



Effingham County Board of Commissioners

*THE OFFICE OF HUMAN RESOURCES –
EMPLOYMENT POLICIES*

SECTION 4: PERSONAL LEAVE AND OTHER ABSENCES

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4.01 – HOLIDAYS AND EXCUSED ABSENCES

A. STANDARD:

The County observes the following paid holidays each year:

1. NEW YEAR'S DAY
2. MARTIN LUTHER KING, JR. DAY
3. PRESIDENTS DAY
4. NATIONAL MEMORIAL DAY
5. INDEPENDENCE DAY
6. LABOR DAY
7. COLUMBUS DAY
8. VETERANS DAY
9. THANKSGIVING DAY
10. DAY AFTER THANKSGIVING
11. CHRISTMAS EVE
12. CHRISTMAS DAY
13. EMPLOYEE BIRTHDAY

B. PROCEDURES:

1. When a holiday falls on a Saturday, it is observed on the Friday before; if it falls on a Sunday, it is observed the following Monday. The employee birthday holiday must be used within 30 days of the date of occurrence or it will be forfeited.
2. Uninterrupted continuation of service is required of some county departments. Consequently, the work schedule of some employees in these departments may necessitate that they work on authorized holidays.
 - a. Employees who are scheduled to work on authorized holidays shall be paid eight (8) hours of holiday pay, plus the number hours actually worked including any overtime pay earned.
 - b. Employees who are scheduled to be off on an authorized holiday shall be paid eight (8) hours of holiday pay for that date.

C. EXCUSED ABSENCES:

With the Department Heads discretion, an employee may receive holiday pay if absent from work for the following reasons:

1. Personal illness, which is verified by a physician's statement;
2. Death in the immediate family, for which the employee receives up to three days off (see 5.07);
3. Jury duty, for which the employee is excused and receives additional compensation;



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4. Vacation, which is previously approved as required in the vacation policy.

D. UNEXCUSED ABSENCE:

Unexcused absence occurring immediately prior to or following a holiday will disqualify the employee for holiday pay.

4.02-PERSONAL LEAVE

A. STANDARD

It is the policy of the County that all full-time, regular employees be provided time for rest and relaxation. For this reason, employees are encouraged to take their full allotment of personal leave each year as provided under this policy.

B. ELIGIBILITY

All full-time, regular employees earn personal leave on a bi-weekly basis, in proportion to the length of continuous employment. After completion of one-month of employment, personal leave is accrued as follows:

<u>YEARS OF SERVICE</u>	<u>RATE OF ACCRUAL / DAYS ACCRUED</u>
01 month to 01 year	13 days annually
02 years to 05 years	19 days annually
06 years to 10 years	23 days annually
11years to 15 years	26 days annually
16 years to 20 years	29 days annually
21 years & over	33 days annually

C. PERSONAL LEAVE ENTITLEMENT

Employees are eligible to begin using accrued personal leave after one month of continuous service.

D. PROCEDURE

1. An Absence Request Form must be signed by the employee giving the dates and reasons the employee was or will be absent from work. The department head is charged with the responsibility of approving or rejecting the application for personal leave pay, and for sending a completed copy of the form with the employee’s timecard, and of reporting the necessary information to the Human Resources Department.
2. If an employee does not report for work because of an illness, the employee must, at the earliest possible time on that date, notify their department head. Failure to call in may result in disciplinary action up to and including termination.



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3. A physician's statement may be required for absences of three or more consecutive days.

E. PERSONAL LEAVE CARRYOVER

1. Full-time, regular employees who have less than 12 months of continuous employment with the county may carry forward any unused personal leave, one time only.
2. Full-time, regular employees who have more than 12 months of continuous employment with the county must take annually at least 40 hours of personal leave.
3. Any employee having leave available after taking the required minimum may cash in leave for pay, once during the time frame designated by the Human Resources Department.
4. Personal leave may be accumulated and carried over to the next year provided that the maximum accrued leave does not exceed 60 days or 480 hours. At the end of each year, personal leave hours above 480 will be forfeited.

F. HOLIDAYS FALLING DURING PERSONAL LEAVE

When a regularly scheduled holiday occurs during the period of an employee's leave, an additional day of personal leave may be granted (holiday is not charged to personal leave).

G. FUNERAL LEAVE ENTITLEMENT (BEREAVEMENT)

All full-time and part-time regular employees who work a minimum of 30 hours per week are eligible for up to three days off for a death in the employee's immediate family (spouse, parent, sibling, child, stepchild, in-laws, step-parent, grandparent, or grandchild).

1. This time off is considered leave without pay, unless the employee charges it to personal leave.
2. This benefit does not apply if death in the immediate family occurs while the employee is on a leave of absence, or absent for any other reason.
3. Additional time off or time off for other funerals will be considered on an individual basis. If additional time off is granted, it may be treated as personal time without pay, or it may be charged to personal leave.
4. Time off granted in accordance with this policy shall not be credited as time worked for the purpose of calculating overtime.

H. PERSONAL LEAVE ENTITLEMENT UPON TERMINATION:

1. All full-time, regular employees who resign in good standing will receive payment for remaining earned personal leave.
 - a. Employees who resign or are terminated before the end of their training period will not be paid accrued personal leave.



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4.03 PERSONAL LEAVE OF ABSENCE

A. STANDARD

The Effingham County Board of Commissioners may grant a personal leave of absence for unique or extraordinary circumstances that may not apply to other types of leave. A Personal Leave of Absence may or may not be approved. The decision to grant a Personal Leave of Absence will be based on the needs of the County, the specific department, and the employee. The maximum amount of time that can be granted for a Personal Leave of Absence is 6 weeks in any 12 month period (calculated by using the rolling method).

B. ELIGIBILITY

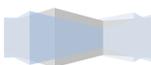
All full-time, regular employees who have completed the 6 month training period may request a Personal Leave of Absence.

C. PROCEDURE

1. An employee requesting a Personal Leave of Absence must submit a written request to their Elected Official/Department Head a minimum of three weeks before the leave of absence would begin. The written request must clearly state the reason (s) why the leave of absence is necessary.
2. The Elected Official/Department Head, along with the Human Resource Manager, will review the request and notify the employee in writing whether or not the request has been approved. In the event the request is approved, the written notification will contain the individually specific terms of the leave. This includes but is not limited to the start and end dates, designation of responsibility for payment of insurance premiums, and whether or not annual or sick leave will be paid. At the discretion of the Human Resources Manager, an employee may apply accrued sick or personal leave to some or all of the leave of absence. Failure to return to work upon the expiration of the leave of absence will result in a voluntary resignation.

D. GENERAL PROVISIONS

1. A Personal Leave of Absence will not be granted to allow an employee time off to seek employment elsewhere or to work for another employer.
2. While on leave, employees are required to report monthly to the Human Resources Department regarding the status of the situation and their intent to return to work.





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4.04 - FAMILY AND MEDICAL LEAVE

A. STANDARD

It is the policy of the County to grant up to twelve weeks of family and medical leave, during any twelve month period rolling backward, to eligible employees, in accordance with the Family and Medical Leave Act of 1993 (FMLA). The leave may be paid, unpaid, or a combination of paid and unpaid, depending on the circumstances, and as specified in this policy. The County shall require the employee to use accrued paid leave concurrently with FMLA leave.

B. ELIGIBILITY

In order to qualify to take family and medical leave under this policy, the employee must meet all of the following conditions:

1. The employee must have worked with the County for at least fifty-two weeks. The fifty-two weeks need not have been consecutive.
2. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week, or if the employee was on leave during the week.
3. The employee must have worked at least 1250 hours during the twelve-month period immediately before the date when the leave would begin. [Hours paid but not worked are excluded.]
4. The employee must be taking the leave for one of the following reasons:
 - a. The birth of the employee's child;
 - b. The placement of a child for adoption or foster care with the employee;
 - c. To care for a spouse, child or parent with a serious health condition; or
 - i. The employee's own serious health condition.

C. DEFINITIONS

This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. A serious health condition is defined as:

1. A condition that requires inpatient care at a hospital, hospice, or residential medical care facility;
2. A condition that requires continuing care by a licensed health care provider; or,
3. A condition that would render the employee unable to perform the functions of that employee's position.

D. GENERAL PROVISIONS

1. In the case of a serious health condition, the County will require the employee to provide a doctor's certification. The certification process is outlined in 5.03.



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2. Under this policy, an eligible employee may take up to twelve weeks of leave, concurrent with all other applicable leave and time off, during a twelve-month period, to be measured backward from the date the employee uses any leave under this policy. Any 3 consecutive absences due to family or medical reasons will be counted as FMLA, even if there was no written request.
3. Each time an employee takes leave; the County will compute the amount of leave the employee has taken under this policy and subtract it from the twelve weeks of available leave. The balance remaining is the amount the employee is eligible to take at that time.
4. Employment will be terminated if the medical leave of absence exceeds the number of days allowed by this policy. Once the total time of absence is used, and the employee has neither returned to work nor received approval for extended medical leave, then failure to return to work will be considered a resignation.
5. **RESTRICTIONS ON LEAVE:**
A husband and wife who are employed by the County and are eligible for FMLA leave may be limited to a combined total of 12 weeks of leave during any 12-month period if leave is taken:
 - a. For the birth of the employee's child and to care for that child after birth
 - b. For the placement of a child with the employee for adoption or foster care;
 - c. To care for the employee's spouse, son, daughter or parent with a serious health condition.
6. Leave for birth, adoption, or foster care must conclude within 12 months of the birth or placement.
7. Leave to care for a child is restricted to children under the age of 18, unless they are "incapable of care" because of a physical or mental disability that substantially limits one or more major life activities.
8. Employees with questions about which illnesses are covered under this FMLA policy or under the County's sick leave policy are encouraged to consult with the Human Resources Department.

E. STATUS AND BENEFITS DURING LEAVE:

While an employee is on leave, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

1. RECOVERY OF PREMIUMS

If the employee fails to return to work (report to work for 30 calendar days) after an approved unpaid leave of absence, the County may recover from the employee the cost of any payments made to maintain the employee's health insurance. After



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returning from FMLA, the employee will pay the County back the portion of the premiums that are normally his/her responsibility. The total amount paid will be divided by 3 and taken out of three pay period checks unless other arrangements are made with Human Resources before going on FMLA. If the employee does not return from FMLA, then the responsibility of payment is his/hers.

F. STATUS AFTER LEAVE:

An employee who takes leave under this policy will be able to return to the same job or a job with equivalent status, pay, benefits and other employment terms (substantially equivalent skill, effort, responsibility and authority).

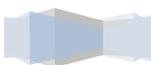
G. PAID AND UNPAID LEAVE

An employee, who is taking leave because of the employee's own serious health condition or the serious health condition of an immediate family member, must use all paid vacation and sick leave, if applicable, prior to being eligible for unpaid leave for the remainder of the twelve weeks.

H. INTERMITTENT LEAVE OR A REDUCED WORK SCHEDULE:

1. An employee may take FMLA leave in 12 consecutive weeks, use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 weeks over the preceding twelve-month period.
2. The County may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.
3. For the birth, adoption, or foster care of a child, the County and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption, or foster care of a child must be taken within one year of the birth or placement of the child.
4. If the employee is taking leave for a serious health condition or because of the serious health condition of an immediate family member, the employee should try to reach an agreement with County before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of intermittent leave is medically necessary. The County may require certification of the medical necessity.

I. CERTIFICATION OF THE SERIOUS HEALTH CONDITION





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1. The County shall require medical certification to support a claim for leave for employees own serious health condition or to care for a seriously ill child, spouse or parent. For the employee's own medical leave, the certification must include the statement that the employee is unable to perform at least one of the functions of his/her position. For leave to care for a seriously ill child, spouse, or parent, the certification must include an estimate of the amount of time that the employee is needed to provide care.
2. The employee shall respond to such request for certification within ten (10) days of the request, or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification may be provided by using the Medical Certification.
3. If the employee plans to take intermittent leave or work a reduced schedule, the certification must also include dates and the duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

J. PROCEDURE FOR REQUESTING LEAVE

1. Except where leave is not foreseeable, all employees requesting leave under this policy must notify the Human Resources Department.
2. When an employee plans to take leave under this policy, the employee must give the Human Resources Department and the Department Head thirty (30) days' notice. If it is not possible to give thirty (30) days' notice, the employee must give as much notice as is practicable. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to the County's operations.
3. If an employee fails to provide thirty (30) days' notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least thirty (30) days from the date the County receives notice.
4. While on leave, employees are requested to report periodically to the Human Resources Department regarding the status of the medical condition and their intent to return to work.

4.03 – MILITARY LEAVE

A. STANDARD

It is the policy of the County to grant military leave of absence, and to provide certain benefits to employees granted such leave, as set forth in OCGA §38-2-279. The employee must provide a copy of the military orders before pay can be processed.



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B. GUIDELINES

1. REINSTATEMENT FROM LONG-TERM TOUR OF DUTY

Upon return from military service, the employee will be reinstated as required by law, provided the employee:

- a. Applies for re-employment within ninety (90) days after relief from such service;
- b. Is still qualified to perform the duties of the position; and,
- c. Has a creditable military record, as evidenced by a certificate of satisfactory completion of uniformed service, which excludes service terminating in dishonorable, bad conduct, or “other than honorable” types of discharge.

NOTE: IF AN EMPLOYEE'S FORMER JOB IS NOT AVAILABLE, THE COUNTY WILL PROVIDE A JOB OF LIKE STATUS AND PAY, AS FAR AS IT IS PRACTICABLE.

2. EMPLOYMENT RECORD

The employee's service record will continue without interruption.

3. SHORT-TERM TOUR OF DUTY:

Members of the Reserve and National Guard are to be granted leave with pay under certain conditions, and leave-of-absence is required under other conditions.

a. ORDERED DUTY:

Any employee ordered to military duty shall be placed on military leave with pay for a period of time not exceeding a total of eighteen (18) days in any one calendar year and not exceeding eighteen (18) days in one continuous period of absence.

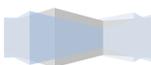
b. DECLARED EMERGENCY:

In the event the Governor declares an emergency, any employee ordered to active duty as a member of the National Guard, shall receive pay for a period not exceeding thirty (30) days in any one calendar year and not exceeding thirty (30) days in any one continuous period of active duty service.

c. LEAVE OF ABSENCE:

An employee who is a voluntary member of the Reserve or National Guard shall be entitled to absent himself/herself and shall be deemed to have a leave-of-absence as an employee in attendance at any service school conducted by the med force of the United States for a period of up to six (6) months during any four (4) year period. A Request for Leave of Absence Form should be submitted to the appropriate Department Head at least twenty-one (21) days in advance of the requested leave.

d. REINSTATEMENT FROM SHORT-TERM TOUR OF DUTY:





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Upon return from attendance at service school, the employee shall be reinstated as required by law, provided the employee:

- i. Applies for re-employment within ten (10) days after completion of the service;
 - ii. Is still qualified to perform the duties of the position.
4. For Absences of less than 30 days, benefits continue as if the employee has not been absent. For absences of 31 days or more, coverage stops unless the employee elects to pay for COBRA-like coverage for a period of up to 18 months. Health insurance will be reinstated the day an employee is reinstated with no waiting period.
5. **QUESTIONS REGARDING MILITARY SERVICE POLICY AND STATUS OF EMPLOYEES:**
Questions regarding the foregoing instructions and any inquiries or questionnaires that are received regarding the military service policy, or the status of any former or present employee who are in or have been in military service, should be referred to the Human Resources Department.

4.06 - JURY DUTY

A. STANDARD

Serving on a jury, when called, is a civic duty and, as such, is fully recognized and supported by the County. This policy governs the amount of time off, and the method of payment while serving on jury duty. Employee absences due to other types of required attendance at judicial proceedings will not be paid.

B. ELIGIBILITY

1. All full-time and part-time regular employees are who work a minimum of 35 hours per week are eligible for approved time off and payment for absences due to jury duty as outlined by this policy.
2. Temporary employees are eligible for unpaid time off for jury service as required by the court.

C. GUIDELINES AND PROCEDURES

It is the employee's responsibility to notify the appropriate Department Head as soon as formal notice regarding jury duty is received.

1. The employee shall provide the Department Head with the original subpoena/order to report for jury empanelment/duty, so that a copy may be forwarded to the Human Resources Department. The Department Head must then make arrangements for coverage during the employee's absence.
2. The employee must notify his/her Department Head if selected to serve jury duty.



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3. The employee is expected to report to work after court services if two (2) or more hours of the employee's regularly scheduled shift remains. Employees who fail to report to work in this instance will be ineligible to receive pay for the time the employee failed to return to work.
4. When the period of jury duty / empanelment obligation ends, the employee must give to the appropriate Department Head all attendance slips from the court verifying the employee's actual dates and time of service. This information shall be placed in the employee's personnel file.

The County shall pay a maximum of eight (8) hours for each day served on jury duty. The employee must sign and release jury duty check to the Human Resources Department.

4.07 – EMERGENCY CONDITIONS

A. PURPOSE

To establish a procedure to determine pay allowances that may be given to employees when the County closes a facility due to emergency conditions prior, or subsequent, to the commencement of a workday.

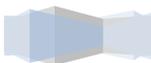
B. STANDARD

The interpretation and administration of this policy shall be the responsibility of the County Administrator and/or the Human Resource Department. The County Administrator, with the concurrence of the Board of Commissioners, shall have the responsibility for canceling a work shift or closing a facility or, if emergency conditions arise after a scheduled shift has begun, for closing the facility and permitting employees to leave work early.

C. PROCEDURE

The County Administrator shall make arrangements with local radio stations to announce facility closings.

1. When an emergency condition exists (such as severe weather; hurricanes, flooding, snowstorm, fire, a power failure, etc.), a determination shall be made as to whether or not a cancellation or rescheduling of employee work schedules is necessary.
2. **PAYMENT WHEN FACILITY IS CLOSED BEFORE SCHEDULED WORKDAY BEGINS:**
Exempt and non-exempt regular employees will be paid for their regularly scheduled shift.
3. **PAYMENT WHEN FACILITY REMAINS OPEN AND EMPLOYEES FAIL TO REPORT FOR WORK:**



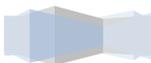


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- a. Nonexempt employees failing to report to work when there is a snowstorm, etc., and the facility remains open, will not be paid for the day, nor will they be permitted to charge this lost time to vacation or sick time, unless such time off had been previously approved.
- b. Employees arriving late on such days will normally be paid for the actual time worked.
4. **PAYMENT WHEN FACILITY CLOSURES AFTER REGULAR WORKDAY HAS BEGUN:**
 - a. Nonexempt employees who report to work but leave prior to the time the facility is officially closed will be paid up to the time they leave the facility.
 - b. Nonexempt employees who report to work and remain at work until the facility is officially closed will be paid for the entire workday.
5. **LONG-TERM CLOSINGS / SPECIAL CIRCUMSTANCES:**
 - a. In the event that an emergency causes an entire facility or any part thereof to be closed for two (2) or more days, or in the event of unusual circumstances, pay allowance provisions for all employees shall be determined by the Board of Commissioners, County Administrator, and/or the Human Resource Manager.
6. **CRITICAL WORKFORCE:**
 - a. In the event of severe weather, employees such as EMS, Public Safety, Sheriff's Department, Prison, Public Works, and certain administrative personnel will be designated as critical workforce personnel. As such, these employees will be required to remain on duty for the duration of the event. Any employee who fails to remain on duty will be subject to disciplinary action; up to and including termination.
 1. **COMPENSATION –**
 - a) **HOURS WORKED UP TO 40 IN A WEEK:** Non-exempt employees who are required to work during an emergency will receive their regular rate of pay plus 8 hours of compensatory time at a straight time rate for all hours under 40 worked in a week.
 - b) **HOURS WORKED OVER 40 IN A WEEK:** Overtime pay at a rate of time and one half will apply to employees who are covered (i.e., non-exempt) by the Fair Labor Standards Act (FLSA).
 - c) Special rules will apply under this policy during the course of the emergency to allow employees who are not covered (exempt) by the FLSA to receive administrative leave.

Specific issues or questions arising from this policy should be directed to the County Administrator.





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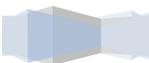
4.08 – ATTENDANCE RECORDS

A. STANDARD

Each Department Head shall be responsible for the appropriate attendance of all persons in that department and shall ensure complete attendance records. The Human Resources Department shall maintain attendance records.

B. PROCEDURES

1. Employees are required to clock in and out showing times of arrival and departure on their timecard.
2. Overtime shall be approved in advance by the County Administrator and appropriate Department Head, in writing. The Overtime Authorization Form shall be forwarded with the payroll to the Human Resources Department.
3. Each employee shall sign his/her timecard at the end of each pay period, certifying that the time record is accurate and complete. Timecards will be signed by Department Heads who have knowledge of the time worked, and shall certify that they have reviewed the record and that it is accurate and complete.
4. Timecards shall accurately and completely reflect the use of vacation leave, sick leave, and other types of leave used. Such information shall be reported to the Human Resources Department.
5. Attendance record should include, at a minimum, the following information: personal leave, holiday leave, other leave, hours worked during normal work hours, and hours worked beyond normal work hours.
6. Timecards shall be kept on file for a minimum of three (3) years.
7. Records of hours worked beyond normal work hours (overtime) will include the purpose of overtime and number of hours worked. This information should be recorded to the nearest 15 minutes.
8. **BREAK IN CONTINUOUS SERVICE:** The following shall be considered a break in continuous service:
 - a. Resignation;
 - b. Discharge;
 - c. Change in status from regular to temporary or seasonal employment;
 - d. Change in status from temporary or seasonal to regular employment;
 - e. Failure to report for work on the first scheduled workday after expiration of an approved leave of absence or extension(s);
 - f. Unapproved absence from work for more than 3 consecutive days from the last date worked; or,
 - g. Retirement.





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9. Benefits eligibility, time-earning for salary increase consideration and all other rights and privileges of regular employees cease when a break in continuous service occurs.

