



**Policy:** **Sick Leave**  
**Effective:** October 1, 2007; September 13, 2019; **December 26, 2021**  
**Revised:** June 3, 2014; April 21, 2015; August 20, 2019; **December 7, 2021**

**Purpose** To provide an employee time off with pay for an illness, doctor's appointments, short-term disability and to comply with Minnesota Statute 181.

**Policy** Sick leave may be granted when the employee is unable to perform work duties due to illness, short term disability, the necessity for medical, dental, or chiropractic care, childbirth, "safety leave" if used for the purpose of providing or receiving assistance because of sexual assault, domestic abuse, or stalking, or exposure to contagious disease where such exposure may endanger the health of others with whom the employee would come in contact in the course of performing work duties.

Unless the employee has a serious medical condition that qualifies for Family Medical Leave (see probationary employee) the City does not have unpaid leave. The employee must accrue and use accrued sick leave for any safety leave and absence related to illness or injury of self and/or family member. Family member is defined as a child (under 18 years of age, or under age 20 and still attending secondary school), adult child, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent. An employee's use of existing sick leave benefits for absence due to safety leave, illness or injury to the employee's adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent is limited to **460** **480** hours in a calendar year.

**If hired prior to January 1, 2007: Employees working less than 1,248 (24 hrs x 52 wks) hours are not eligible for sick leave benefits.**

**If hired after January 1, 2007: Employees working less than 1,664 (32 hrs x 52 weeks) hours are not eligible for sick leave benefits. If hired on or before January 1, 2022: Employees working a regular schedule of 20 hours or more per week, 1,040 hours per year (20 hours x 52 week) are eligible for sick leave benefits.**

**Accrual Rate** Regular full time employees **working 40 hours per week** will accrue eight (8) hours of sick leave per month.

**Regular full-time employees working 30-39 hours per week earn will accrue (sick leave on a prorated basis compared to full time equivalent (FTE) status of (6.4) hours of sick leave per month.**

Regular part-time employees **will accrue earn sick leave on a prorated basis compared to full-time equivalent (FTE) status (4) hours of sick leave per month.**

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**Sick leave** **The eight** hours or portion thereof shall be posted to the employees' sick leave account on the first pay period following the month of accrual.

**Maximum Accruals – Forfeiture—employees hired BEFORE January 1, 2007** Employees employed before January 1, 2007 shall receive sick leave in accordance with the policy in effect at the time of the employee's employment. The maximum accrual limits and the severance benefits are listed on a table within this policy based on the previous personnel policy, labor contracts and employee's date of hire.



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Exceptions to this policy would be promotion, demotion, union, management, etc.

Excess sick leave hours will be permanently lost should the maximum accrual rate be exceeded. There are no exceptions to this policy.

**Maximum Accruals**  
For full and part-time feature  
employees hired ON  
OR AFTER  
January 1, 2007

Regular full time employees may accrue up to 960 hours or regular part time employees may accrue up to 480 a pro rated portion of sick leave ~~hours~~. Excess sick leave hours will be permanently lost should the maximum rate be exceeded. There are no exceptions to this policy.

#### **Waiting Period**

There is no waiting period. The employee earns sick leave from date of employment or upon becoming eligible (regularly scheduled 20 hours per week or more). Sick leave must be earned and posted to the employee's sick leave bank before an employee can use sick leave. Negative sick leave balances are prohibited.

#### **Recruiting Balances**

The City Administrator has the sole authority to establish beginning levels of sick leave for recruiting purposes. In making such a determination, the City Administrator will consider the prospective employee's qualifications, education, prior experience, and length of service in the same or similar jobs.

#### **Probationary Employee**

Employees with serious medical conditions within their first year of employment (not eligible for FMLA or parental leave), may be granted an unpaid leave at the sole discretion of the City Administrator. The employee is required to furnish appropriate medical certification to Human Resources for consideration of the leave.

Probation is extended by the length of leave. Health insurance benefits may be continued if paid by the employee.

#### **Reporting**

The employee must report his or her need for sick leave to the supervisor/manager as soon as possible but prior to the employee's scheduled shift. The employee must keep the supervisor/manager informed daily of the employee's condition and expected return to work.

An employee is expected to call in and advise his or her Supervisor/Manager unless employee is hospitalized and unable to communicate. Spouse or relative may call in and keep the supervisor advised of employees' status if the employee is hospitalized.

The employee must complete a "Leave/Absence" form (see section 11) upon return to work. Failure to complete the form will result in the employee not receiving sick leave pay and time taken will be charged to vacation leave.

After three days of sick leave, the employee may be required to submit a medical certification for the absence. Illness beyond three days may be considered a serious



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medical condition and may require FMLA leave. Beyond three days, the employee needs to work with the Human Resource Department. See Section 8.30 for further information on FMLA.

**Holiday during Sick Leave** If a regularly scheduled holiday falls during your illness, it will not be considered sick leave but Holiday leave.

**Funeral Leave during Sick Leave** If ~~you~~ eligible full-time employees suffer the loss of a family member or relative during sick leave and funeral leave is appropriate, the time off for funeral leave will not be considered sick leave. See section 8.10 for funeral leave.

**Severance – hired prior to January 1, 2007.** After a minimum of five (5) years of service, severance pay shall be granted to an Employee who resigns or retires in good standing. The severance benefits shall be comprised of accumulated sick leave as follows:

Years of Service	Maximum Amount
5	168
6	202
7	235
8	269
9	302
10	336
11	370
12	403
13	437
14	470
15	504
16	538
17	571
18	605
19	638
20	672
21	700

**Severance – employees hired on or after January 1, 2007.** After a minimum of five (5) years of service, severance pay shall be granted to an Employee who resigns or retires in good standing. The severance benefit shall be comprised of one-third of all unused sick leave in the employee's individual accrual bank to a maximum of 320 hours.



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**Death of Employee** If an employee dies while in the employment of the City, the severance pay that he/she would have been entitled to under the above conditions shall be paid to his/her estate.

**Injury on Duty-Worker's Compensation** In the event of on the job injuries or incapacities, the employee shall be entitled to the following:

- Employee is required to use sick leave for days up to ten working days.
- Employee receives worker's compensation if injured on duty and absent from work longer than ten working days.
- Employee does not receive any compensation from the Employer.

**Termination for Cause** Severance pay will not be granted if discharged for just cause.

**Violation** Any violation of this policy by a City employee will be cause for appropriate disciplinary action up to and including discharge.

**Disclaimer** Nothing in this section, regardless of its clarity or specificity, creates, or is intended to create, and employee acknowledges that nothing in this section creates, or intended to create, an express or implied contract, covenant, promise, representation between the city and its employees or legal or equitable right related to Sick Leave.

The city may change or eliminate this policy, or portions thereof, at its discretion at any time, and without notice.

This section does not vest in any employee a right, benefit, or privilege related to Sick Leave which cannot be changed or eliminated by the city council, in its exclusive discretion, at any time without notice to employees.

Sick Leave or any components thereof shall remain solely within the discretion of the employer to modify, establish or eliminate.

The foregoing enumeration of the employer's authority related to Sick Leave shall not be deemed to exclude other inherent management rights and functions.

The employer's failure to exercise any right, prerogative, or function hereby reserved to it, or the employer's exercise of any such right, prerogative, or function in a particular way, shall not be considered a waiver of the employer's right to exercise such right, prerogative, or function or preclude it from exercising the same in some other way related to Sick Leave.

This disclaimer disclaims any employee from making any claim for Sick Leave.