

- C. Except in cases of emergency, Employees must notify their immediate supervisor of all requests for sick leave before the leave is taken, or an employee must call the immediate supervisor at or prior to their schedule starting time for that day. Sick leave may only be taken with the approval of the immediate supervisor.
- D. The employee's Department Head or the County Manager may require a statement from the physician, or other acceptable proof, that the employee was unable to report for work as a condition of approving sick leave. At the expiration of an authorized sick leave period of 90 days or more, the employee's Department Head or County Manager may require a fitness-for-duty examination at the County's expense, to determine whether the employee is able to resume normal duties.
- E. Unused sick leave is allowed as creditable service at the time of retirement to employees who are members of the North Carolina Local Government Employee's Retirement System. One month of credit is allowed for each twenty (20) days of unused sick leave when an employee retires, and an additional month is credited for any part of twenty (20) days unused sick leave left over.
- F. Employee must notify County of any unused sick leave earned from another North Carolina governmental agency. The total number of days accepted as transferred will be added to the record after completion of the six months probationary period. Verification of accumulated sick leave must be received in writing from the previous employer.
- G. Employees who retire or resign with the County shall lose all sick leave credits. No employee shall be paid for any accrued sick leave if the employee leaves employment for any reason.
- H. During a National State of Emergency in effect for the 2019 Novel Coronavirus (COVID-19) employees can take sick leave for any reason. Sick leave will be advanced in situations where an employee does not have an accrued sick leave balance. Once the National State of Emergency is not in effect employees will be required to pay back any advanced sick leave time. Shared leave will be suspended for all reasons during the National State of Emergency. If an employee leaves employment while owing advanced sick leave the amount will be deducted from vacation and compensatory time.
- I. The Families First Coronavirus Response Act is a law which has different acts with the shared goal of providing relief to those who have been or will be adversely affected economically by the COVID-19 pandemic. The Act is effective from 4/1/2020-12/31/2020. This Act has two parts:

1. The Emergency Family and Medical Leave Expansion Act covers all employees who have been employed for thirty days. Employees may take up to 12 weeks of leave when an employee is unable to work or telework due to a need for leave to care for son or daughter under 18 years of age if the school or place of care has been closed, or the child care provider is unavailable due to an emergency with respect to COVID-19 as declared by a federal, state or local authority.

Only employees for whom Currituck County has work – whether it is work at the employee’s regular workplace or remote work (telework) – are eligible for emergency FMLA leave. If an employee has been directed to remain at home and there is no work that can be performed from home, the employee will not be eligible for emergency FMLA leave even if he or she would be unable to work because of school closures or the unavailability of their regular child care provider.

The first ten days of emergency FMLA are unpaid but an employee may choose to use any accrued paid leave during the first ten days of emergency FMLA leave. Employees may use their maximum of 80 hours of emergency paid sick leave instead of accrued leave. See below.

2. The Emergency Paid Sick Leave Act covers all employees. All full-time employees are entitled to a maximum of 80 hours of emergency paid sick leave. Part-time and temporary employees are also eligible for emergency paid sick leave and the amount of leave will be calculated on a case-by-case basis. The circumstances an employee qualifies for emergency paid sick leave are:
 - a. The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19;
 - b. The employee has been advised by their healthcare provider to self-quarantine because they are infected with or have been exposed to COVID-19 or because they are at high risk of complications from COVID-19;
 - c. The employee is showing symptoms of COVID-19 and is seeking but has not yet received a medical diagnosis;
 - d. The employee is caring for someone subject to a federal, state or local quarantine or isolation order related to COVID-19 or who has been advised by their healthcare provider to self-quarantine for COVID-19 related reasons; or
 - e. The employee is caring for his or her son or daughter because the child’s school or childcare facility has been closed or the childcare provider is no longer available because of a COVID-19 related reason.

Only employees for whom Currituck County has work – whether it is work at the employee’s regular workplace or remote work (telework) – are eligible for emergency paid sick leave. If an employee has been directed to remain at home and there is no work that can be performed from home, the employee will not be eligible for emergency paid sick leave even if he or she meets one of the qualifying conditions for sick leave. This is true whether or not Currituck County has formally furloughed employees.

It is up to the employee to decide whether to use emergency paid sick leave before any other form of accrued paid leave the employee has. Currituck County may not require an employee to use accrued sick, vacation or personal leave or, for nonexempt employees only, accrued comp time before using emergency paid sick leave. Any accrued paid time off previously earned by an employee may not run concurrently with emergency paid sick leave.

Other information regarding each act, FICA deductions, etc. may found at the following link: <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>.

Section 607 Leave without Pay

- A. Leave without pay may be granted for up to six (6) months by the County Manager upon recommendation of the Department Head. Upon returning to duty after being on leave without pay, the employee shall be guaranteed a position of the same classification and pay. Failure to report for duty at the expiration of the leave without pay period, unless an extension has been granted, shall be considered a resignation.
- B. Vacation, holiday and sick leave credits will not be accrued during leave without pay. Longevity eligibility date will be extended by the same length of days (partial days shall revert to whole days) the employee was on leave without pay. Individual hospitalization and dental insurance provided for the employee by the employer during regular pay will not be provided as employer expense benefits during leave without pay, unless the employee is on FMLA leave or on the payroll a minimum of half the working days during the calendar month. The employee, however, may continue to be eligible for any benefit(s) under the County's group plans, subject to regulations adopted by the Board of Commissioners and the respective group carriers.
- C. The employee must apply in writing to the Department Head for leave without pay. The employee is obligated to return to work within or at the end of the time granted. Requests for leaves of absence without pay will be submitted to the County Manager as far in advance as possible.