



Subject: Sick Leave  
Effective Date: 3/4/2016  
Department: Human Resources  
Revised Date: [Policy Revised Date]

Revision: 4  
Policy Number: HRM-503  
Rescinded Date: [Policy Rescinded Date]

A handwritten signature in black ink, appearing to read "Thomas Benfield".

City Manager

**To All City Employees:**

### **I. Purpose**

To establish the policy regarding paid sick leave for full-time employees and for City employees occupying positions designated as “temporary with benefits.”

### **II. Policy**

It is the policy of the City of Durham to provide sick leave as a benefit to the employee in the event of medical appointments, sickness, injury, childbirth, or serious illness or death in the immediate family.

### **III. Definitions**

Immediate Family - a spouse, parent, stepparent, parent-in-law, biological, adoptive or foster child, stepchild, brother, sister, step-brother, step-sister, half-brother, half-sister, brother-in-law, sister-in-law, grandparent, grandchild, certified dependent of a City employee or the child of a certified dependent.

### **IV. Procedure**

A. Sick leave with pay is accumulated to the credit of each full-time regular employee, including probationary employees, and “temporary with benefits employees” at the rate of 3.692 hours per bi-weekly pay period for sworn Police and employees working 75 hours in the bi-weekly pay period. Employees working 80 hours in the bi-weekly pay period accumulate at the rate of 3.938. Sworn Fire employees accumulate at the rate of 5.539 hours in the bi-weekly pay period.

B. Persons hired begin earning sick leave in the bi-weekly pay period following the date of hire and may use that leave as earned if needed.

C. An employee must be on active pay status (actively working or on paid leave) for a minimum of eight (8) days during the bi-weekly pay period to earn leave for that - payroll.

D. There is no maximum accumulation of sick leave.

E. Sick leave time earned is not paid at termination of City employment. One exception for a partial sick leave payment is described in HRM – 710 Personal Illness/Injury.

F. For individuals retiring from City employment, retirement credit is given for unused sick leave at a rate determined by the Retirement System.

G. Sick leave may not be advanced before earned except in cases of personal illness/injury as approved by the City Manager. See Attachment A for the Sick Leave Advance form. After the employee returns to work, the Department's timekeeper must key sick leave for each bi-weekly pay period until the time is paid back. The department has the responsibility to track the re-payment of sick leave.

H. Some part-time employees earn at the rate specified in the Temporary/Part-time Employment Policy (HRM 308).

I. New hires shall be allowed to transfer an unlimited amount of sick leave time earned during their previous employment if the service time meets the following criteria:

1. Service was with a N.C. State government agency, N.C. Municipality or N.C. County government.
2. Employment with this agency was immediately preceding employment with the City.
3. A letter or the attached sick leave transfer form (Attachment B) must be received by City of Durham's Human Resources department.
  - a) The letter or form must state the balance of sick leave hours at the time of separation.
  - b) If the information is provided in the form of a letter, the letter must be on official letterhead.
  - c) The letter or form must be signed by a Human Resources representative.
  - d) The letter or form must be received by the City of Durham's Human Resources department within the first six months of their employment.
4. Hours will not be posted to the sick leave accrual until probation has been successfully completed.

## **V. Other**

A. City employees will not work for the City or another employer while on paid sick leave.

B. An employee must provide notice of intended absence as specified by his/her supervisor. Failure to provide notice of intended absence as specified may result in disciplinary action in addition to leave without pay. Failure to provide notice for three consecutive work days will result in a voluntary resignation. In the case of extended or serious illness, other arrangements may be made and must be agreed upon by both the supervisor and the employee. Supervisors may require the employee to provide doctor certification for absences.

C. If sick leave is exhausted, other types of leave may be used; however, sick leave cannot be used for other types of leave not listed in this policy, with the exception of funeral leave. In the event funeral leave is exhausted, sick leave may be used for the death of an immediate family member.

## **VI. Attachments**

[Attachment A Sick Leave Advance Form.pdf](#)

[Attachment B Sick Leave Transfer Form.pdf](#)