, there are several employees with well over 500 hours of sick leave who would like to be able to donate more than the 40 hours currently allowed per year, and to donate to more than one employee;

NOW, THEREFORE, IT IS HEREBY ORDERED that effective April 1, 2022, a change is made to the Curry County Personnel Rules, Article 18, Section L – Transfer of Sick Leave.

IT IS FURTHER ORDERED that the Payroll and HR Coordinator is authorized to incorporate this change into the Curry County Personnel Rules, and to electronically distribute the amended Curry County Personnel Rules to all County employees and elected officials.

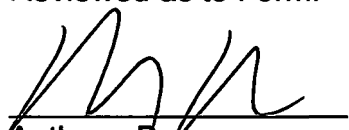
DATED this 20th day of April, 2022.

CURRY COUNTY BOARD OF COMMISSIONERS



John Herzog, Chair

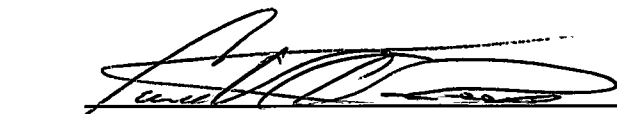
Reviewed as to Form:



Anthony Pope
Curry County Legal Counsel



Christopher S. Baasch, Vice Chair



Court Boice, Commissioner 4-20-22

ARTICLE 18
PAID SICK LEAVE

- A. GENERAL STATEMENT:** Paid sick leave is for the purpose of providing continuing income and time off when an employee is ill or injured or in need of medical care. Sick leave may also be used, as outlined in these rules, to attend to the needs of ill immediate family members and as funeral leave. Please refer to Article 19, for sick leave use when on FMLA/OFLA leave.
- B. ACCUMULATION:** Sick leave shall be earned by each regular employee at the rate of one work day for each continuous month of service. Sick leave may be accumulated to a total cap of 1440 hours for a 40 hour work.
- C. PART-TIME EMPLOYEES:** Regular part-time employees, working 20 or more hours per week, may accrue sick leave in an amount proportionate to that which would be accrued under regular full-time employment.
- D. TEMPORARY AND IRREGULAR EMPLOYEES:** An employee who begins employment after January 1, 2016, begins to accrue paid sick leave on the first day of employment, but may not use paid sick leave until the 91st day of employment. After the 91st day of employment, paid sick leave may be used as it is accrued. An employee who began employment on or before January 1, 2016, is eligible to accrue sick leave on January 1, 2016, and may use sick leave as it is accrued. Paid sick leave shall accrue at the rate of one hour for every 30 hours worked. Maximum accrual per year is 40 hours and up to 40 hours may be carried over to the next year for a maximum of 80 hours. However, no more than 40 hours can be used in any calendar year. Sick leave is to be used in .25 hour increments and only after at least 1 hour has been accrued. Any unused sick leave will not be cashed out upon separation from employment
- E. UTILIZATION:** Employees may use their allowance of sick for the diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive care for their self or a family member as defined in Article 2 (19). Absence to attend to an ill family member shall be limited to the time the employee's presence is actually required. Employees have the obligation to make other arrangements within a reasonable period of time for the attendance upon immediate family members. A physician's statement regarding the nature of the illness, the need for the employee's absence, and the estimated duration of the absence may be required at the option of the Appointing Authority for absences for over three consecutive days.
- F. TRANSFER AND TERMINATION:** Sick leave is provided by the County in the nature of insurance against loss of income due to illness. Except for the County Retirement Provision in these Personnel Rules, no compensation for accrued sick leave will be allowed for an employee when separated from County service. Sick leave shall not accrue during any period of leave of

absence without pay. When an employee is transferred, or appointed, to another department or office, sick leave credit shall remain in effect, and will become the responsibility of the new department or office.

G. SICK LEAVE WITHOUT PAY:

1. If sick leave without pay is approved, the Appointing Authority may require periodic certification of the employee's physical condition from the attending physician or practitioner during the period of disability.
2. Sick leave without pay may be approved or may be denied if, in the opinion of the Appointing Authority, it is necessary to fill the position with a replacement employee.
3. Sick leave without pay shall only be approved for a period having a fixed date of termination and shall not be open ended.

H. COORDINATION WITH WORKER'S COMPENSATION: At the option of the employee, the employee may use accrued sick pay to make up the difference between the worker's compensation benefits and that person's normal monthly net salary. Salary paid for a period of sick leave resulting from a compensable injury shall be equal to the difference between the worker's compensation award for lost time and the employee's regular gross salary rate subject to mandatory payroll withholding. Health insurance premiums shall be paid by the County, in accordance with the payment of the rest of the County employees' health benefits, for a period of up to one year. If, at the end of one year's time, an employee is still off work due to the worker's compensation injury, the employee must then pick up all his/her medical premium costs under COBRA regulations.

I. BEREAVEMENT LEAVE: Paid bereavement leave shall be earned at the rate of one (1) day per completed full year of employment for the first two (2) years. Thereafter, the employee shall be credited with a bank of a total of three (3) days of bereavement leave at the completion of each full year of employment. At no time will an employee have more than three (3) days of accrued bereavement leave. An employee may use accrued bereavement leave when a death occurs in his/her immediate family.

J. EMPLOYEE NOTIFICATION OF ABSENCE: Any employee requiring the use of sick leave shall notify the immediate supervisor *no less than* thirty (30) minutes prior to the reporting time if reasonably possible. In the case of a continuing illness, the employee or responsible household member shall contact the immediate supervisor on no less than a weekly basis to keep the supervisor apprised of the approximate date of the ability to return to work. A physician's statement regarding the nature of the illness or injury, the need for the

employee's absence and the duration of the absence may be required by the County in the event of absences of three (3) days or more.

- K. **PAYMENT UPON RETIREMENT:** The County shall notify PERS, and PERS shall determine if employees will be granted credit for accumulated sick leave in the form of increased retirement benefits upon service or disability retirement in accordance with PERS regulations.
- L. **TRANSFER OF SICK LEAVE:** Employees who have exhausted their sick and vacation leave benefits may obtain sick leave from other County employees (with their written consent) if they require extended time off for a qualified FMLA/OFLA Leave. Only employees who have accumulated more than one hundred forty (140) hours sick leave may make sick leave contributions, and no employee may contribute more than forty (40) hours sick leave per year to any other employee. The exception is if an employee has more than 500 hours of sick time they may donate up to a cumulative total of 240 hours per year to one or more employee. No employee can receive more than two hundred forty (240) hours of contributed sick leave in any one calendar year. Once an employee has authorized transfer of sick leave to another employee, that transfer is final.
- M. **ABUSE OF SICK LEAVE:** Sick leave abuse includes, but is not limited to, repeated use of unscheduled sick leave or repeated use of sick leave adjacent to weekends, holidays, vacations and paydays. Employees found to have abused sick leave as described here may also be subject to discipline, up to and including termination.