

	City of Cedar Park Human Resources Policy Manual			
	Sick Leave			
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1.0 Policy

It is the policy of the City to provide sick leave with pay to eligible employees. Sick leave benefits are a privilege granted by the City in accordance with the provisions of this policy. Nothing in this policy is intended to conflict with the provisions of the Family and Medical Leave Act (“FMLA”). If the FMLA policy provides a qualifying employee with more benefits than this sick leave policy, then the provisions of the FMLA policy prevail.

2.0 Procedure/Rule

2.1 Regular full-time and part-time employees who are normally scheduled to work at least 20 hours per week earn sick leave as follows for each month of continuous employment:

Hours Accrued 1 st & 2 nd Pay Periods Per Month (Based on 24 pay periods per year)			
Full-time (40 hours)	Full-time (30-39 hours)	Part-time (20-29.99 hours)	Shift Firefighters
5	3.75	2.5	7.5

2.2 New Employee. An employee who begins employment with the City shall earn sick leave with the completion of one full pay period. There is no waiting period to utilize accrued sick leave.

2.3 Usage. Sick leave may be allowed under the following circumstances:

- Personal illness or physical incapacity of an employee;
- Caring for the employee’s spouse, parent or child who has an illness or physical incapacity;
- Appointment with a doctor, including appointment for the employee or employee’s spouse, parent or child; and/or
- Caring for an employee’s child within the first year following his/her birth or placement for adoption or foster care with the employee.

- 2.4 Request to Use Sick Leave. An employee shall request sick leave from his/her immediate supervisor, or authorized departmental representative, **prior** to the time the employee is scheduled to begin work or in accordance with departmental operating procedures. A department may implement additional guidelines for requesting sick leave to ensure adequate coverage for operations.

If an employee can anticipate a need for sick leave in advance, such as a medical appointment or scheduled procedure, he/she shall give notice to the immediate supervisor as soon as practical, within one business day of when the employee learns of the need for sick leave.

- 2.5 In addition to sick leave benefits, the City shall comply with the provisions of the federal Family and Medical Leave Act (“FMLA”). Sick leave usage of three or more consecutive days may be subject to FMLA. (Also refer to *Family and Medical Leave* policy.)

2.6 Conditions.

- 2.6.1 Sick leave earned each pay period shall be credited to each employee’s sick leave account at the end of each pay period. An employee earns sick leave accrual only in pay periods where he/she receives wages for at least half of the normal work hours for such pay period, except that an employee receiving temporary income benefits through Workers’ Compensation shall continue to accrue sick leave at the rate provided by section 2.1 of this policy.

An employee shall not earn sick leave for the pay period that the employee terminates his/her employment unless the employee works the entire pay period.

An employee being transferred, promoted or demoted shall retain earned sick leave. Sick leave credits are not transferable between employees.

- 2.6.2 Sick leave may not be taken until earned. Most recent hours of sick leave earned are the first hours used. Use of holiday leave time or regular day off shall not count against sick leave.

- 2.6.3 Sick leave shall be reported in increments of one-quarter hour (.25).

- 2.6.4 An employee who exhausts his/her sick leave shall automatically use any available compensatory time, and upon exhaustion of such time, shall be placed on vacation leave if the employee has

vacation leave available; **and** the employee has not requested and been approved for a temporary leave of absence without pay.

- 2.6.5 A supervisor or Department Head may require satisfactory proof of medical necessity at any time the employee is away from the workplace using sick leave and may disallow any sick leave in the absence of a health care provider’s statement.
- 2.7 An employee who uses sick leave for purposes other than those intended in this policy may be disciplined, up to and including termination of employment.
- 2.8 Sick Leave Buy Back.

2.8.1 The City shall buy back unused sick leave accumulated since July 1, 2005, at the time such employee terminates employment from the City, including retiring from City service under TMRS, provided the employee has ten years of continuous service prior to separation of employment. Payment shall be made at the highest, non-temporary rate of pay for which the employee was eligible during the six-month period of employment prior to separation, up to the following amounts:

Full-time (40 hours)	Full-time (30 hours)	Part-time (20-29.99 hours)	Shift Firefighters
720 hours	540 hours	360 hours	1,080 hours

This benefit applies to sick leave earned after October 1, 2003, for a police officer or firefighter. A police officer or firefighter shall have at least one year of service prior to separation to be eligible for this buy back provision.

2.8.2 Retirement Buy Back. If an employee has less than the hours provided for in section 2.8.1 of unused sick leave that was accrued after July 1, 2005, the City shall buy back up to 25% of the unused sick leave earned *prior* to July 1, 2005, at the time the employee **retires** from City service under TMRS. **Total buy back** for accumulated sick leave earned before and after July 2005 shall not exceed the hours provided for in section 2.8.1.

The date for calculating accrual for a police officer or firefighter for this benefit shall be October 1, 2003.

2.9 Death or Disability. The City shall buy back the unused sick leave balance of an employee if, he/she dies of any cause or becomes totally and permanently disabled, as defined and determined by the TMRS. Payment shall be in a lump sum at the rate of pay being paid at the time of death or disability.