

8.3 Use of Sick Leave

8.3.1 Eligibility and Accrual

Regular full-time, probationary, limited-term and part-time employees working more than twenty (20) hours a week begin earning ~~sick leave~~ annual leave dating from the first of the pay period following the pay period in which the employee commenced such continuous service, unless such commencement date was the first working day of a pay period, in which case, the first day of ~~sick~~ annual leave accrual shall date from the first of the pay period in which the service began. New employees may accrue, but cannot use, ~~sick~~ annual leave before three (3) months of continuous service.

Part-time, probationary and limited-term employees who work less than twenty (20) hours are not eligible to earn or receive ~~sick~~ annual leave benefits. Temporary employees are not eligible to earn or receive ~~sick~~ annual leave benefits.

~~Regular full time, probationary and limited term full time employees earn ten (10) hours sick leave time per month. Part time regular or limited term part time and probationary part time employees earn a prorated amount of the ten (10) hours sick leave time per month. Employees may carry over accrued sick leave from one calendar year to the next. Employees do not earn sick leave during any unpaid leave of absence.~~

8.3.2 Use of Sick Leave for Illness

~~Sick~~ Leave may be taken for a personal illness, an emergency as determined by the Court Executive Officer, a disability, or for a family care or medical leave as described in the Court's policy. Employees may also use ~~sick~~ leave to attend to an illness of a child, stepchild, parent, stepparent, in-law, sibling or spouse or other relative at the discretion of the Court Executive Officer. Additionally, hours absent for medical and dental appointments will be treated as ~~sick~~ leave.

The Court retains the right to request verification from a licensed health care provider for all absences due to illness or disability. In an absence of a single day for which ~~sick~~ leave is claimed, the Court Executive Officer or their designee will consider whether a historical pattern of abuse or excessive use of ~~sick~~ leave exists before requesting verification from a licensed health care provider. ~~Sick pay may be withheld if the employee does not provide a satisfactory verification.~~

An employee is not permitted to borrow on future ~~sick~~ leave benefits.

8.3.3 Approval of Sick Leave

Employees who are unable to report to work due to illness or injury are to notify their supervisor or designee before the scheduled start of their workday. Their supervisor or designee must also be contacted on each additional day of absence, unless other arrangements have been made with the supervisor or designee.

Whenever possible (e.g., for a scheduled doctor's or dentist's appointment), employees must seek approval from their immediate supervisor before taking their sick leave.

8.3.4 Compensation for Sick Leave

Eligible employees will receive pay at their normal rate of pay for any sick leave taken. ~~New employees who are absent during their probationary period due to illness, disability or any other reason that would qualify for sick leave under this section, will not be compensated. No employee will receive pay instead of sick leave under any circumstances, and employees will not be paid for any accrued but unused sick leave upon termination of employment, unless authorized by the County's retirement contract with PERS.~~

8.4 Fitness for Duty Examinations

The Court may require an employee or prospective employee to have a health-related examination including, but not limited to, a physical examination and psychological evaluation under the following circumstances:

- a. When an employee is returning to work from a leave of absence;
- b. When the employee's job performance or safety for the employee or others is an issue, as determined by the Court Executive Officer;
- c. In order for the employee to be eligible for promotion or transfer to a job classification with different physical or mental requirements than the employee's present job classification;
- d. In order to be eligible for hiring or rehiring; or
- e. For any other job-related reason.

The Court will provide written notification of the need for the "Fitness for Duty" examination to the employee or prospective employee. The Court Executive Officer will make arrangements for the examination with a licensed healthcare provider and will advise the employee or prospective employee of the name, address, telephone number and the date and time of the appointment. Failure of an employee to keep a scheduled appointment or to cooperate with the healthcare provider may result in disciplinary action, up to and including dismissal. Failure of a prospective employee to keep a scheduled appointment or to cooperate with the healthcare provider may result in the prospective employee being eliminated from further consideration of employment with the Court.