

**Board of County Commissioners
Bay County, Florida**

Title:	Revised Sick Leave Pool Policy
Date Adopted:	September 20, 2016
Effective Date:	March 5, 2024

A. Authority

This policy establishes a plan allowing participating full-time regular employees who have successfully completed their probationary period to have access to a source of additional leave upon depletion of their personally accrued banked sick leave and/or PTO.

B. Administration of the Sick Leave Pool

1. There shall be an administrator or designee and a committee who shall be jointly responsible for the oversight of the operation of the Sick Leave Pool.
2. The County Manager or designee shall be responsible for the administration of the Sick Leave Pool and may delegate the general duties of this function to the Human Resources Department who will ensure that all employees eligible for participation in the Sick Leave Pool are treated consistently and equitably according to policy.
3. If available, one employee from each Department will be appointed and confirmed by the administrator or designee to serve on the Sick Leave Pool Committee. Appointees must be a member of the Sick Leave Pool and shall serve a two-year term at the discretion of the administrator or designee. If a committee member resigns during the term, the administrator or designee shall appoint a replacement, if available, to serve the remainder of the two-year term. The administrator or designee may re-appoint former and current members of the committee to additional two-year terms. All such terms begin on January 1st of every other year.
4. The Sick Leave Pool Committee shall establish internal operating procedures and methods that allow them to accept new members, cancel memberships, expel members with just cause, deduct hours from members leave balances to replenish the Pool, review requests and releases from applicants to receive hours from the Pool, approve or deny requests, as well as any other functions necessary to carry out the duties of the Sick Leave Pool.
5. All activities for the previous year are available for review in the Human Resources Department.

C. Membership and Participation

1. All full-time regular employees who have successfully completed their probationary period and have accumulated the number of hours of banked sick leave or PTO shown on the following table are eligible for membership in the Sick Leave Pool.

Regular employees who work 80 regular hours per pay period without any scheduled overtime	120 Hours
Emergency Services and other employees who work 76 regular hours and 8 scheduled overtime hours per pay period	126 Hours
Emergency Services employees who work 106 regular hours and 6 scheduled overtime hours per pay period	168 Hours
Emergency Services employees who work 80 regular hours and 32 scheduled overtime hours per pay period	168 Hours

- Initial contributions to join the sick leave pool are listed below:

Regular employees who work 80 regular hours per pay period without any scheduled overtime	16 hours
Emergency Services and other employees who work 76 regular hours and 8 scheduled overtime hours per pay period	17 hours
Emergency Services employees who work 106 regular hours and 6 scheduled overtime hours per pay period	22 hours
Emergency Services employees who work 80 regular hours and 32 scheduled overtime hours per pay period	22 hours

- Participation in the Sick Leave Pool is at all times voluntary and a participating employee may withdraw from the Pool at any time by giving written notice to the administrator or designee of the Sick Leave Pool. Any sick leave contributed to the Sick Leave Pool by a participating employee shall be forfeited upon the employee's cancellation of membership in the Pool, upon retirement, or upon leaving employment of the Board of County Commissioners.
- A member of the Sick Leave Pool may be expelled from the Pool by a majority vote of the sick leave committee after a determination by the administrator or designee that such member has abused the use of the Sick Leave Pool. Upon expulsion, the employee shall be required to repay all or part of the sick leave hours withdrawn from the Pool by the employee, depending on when the abuse was determined to have begun. Hours shall be repaid each month as they are accrued by the employee.
- Participating employees shall be allowed to donate unused banked sick leave or PTO hours from their personal accounts to the Pool at the time of voluntary separation from employment, including retirement.
- All Banked Sick Leave and PTO hours from employees who are involuntarily separated from the County shall be transferred to the Sick Leave Pool balance upon the employee's separation.

D. Maintenance of the Sick Leave Pool

- The Pool will be considered depleted when less than 240 hours remain on deposit.
- Whenever the Pool is depleted, each participating employee, with prior notification, shall contribute additional hours as shown below:

Regular employees who work 80 regular hours per pay period without any scheduled overtime	16 hours
Emergency Services and other employees who work 76 regular hours and 8 scheduled overtime hours per pay period	17 hours
Emergency Services employees who work 106 regular hours and 6 scheduled overtime hours per pay period	22 hours
Emergency Services employees who work 80 regular hours and 32 scheduled overtime hours per pay period	22 hours

- If the participating employee's Sick Leave Bank and/or PTO balance is less than the required donation amount at the time the Pool is depleted, that employee shall contribute all hours accumulated, and shall contribute the remainder as soon as additional PTO hours are accrued.
- If a participating employee repeatedly fails to have a sufficient balance in her/his individual Sick Leave Bank and/or PTO account when requested to contribute hours to the Pool, the reasons for the insufficient balance shall be investigated by the committee for a determination as to whether the employee's membership in the Pool should be cancelled by majority vote of the committee.

5. No contributions to the Pool shall be designated for the benefit of a specific individual, illness, or position.

E. Use of Sick Leave from the Pool

1. An employee who is on leave without pay for reasons other than personal illness or disability shall not be eligible to receive hours from the Pool.
2. PTO hours will not accumulate while utilizing leave from the Pool.
3. When applicable, hours withdrawn from the Sick Leave Pool will run concurrently with FMLA (Family Medical Leave Act) absence.
4. The Sick Leave Pool committee will review all requests on a case by case basis and will consider past sick leave usage by the requesting employee.
5. In order to make an informed decision, a medical certification and a release of medical information signed by the employee shall be provided to the committee to review the request for Sick Leave Pool hours for each new illness or disability. When any participating employee uses 240 hours of leave from the Pool in any calendar year due to a continuing illness or disability, the withdrawal of any further hours shall require renewed medical certification and review.
6. A representative may act on behalf of an employee who is incapacitated and unable to communicate. The representative must submit medical documentation proving incapacitation of the employee to the committee.
7. An employee has the right to appeal any denial of Sick Leave Pool use by the committee to the County Manager or designee.

F. Discontinuation of the Sick Leave Pool

1. The Board of County Commissioners may at any time repeal this rule for the purpose of discontinuing the Sick Leave Pool.
2. All hours remaining in the Sick Leave Pool, at the time of the repeal of this rule, will be apportioned among or returned to the remaining members of the Pool.