

<b>OUTFITTERS &amp; GUIDES LICENSING BOARD</b>	<b>POLICY NUMBER:</b> 1003	<b>PAGE NUMBER:</b> 1 of 7
	<b>SUBJECT:</b> Sick Leave Policy	Drafted: Adopted: 10-04-02 Revised: Reformatted: 10/26/15

## **1.00.00 POLICY OF THE AGENCY**

It is the policy of the Outfitters and Guides Licensing Board that the Agency comply with applicable state statutes regarding the accumulation and disposition of vacation/sick and other special leaves.

## **2.00.00 TABLE OF CONTENTS**

1.00.00	<b>POLICY OF THE AGENCY</b>
2.00.00	<b>TABLE OF CONTENTS</b>
3.00.00	<b>REFERENCES</b>
4.00.00	<b>DEFINITIONS</b>
5.00.00	<b>PROCEDURE</b>
5.01.00	HOLIDAYS
5.02.00	VACATION LEAVE
5.03.00	SICK LEAVE
5.04.00	WORKERS COMPENSATION
5.05.00	MATERNITY LEAVE
5.06.00	MEDICAL APPOINTMENT
5.07.00	MILITARY LEAVE
5.08.00	ADMINISTRATIVE LEAVE
5.09.00	COURT AND JURY LEAVE
5.10.00	GRIEVANCE LEAVE
5.11.00	ELECTION LEAVE

## **3.00.00 REFERENCES**

Idaho Code 67-5333, 67-5335, 67-5337, 67-5302

Idaho Personnel Commission Rules 7, 23, 24 and 25.

## **4.00.00 DEFINITIONS**

## **5.00.00 PROCEDURE**

### **5.01.00 HOLIDAYS**

A holiday is a day of exemption for work granted to employees during which said employees shall be compensated as if they actually worked.

5.01.01 Days designated as holidays are

<b>OUTFITTERS &amp; GUIDES LICENSING BOARD</b>	<b>POLICY NUMBER:</b> 1003	<b>PAGE NUMBER:</b> 2 of 7
	<b>POLICY MANUAL</b>	Drafted: Adopted: 10-04-02 Revised: Reformatted: 10/26/15

- 5.01.01.1 January 1 (New Year's Day)
- 5.01.01.2 Third Monday in January (Martin Luther King's Birthday)
- 5.01.01.3 Third Monday in February (Washington's Birthday)
- 5.01.01.4 Last Monday in May (Memorial Day)
- 5.01.01.5 July 4 (Independence day)
- 5.01.01.6 First Monday in September (Labor Day)
- 5.01.01.7 Second Monday in October (Columbus day)
- 5.01.01.8 November 11 (Veteran's Day)
- 5.01.01.9 Fourth Thursday in November (Thanksgiving Day)
- 5.01.01.10 December 25 (Christmas)

In addition, the term "holiday" shall mean any day so designated by the president of the United States or the governor of this state for a public fast, thanksgiving or holiday.

In the event that a holiday occurs on a Saturday, the preceding Friday shall be a holiday, and if the holiday falls on a Sunday, the following Monday shall be a holiday.

#### 5.01.02 Holiday Pay

A full-time employee shall receive holiday pay in accordance with the number of hours the employee works on a regular workday. If the employee's schedule is so irregular that a regular workday cannot be determined, the employee shall receive eight (8) hours of holiday pay.

A part-time employee shall receive holiday pay in accordance with Division of Human Resources (DHR) rules.

#### 5.02.00 VACATION LEAVE

All employees projected to work over five months per year and 21 or more hours per week shall earn and be eligible to take vacation leave.

Vacation leave must be applied for in advance and may be used only when approved by the immediate supervisor. The employee and supervisor shall mutually agree upon a time when vacation leave will least interfere with the efficient operation of the organization, taking into consideration the leave preference of the employee. The Executive Director may not unilaterally designate a time or times when vacation leave shall be used nor arbitrarily withhold the employee use of vacation time.

The Executive Director may designate comp time balances be used first when an employee is scheduled for vacation time. Leave balances may not be substituted if so doing will cause the employee to exceed the annual leave accrual limit.

<b>OUTFITTERS &amp; GUIDES LICENSING BOARD</b>	<b>POLICY NUMBER:</b> 1003	<b>PAGE NUMBER:</b> 3 of 7
	<b>SUBJECT:</b> Sick Leave Policy	Drafted: Adopted: 10-04-02 Revised: Reformatted: 10/26/15

#### 5.02.01 Vacation Accrual

Vacation leave may be taken upon approval as it is accumulated. Former employees will accrue vacation leave at the rate in effect at the time of their separation. Vacation leave shall not accrue to any employee on leave without pay, suspension without pay, layoff or when working overtime. Vacation shall be accrued in accordance with Division of Human Resources (DHR) rules.

Vacation leave shall not be taken in advance of being earned. Should an employee take more vacation than what has been accrued, the remainder of time will be deducted from compensatory time and then Earned Administrative Leave (EAL), if there is such a balance. If there is no comp time or EAL balance, or if vacation time exceeds the comp time or EAL balance, the employee will be placed on leave without pay to make up the shortage.

Regularly scheduled days off and official holidays falling within a period of \_\_\_\_\_ vacation leave will not be counted against vacation leave.

#### 5.02.02 Accrual limits

Vacation leave will not accrue during any period in which the maximum limits have been met.

#### 5.02.03 Transfers

An employee who is transferred from one state Agency to another shall transfer accrued vacation leave with him/her.

#### 5.02.04 Separation

Upon separation from state employment an employee shall receive lump sum payment for accumulated unused vacation leave at the employee's hourly rate of pay at termination. Such vacation leave payment shall not exceed accrual limits.

Where possible, payment will be made to the employee on the regular payroll following the employee's termination in addition to his/her regular salary.

In the event of an employee's death, payment for accrued vacation leave shall be made to his/her estate.

#### 5.03.00 SICK LEAVE

All employees projected to work over five months per year and 21 or more hours per week shall earn and be eligible to take sick leave.

<b>OUTFITTERS &amp; GUIDES LICENSING BOARD</b>	<b>POLICY NUMBER:</b> 1003	<b>PAGE NUMBER:</b> 4 of 7
	<b>SUBJECT:</b> Sick Leave Policy	Drafted: Adopted: 10-04-02 Revised: Reformatted: 10/26/15

Sick leave shall be taken in case of actual illness or disability of the employee and other medical and health reasons necessitating the employee's absence from work or in situations where the employee's personal attendance is required because of serious illness or disability. Funeral leave may be taken for death or funeral in the family. Funeral leave hours are deducted from sick leave balance.

It is the responsibility of the employee to immediately notify his/her supervisor in the event of illness or injury, which prevents the employee from reporting for duty. In cases where absences for sick leave exceed three days, a supervisor may require verification by a physician or other authorized practitioner.

If an employee becomes disabled and is unable to work after six months absence or when accrued sick leave has been exhausted, whichever is longer, the employee's position shall be declared vacant and the employee shall be laid off. Should the employee's physician release him/her to return to work, the employee's name shall be placed on a layoff register, and the employee shall be given all layoff rights for rehire in accordance with Personnel Commission Rule 14.

Sick Leave shall be accrued in accordance with Division of Human Resources (DHR) rules.

Sick leave shall not be taken in advance of being earned. Should an employee take more sick leave than what has been accrued, the remainder of time will be deducted from comp time balance, or if sick leave taken exceeds the comp time balance, time will be deducted from Earned Administrative Leave (EAL), or the sick leave taken exceeds the EAL balance, time will be deducted from annual leave if there is such a balance. If there is no annual leave balance or if sick leave taken exceeds the annual leave balance, the employee will be placed on leave without pay to make up the shortage.

Regularly scheduled days off and official holidays falling within a period of sick leave will not be counted against sick leave.

#### 5.03.01 Transfers

An employee who is transferred from one state Agency to another shall transfer accrued sick leave with him/her.

#### 5.03.02 Separation

No employee will be reimbursed for accrued sick leave at the time of separation from the Agency. If an employee is subsequently reinstated within the time limits prescribed for reinstatement, all sick leave credits will be reinstated.

<b>OUTFITTERS &amp; GUIDES LICENSING BOARD</b>	<b>POLICY NUMBER:</b> 1003	<b>PAGE NUMBER:</b> 5 of 7
	<b>SUBJECT:</b> Sick Leave Policy	Drafted: Adopted: 10-04-02 Revised: Reformatted: 10/26/15

Upon retirement, the cash value of the unused sick leave earned after July 1, 1976, will be used in accordance with Division of Human Resources (DHR) rules.

#### 5.04.00 WORKERS COMPENSATION

In the event of a disability incurred on the job covered by Workers Compensation, the employee shall be given the choice of either (1) leave of absence without pay while receiving Workers Compensation or (2) utilizing a portion of accrued sick leave to supplement Workers Compensation to maintain his or her regular salary.

No supervisor may require an employee to accept sick leave, vacation leave, or comp time off in lieu of Workers Compensation. Additionally, an employee may not waive his/her rights to Workers Compensation and cannot accept earned leave or other benefits in lieu of Workers Compensation.

If the employee is unable to return to work after six months absence or when accrued sick leave has been exhausted, whichever is longer, the employee's position shall be declared vacant and the employee shall be laid off. Should the employee's physician release him/her to return to work, the employee's name shall be placed on a layoff register and the employee shall be given all layoff rights for rehire in accordance with Personnel Commission Rule 14.

#### 5.05.00 MATERNITY LEAVE

Maternity leave shall be granted under the same conditions and requirements as any other temporary disability.

The employee's physician shall be considered the sole authority in determining the disability insofar as compensable sick leave is concerned. Maternity leave preceding and following the time that the employee is disabled shall be leave without pay unless the employee elects to use accrued vacation leave or compensatory time off.

The employee may continue to work as long as she is physically capable of performing the duties of her position and may return to work as soon as she is physically able as determined by her physician.

#### 5.06.00 MEDICAL APPOINTMENT

An employee shall be allowed up to two hours per day for occasional medical appointments without charge to sick leave for personal or family member medical, dental or optical examination and treatment. In order to receive the two hours leave, the employee must report to work before or after the appointment. Medical appointment leave shall not apply to employees who are off the job on approved sick/annual leave for the entire day.

<b>OUTFITTERS &amp; GUIDES LICENSING BOARD</b>	<b>POLICY NUMBER:</b> 1003	<b>PAGE NUMBER:</b> 6 of 7
	<b>SUBJECT:</b> Sick Leave Policy	Drafted: Adopted: 10-04-02 Revised: Reformatted: 10/26/15

Medical appointment leave shall not be used for ongoing medical treatment. Sick leave may be utilized in this situation.

#### 5.07.00 MILITARY LEAVE

##### 5.07.01 With Pay

Employees who are members of the National Guard or Reservist in the Armed Forces of the United States who are directed by proper military authority to participate in ordered and authorized field training under the National Defense Act shall receive 15 working days military leave with pay per calendar year. Weekend drills shall not count toward the 15-day military leave unless such drills have been authorized as training per the information above.

##### 5.07.02 Without Pay

An employee with permanent status who leaves his or her position either voluntarily or involuntarily in order to perform active military duty shall be granted military leave without pay (ref. Section 65-512, Idaho Code). Re-employment rights are covered by DHR Rule 12.D.4.

#### 5.08.00 ADMINISTRATIVE LEAVE

##### 5.08.01 With Pay

With approval from the Executive Director, an employee may be granted administrative leave with pay when such leave is in the best interest of the Agency.

##### 5.08.02 Without Pay

An employee may, at the discretion of the Executive Director, be granted leave without pay for a specified length of time when such leave would not have an adverse effect upon the Agency. The request for leave must be in writing and must establish reasonable justification for approval.

#### 5.09.00 COURT AND JURY LEAVE

When an employee is directed by proper authority to appear as a witness for the federal government, the state of Idaho, or a political subdivision thereof, or to attend court in any capacity in connection with official state duty, her or she shall not be entitled absent from duty. The employee shall not be entitled to receive compensation from the court. Expenses (mileage, lodging, meals, and miscellaneous expenses) incurred by an employee in connection with this duty shall be reimbursed by the Agency in accordance with state travel regulations.

<b>OUTFITTERS &amp; GUIDES LICENSING BOARD</b>	<b>POLICY NUMBER:</b> 1003	<b>PAGE NUMBER:</b> 7 of 7
	<b>SUBJECT:</b> Sick Leave Policy	Drafted: Adopted: 10-04-02 Revised: Reformatted: 10/26/15

When an employee is summoned by proper judicial authority to serve on a jury, he/she shall be granted a leave of absence with pay for the time, which otherwise the employee would have worked. The employee shall be entitled to keep fees and mileage reimbursement paid by the court in addition to salary. Expenses in connection with this duty are not subject to reimbursement by the Agency.

Employees must present their jury summons to their supervisor to be granted this leave.

#### 5.10.00 GRIEVANCE LEAVE

An employee who has been requested to serve on a grievance panel; to appear as a witness or a representative before such a panel; or to meet with management at any stage of the Agency's grievance procedure shall be granted leave with pay without charge to vacation or comp time off to perform those duties.

#### 5.11.00 ELECTION LEAVE

When requested by an employee, the Agency shall grant administrative leave with pay, without charge to vacation leave or compensatory time off for overtime, for voting in primary, general, municipal, school, or special elections in those instances where the employee's work would interfere with his or her being able to vote.