

# **Board of County Commissioners**

## **Escambia County, Florida**

Title: Sick Leave Pool - Section II, C.17  
Date Adopted: March 24, 1993  
Effective Date: April 22, 2010  
Reference:  
Policy Superseded: June 7, 2007, April 22, 2010

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### **A. Purpose**

The purpose of the Sick Leave Pool (SLP) is to supplement an employee's loss of income resulting from the employee's catastrophic illness, injury or accident during the transition period between full-time employment and termination. The SLP will not provide sick leave to an employee for an absence due to a family member's illness, and can only be drawn after all sick, annual, compensatory, paid time off (PTO), management optional benefit (MOB) and/or extended leave bank (ELB) leave has been exhausted.

The SLP is an employment benefit to augment those leave benefits provided by the County under the Human Resources Policies and Procedures and the Escambia County Administrative Code. Such benefits apply to incumbents in classified and unclassified positions who accrue annual, sick, or PTO leave.

### **B. Eligibility for Membership**

The Board of County Commissioners has established the following eligibility:

1. Membership is open to all eligible employees on a voluntary basis. Qualification for access to the sick leave pool will be effective as of the date received and approved by Human Resources
2. An employee must have been employed by the Board of County Commissioners in a regular full-time or term position for at least twelve (12) months preceding application for membership.
3. Contractual and part-time employees would likewise not be eligible for participation in the Sick Leave Pool.
4. An employee in the classified service shall have a minimum of 100 unused sick leave hours in division records at the time of application.
5. An employee in the unclassified service shall have a minimum of 100 unused PTO hours and/or ELB in division records at the time of application.

### **C. Application for Membership in the Employee's Sick Leave Pool**

1. An employee shall submit an Application For Membership and Certificate of Transfer in the Sick Leave Pool form to his/her division.

2. The division recordkeeper shall certify that the employee has met all eligibility requirements for membership and shall attest that the transfer has been posted to the employee's payroll record. The completed form shall then be forwarded to the Human Resources Division.
3. Membership shall become effective on the first day of the month following the approval of the application by the Human Resources Division. The Human Resources Sick Leave Pool Coordinator will send a copy of the application to the employee, to Payroll, and to the division. Payroll shall then deduct the hours from the employee's accrued sick, PTO, or ELB.

D. Sick Leave Pool Contributions

1. An eligible employee electing to participate in the SLP shall contribute 12 hours of sick, PTO, or ELB leave upon entering the SLP.
2. If the balance of the total available leave in the SLP falls below 20% of the total leave contributed by members (number of members times 12 hours), each member shall be required to contribute 6 hours of sick leave, PTO, or ELB from his or her official leave record (not to exceed 12 hours in any one fiscal year).
3. Should a member not have at least 6 hours of sick leave, PTO, or ELB at the time the Pool is replenished, he or she will be required to make replenishment upon accruing 20 hours of sick leave, PTO, or ELB.
4. An employee entering the sick leave pool for the first time will not be subject to the replenishment rule until he/she has been a member of the pool for six (6) months.
5. Should a member be in the process of applying for leave from the pool at the time the pool is in need of replenishment, his/her membership in the pool shall be continued and replenishment shall be waived until the member has returned to duty and has accrued 20 hours of sick leave.
6. Any member who is currently drawing from the pool may continue as a member until he or she has drawn the maximum number of hours of sick leave (240), at which time membership will expire. Re-entry requires meeting eligibility requirements again.

E. Request to Use Pooled Sick Leave

1. Requests to use pooled sick leave shall be determined using the following criteria:
  - a. The use of sick leave from the pool may only be used for his or her own illness, injury, or accident;
  - b. The employee must have exhausted all of his or her accrued leave including compensatory leave time;
  - c. The employee's bureau chief must acknowledge the request and attest that:
    - (1) The absence is not for an illness, injury, or accident covered under worker's compensation;
    - (2) A HIPAA authorization form has been completed; and
    - (3) A doctor's statement has been provided as to the nature of the illness, injury, or accident, the anticipated recuperation period required, and prognosis for recovery or

return to work.

2. The employee shall request use of pooled sick leave on the appropriate form.
3. The bureau/division recordkeeper shall submit the request to use pooled sick leave to the Human Resources Division.
4. A member of the SLP may request and receive a maximum of 240 hours. If additional leave is needed for the same event the employee may request for annual leave donation. The employee will need to submit the Annual Leave Donation Request form and a written statement providing information that will be placed on the County's internal web site and posted on bulletin boards. Any leave granted and used pursuant to this policy shall run concurrently with any leave taken under the Family and Medical Leave Act of 1993.
5. All requests to use this leave shall be reviewed and approved or denied by a majority of the Sick Leave Pool Committee. The number of hours approved may be less than requested after considering the reason for the request, the number of requests being filed, and the balance of hours available in the pool. Hours approved must be used within six (6) months of approval. If not used within 6 months the employee must request additional hours from the SLP even if the illness, injury or accident is of the same nature.
6. Members shall be required to reimburse any sick leave awarded should there be an investigation and finding of abuse of this policy.
7. If the request is denied, members shall have the opportunity to appeal the denial to the County Administrator, within 10 calendar days of the date of the letter notifying the employee of the denial. The County Administrator's decision shall be final.
8. Procedures and forms will be posted on the Human Resources internal web page.

F. Sick Leave Pool Committee

1. Each bureau established by the Board of County Commissioners shall nominate one employee to serve on the Sick Leave Pool Committee.
2. Committee members will serve for a period of three years, and shall meet as needed to review requests.
3. A unanimous consensus of the committee members present is required to approve requests if the SLP balance falls below 20%.
4. The Human Resources Division shall be responsible for maintaining records on the Sick Leave Pool.
5. The Sick Leave Pool Committee shall meet in compliance with the Sunshine Law, chapter 286, Florida, status.

G. Termination and Re-entry of Membership

1. A member, who chooses to withdraw from participation in the pool, may not withdraw their contributed leave (or any prorated portion thereof).
2. A member who chooses not to contribute to replenish the pool when such request is made and/or does not respond within 30 days will be dropped from the pool.

3. A member who has utilized a maximum of 240 hours of pooled sick leave and returns to work may only reapply to the pool when he or she again meets all eligibility requirements.
4. A member who separates from County employment and is subsequently re-employed may reapply for membership in the pool when he or she meets all eligibility requirements.
5. Membership shall be continued until the appropriate withdrawal form is completed and submitted to the SLP Coordinator. Such request shall be effective the first day of the month following receipt of the form.

H. Abuse of Sick Leave Policy

1. Allegations of abuse of the SLP Policy shall be confidentially reported to the County Administrator or the Human Resources Manager.
2. Should an investigation disclose abuse, the member shall be expelled from membership in the SLP and shall be required to reimburse the amount of leave used. Other disciplinary action may also be taken.