

**CITY OF SCHERTZ
EMPLOYEE HANDBOOK**

Sick Leave Pool Policy

PREPARED BY: Human Resources
APPROVED BY: City Council
DATE APPROVED:
EFFECTIVE DATE: 1/1/2020
REPLACES VERSION: Temporary Sick Leave Pool Policy (appvd by Council 3/3/15)

Purpose:

The City of Schertz has established a sick leave pool to provide a source of additional paid sick leave for employees who have exhausted all available leave time, to include compensatory time, awarded time off, sick leave and vacation leave (in that order). Sick leave pool benefits are made available through voluntary donations of sick leave hours from current and retiring employees.

Applicability:

This policy applies to all full-time and regular part-time employees. Hours from the Sick Leave Pool received by employees prior to effective date of this policy do not count towards the Maximum Hours Allowed in Rolling 12-Month Period or the Maximum Lifetime Benefit. Employees receiving hours from the Sick Leave Pool upon the effective date will be subject to this policy. Newly-hired employees still in a probationary status are not eligible to receive from the Sick Leave Pool.

Policy:

Employees who exhaust all leave balances because of an illness, injury, or otherwise qualified condition, suffered by either the employee or a member of the employee's immediate family may apply to the sick leave pool program. Employee must have an approved FMLA claim to be eligible to receive hours from the Sick Leave Pool. FMLA claim must be approved prior to receipt of hours from Sick Leave Pool. Hours from the Sick Leave Pool will not be assigned retroactively.

Donation: All contributions to the Sick Leave Pool will be voluntary. Upon retirement or separation of the City, employee may designate the number of accrued sick leave hours to be donated to the Sick Leave Pool (included on HR Outprocessing Checklist). Sick leave contributions may not be designated for the use of a particular person. Current employees who wish to donate must maintain a minimum balance of 80 hours in their sick leave bank.

Request for Use of Sick Leave Pool: Employee must submit request to the Human Resources Director or designee using appropriate application form. Employees should apply for a specific amount of sick leave pool hours. The number of sick leave pool hours approved may be less than the number of sick leave pool hours requested.

Sick Leave Pool usage will have a start and end date for each period of use, which will coincide with condition updates and expected return to work status. Assignment of Sick Leave Pool hours may be re-evaluated periodically to determine appropriateness of continued use.

Sick Leave Pool hours may be used for continuous absences only.

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Human Resources Director or designee will:

- Make decisions consistent with policies and procedures.
- Process all applications on a first-come, first-served basis. Decisions on applications will be done within five (5) business days after receipt.
- Upon approval of an application, the amount of time to be transferred from the pool to the employee will be determined. Considerations used will include the information contained in the application; the number of applications pending; and the amount of sick leave available in the pool. Human Resources will notify Payroll of the number of hours to transfer to the employee.

Maximum Hours Allowed in Rolling 12-Month Period: An eligible employee may not receive more than 320 hours from the sick leave pool in a rolling 12-month period. Fire/EMS employees working 24-hours shifts may not receive more than 480 hours from the sick leave pool in a rolling 12-month period.

Maximum Lifetime Benefit: An eligible employee may not receive more than 640 hours from the sick leave pool as a maximum lifetime benefit. Fire/EMS employees working 24-hours shifts may not receive more than 960 hours from the sick leave pool as a maximum lifetime benefit.

Maternity/Paternity: The Sick Leave Pool may be used for the condition of pregnancy, childbirth or bonding, as long as all other all other requirements of this policy are met.

General:

- An employee absent on Sick Leave Pool hours will be treated for all purposes as if the employee were absent on earned sick leave. All City policies and procedures related to permissible uses of sick leave apply to the use of the Sick Leave Pool hours.
- In no case may Sick Leave Pool hours be used in conjunction with a Worker's Compensation Claim.
- Sick Leave Pool hours may be used in conjunction with employee disability benefits from the group insurance program.
- The estate of a deceased employee is not entitled to payment for unused sick leave acquired by that employee from the Sick Leave Pool or previously donated to the pool.
- Sick Leave Pool is a temporary discretionary process that MAY be extended to an employee if all conditions above are met. It is not a benefit of employment. Decisions to allocate pool resources to eligible employees will be equitable, consistent, and without regard to employee classification or any other legally impermissible reason.
- The City has the right to rescind the offer of Sick Leave Pool usage for any reason at any time, but particularly when abuse is suspected, or when there is no prognosis of return to work.

