

# EXHIBIT A



Policy 5.4	Sick Time		
<u>Effective Date:</u> 8/13/24  <u>Last Amended Date:</u> 2/28/12, 2/26/13, 3/24/20, 8/13/24, 11/12/24	<u>Applicable Law/Statute:</u> None	<u>Source Doc/Dept.:</u> None/HR	<u>Authorizing I.C. Sec.:</u> None

## SICK TIME

5.4

### POLICY

It is the policy of DuPage County to recognize that employees may occasionally be absent because of illness or injury. The County believes that employees should be protected against a loss of income because of such temporary absences.

### ELIGIBILITY

- All full-time employees under County Board Jurisdiction are eligible for sick time.
- Care Center part-time employees that are normally scheduled to work at least twenty (20) hours or more per week are eligible for sick time.

### GUIDELINES

- A. Employees will accrue eight (8) sick days annually. Sick time credits will accrue on a monthly basis as follows:
  1. Employees working 75.00 hours Bi-Weekly - 5.00 hours
  2. Employees working 80.00 hours Bi-Weekly - 5.33 hours
  3. Any other Bi-Weekly hours should be pro-rated, not to exceed sixty-four (64) hours of sick time annually.
- B. Eligible part-time employees will receive sick time at a proportional rate, based on the number of hours they are regularly scheduled to work.
- C. Sick time will be calculated at 1/10 of the normally scheduled bi-weekly work hours.
- D. Sick time hours accrued and banked, may be used during the course of employment for the employee's own health condition or to care for an immediate family member who requires the employee's care or other reasons as stated within the Policy handbook.

- E. Effective December 1, 2011, all sick time hours accrued, unused, and banked will be frozen for purposes of eligibility for monetary compensation. This accrued, unused and banked sick time will continue to be eligible for pay based upon years of service at the time of separation, as outlined in procedures 11 and 12, unless an Early Distribution payout is taken.
- F. Employees who have been rehired shall accrue sick time as of their rehire date, unless the employee is separated for less than thirty (30) days as a result of layoff or employer initiated separation. In that case, if the separation is less than thirty (30) days, the accrual shall continue from the original date of hire.
- G. Sick time earned after December 1, 2011, may be accrued up to a maximum of 120 days. This bank will be maintained separately from sick time banked prior to December 1, 2011. Sick time may be used as follows:
  - 1. For the employee's own health condition or to care for an immediate family member who requires the employee's care or other reasons as stated within the Policy handbook.
  - 2. To obtain service credit to the full extent allowed by Illinois law and IMRF policies, if any.
- H. An employee who transfers out of a position eligible for sick time, and then returns to a position that is eligible for sick time, may accrue sick time as of the date returning to the sick time eligible position, unless the transfer is for less than thirty (30) days.

## **PROCEDURES**

- 1. Sick time will not accrue during any personal leave of absence or during any medical leave of absence greater than thirty (30) days.
- 2. Sick time accrued and banked prior to December 1, 2011 will be carried over from year to year, unless used, up to a maximum of 250 days, any sick time greater than 250 days will be forfeited.
- 3. An employee must notify their Supervisor or other designee directly when illness or injury prevents the employee from coming to work. Notice to the Supervisor or other designee should be given within a time frame established by the Department and should continue at the beginning of each work shift for which the employee is unable to report to work.
- 4. If a Department Head does not consider the evidence submitted as adequate for the use of sick time, additional documentation may be required, regardless of the number of days absent. If this additional documentation is not supplied, the request for sick time shall be denied and the time shall be coded as without pay. The time without pay may include a preceding or following designated holiday or vacation day.

5. A doctor's note will be required of an employee who is out for three (3) or more days, at the discretion of the Department Head. The doctor's note must include a release to work and indicate if any medical restrictions are required.
6. Any employee determined by the Department Head or Supervisor to be abusing the provisions of the sick time policy shall be subject to disciplinary action, not to exclude termination.
7. Eligible employees may receive payment for accrued, unused sick time as indicated below, based on employment date.
8. Employees who sign a formal notice of separation may receive such payment for accrued, unused sick time up to six (6) months prior to their separation.
9. Employees may not request payment for any sick time that has not yet been earned.
10. A special sick leave provision may be approved by the Chairman of the County Board in conjunction with the Human Resources Department during the flu season, or a public health crisis or public health event to extend the sick benefit and grant an employee sick time if they have insufficient sick leave hours. Before leave may be advanced, all accrued and banked sick time, vacation time, personal days and compensatory time must first be depleted. Any advanced sick time will be repaid from future sick time accruals or be deducted from the final paycheck issued to the employee.

**11. For employees hired on or prior to November 1, 2005:**

- a. The employee has the option to either:
  1. Receive monetary compensation for accrued, unused, sick time, at a rate of 100% of their current payrate; or
  2. To obtain service credit to the full extent allowed by Illinois law and IMRF policies, if any.

**12. For employees hired after November 1, 2005 and prior to December 1, 2011:**

- a. For an employee who has completed eight (8) years of service, employee will have the option to either:
  1. Receive monetary compensation for accrued, unused sick time at 50% of their current payrate or,
  2. To obtain service credit to the full extent allowed by Illinois law and IMRF policies, if any.

[Request for Payment of Accrued Sick Leave forms](#) are available on the internet under the Human Resources tab.

### 13. Donated Sick Time

- a. **Eligibility to Receive Donated Sick Time.** To qualify, the employee requesting donated sick time must:
1. Have a non-work related serious illness or injury, as verified in writing by a health care provider, which meets the definition of a serious health condition under the Family and Medical Leave Act (FMLA) and an estimated date of return to full duty from the health care provider; or
  2. Have a spouse, domestic partner, or dependent who resides in the employee's household with a serious illness or injury, as verified in writing by a health care provider, which meets the definition of a serious health condition under the Family and Medical Leave Act (FMLA);
  3. Have an insufficient amount of accrued and unused sick **and vacation** time to cover the estimated period of absence;
- b. **Approval.** Upon approval of an employee's request for donated sick time, the Human Resources Department shall:
1. Notify County employees of the requesting employee's need for donated sick time while respecting the employee's right of privacy; and
  2. Approve payment of any such donated sick time to the requesting employee up to the amount of donated leave, or the hours necessary to provide the employee with their regular, straight-time pay for such pay period, whichever is less.

#### c. **Guidelines to Receive Donated Sick Time**

1. An employee receiving donated sick time shall be paid at their regular rate regardless of the rate of pay of the employee donating such leave.
2. An employee using donated sick time shall be in active pay status and shall accrue sick time, and be entitled to any other benefits they would normally receive. All sick time or other paid leave provided to or accrued by an employee while using donated sick time shall be used in the following pay period first before donated sick time is used.
3. An employee approved to receive donated sick leave shall be eligible to receive such leave until the employee:
  - a. Returns to full duty; or
  - b. Exhausts all donated leave; or
  - c. Has been on donated sick leave for a total of six months.

4. Employees absent from work and receiving donated sick leave may not work, perform services, receive, or earn compensation for or from any other entity, including the employee's own business, from the beginning of such absence until the employee returns to work.

**e. d. Donating Sick Time.** An employee may donate accrued and unused sick time to any County employee who has been approved to receive donated sick time as long as the donating employee retains a sick leave balance of at least 37.5 or 40 hours after deduction of the hours offered for donation.

1. Donations of sick time shall be in one hour increments.

~~2. An employee receiving donated sick time shall be paid at their regular rate regardless of the rate of pay of the employee donating such leave.~~

~~3. 2.~~ Sick time shall be deducted from donating employees in the order donated and shall be credited to the receiving employee's account on pay day up to the amount necessary for the employee to be paid their regular two weeks' pay. No sick time shall accumulate in the account of a receiving employee or be converted to cash or compensatory time. Any sick time donated by an employee that is not used shall remain in the account of the donating employee.

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~~5. An employee approved to receive donated sick leave shall be eligible to receive such leave until the employee:~~

~~6. Returns to full duty; or~~

~~7. Exhausts all donated leave; or~~

~~8. Has been on donated sick leave for a total of six months.~~

~~9. Employees absent from work and receiving donated sick leave may not work, perform services, receive, or earn compensation for or from any other entity, including the employee's own business, from the beginning of such absence until the employee returns to work.~~

#### **14. e. Donated Sick Time Procedures**

- a. An employee requesting the use of donated sick time must submit a Request to Receive Donated Sick Time Form, to the Human Resources Department along with a written certification from a health care provider of the employee's serious health condition, on a Health Certification Form, and an estimated date of the employee's return to full duty, must be attached to the request.

- b. Upon approval of a request for donated sick time, Human Resources shall complete a Notice to Donate Sick Time and forward copies to each County Department.
- c. An employee wishing to donate sick time to a fellow employee eligible for donation shall complete their portion of the Notice to Donate Sick Time, sign and date it (including the time of signature) and return it to Human Resources.
- d. Human Resources shall confirm the employee(s) wishing to donate sick time have sufficient balance to do so and shall allocate sick time pursuant to this Policy.
- e. Employees who have given notice of separation of employment from the County are not eligible to donate sick time.

#### **15. 14. Payout For Accrued Sick Time**

Effective August 13, 2024, employees that have accrued sick time with monetary value may request a payout for a portion, or all, of this accrued sick time benefit without submitting a notice of separation from the County, as follows:

- a. Employees hired up to and including November 1, 2005, are eligible for payment of accrued sick time earned prior to December 1, 2011, at a rate of 100% of their current payrate.
- b. Employees hired after November 1, 2005, are eligible for payment of accrued sick time earned prior to December 1, 2011, at a rate of 50% of their current payrate.
- c. A Request for Payment of Accrued Sick Leave – PRE-FY12 Sick Bank form must be completed and submitted to receive this payout.
- d. A request for payment of accrued sick leave may be made up to four (4) times per year and will be processed on the last pay period of each quarter of the calendar year (last pay period of March, June, September and December).