

## **Rule XIV. Extended Illness Leave**

Prior to December 24, 1994, all members of the County Service, except temporary employees with less than one (1) month of continuous service, were entitled to earn Extended Illness leave. On December 24, 1994, the accrual of extended illness leave was discontinued but accrued balances were maintained to be used in accordance with this rule.

### **A. Purpose of Extended Illness Leave**

Accrued extended illness leave shall be granted for:

1. Employee's short term illness or medical or dental appointments.
2. FMLA qualifying absences in accordance with the FMLA policy handbook.
3. Non FMLA qualified absences due to illness in the family or of a guardian, or of any person residing in the household upon presentation of a physician's statement certifying necessity of the employee's presence. Family shall mean spouse, parent, child, sister or brother of the employee.
4. Illness of any other person related to the employee or related to their spouse if such use is deemed by the Appointing Authority to be in the best interests of the County Service and upon presentation of a physician's statement certifying necessity of the employee's presence.

### **B. Illness Leave Responsibilities**

The employee shall have the responsibility of notifying the department promptly of any illness or disability in compliance with department regulations or safety rules. For absences due to reasons not covered in the County's FMLA policy, proof of disability in excess of three (3) consecutive working days may be required by the Appointing Authority provided the employee has been given written notice in advance that the absenteeism is creating a hardship for the department and medical documentation will be required. Use of Extended Illness leave on false claims of illness, injury, or exposure to contagious disease, or falsification of proof to justify such illness leave shall be cause for discipline up to and including discharge.

### **C. Entitlement to Accumulated Extended Illness Leave upon Separation**

1. Employees hired before December 24, 1994, and separated from County employment before reaching ten (10) years of service shall forfeit all extended illness leave accumulated upon termination.
2. For employees with ten (10) or more years of uninterrupted service, terminal attendance award will be equal to one-half (1/2) of all extended illness leave accumulated. The lump sum terminal payment (\*) shall be determined by using the base rate of pay received by the employee at the time of termination or death.

\* Payments made pursuant to this section shall not be considered in any State-administered retirement system as salary payments, and shall not be used in determining the average final compensation of an employee in any State-administered retirement system.

### **D. Disposition of Extended Illness Leave for Transferred Employees**

When an employee is transferred from one department, division, office or agency of the Unified Personnel System to another department, division, office or agency of the Unified Personnel System, the employee's accumulated extended illness leave shall also be transferred and such leave, when taken, shall be chargeable to the Department to which the transfer was made.

## E. Disability Income

The County makes available both Short and Long Term Disability Income benefits. Application for benefits is made through the Personnel Department. Eligibility, disability determination and benefits payable are subject to the provisions of the respective plans. In all cases proof of disability is required. An employee's absence will run concurrently with any FMLA entitlement under the County's Family and Medical Leave policy.

### 1. Short-Term Disability Income

Short Term Disability Income is made available to all permanent, probationary and exempt (excluding Management Interns) status employees eligible for Group Health Insurance coverage. The maximum benefit period is as follows: Employees hired prior to December 25, 1994 are eligible for up to twenty-six (26) weeks of benefits. Employees hired after December 25, 1994 are eligible for up to six (6) weeks of disability income benefits during the first year of service. This eligibility period is increased by five (5) weeks for each year worked during the second through the fourth year of service. At five (5) years of service or longer, the employee is eligible for up to twenty-six (26) weeks of disability or until Social Security, Long Term Disability, and/or Retirement benefits begin, whichever comes first. Eligibility is effective the first of the month following the service anniversary date. The new maximum benefit period will be effective on the service anniversary date providing the employees is actively at work on that date or on the first day following a return to active duty.

- a. Classified employees who have no Extended Illness leave and have been disabled seven (7) consecutive calendar days are eligible for benefits. Exempt Service employees shall be immediately eligible upon exhaustion of accumulated Extended Illness leave.
- b. The Benefit Amount is two-third (2/3) of the employee's base wage rate or salary in effect at the time of disability.
  1. The amount of disability income payable will be reduced by any disability income payable under any government plan or from any wage continuance arrangement, to the extent the combined payments do not exceed 100% of the normal weekly wage.
  2. No amount will be payable for cosmetic surgery unless as a result of accidental bodily injury paid under the Group Health Insurance Plan.
  3. The County will continue to pay its portion of the premium for all insurance benefits while the employee is receiving short term disability income.
- c. Employees receiving Workers' Compensation benefits are eligible to apply for differential pay from the weekly income plan up to a maximum of 66 2/3% of total wage.
- d. An employee, who is totally disabled on the date of termination of employment, will receive the same disability benefits as though still employed.
- e. Probationary employees are not eligible for this benefit for the purposes of drug/alcohol rehabilitation inpatient treatment.

### 2. Long-Term Disability Insurance

A long-term disability insurance policy is provided to exempt employees and classified employees with five (5) or more years of continuous service who are eligible for the Group Health Insurance coverage. Classified employees who have completed one year of continuous service but who have less than five (5) years of service are eligible to purchase this coverage. Employees must be disabled six (6) months or more to qualify for benefits. Disability determination and benefits payable are

subject to the provisions of the policy. An employee, who is totally disabled on the date of termination of employment, will receive the same disability benefits as though still employed.