

RESOLUTION NO. 27-2020

**A RESOLUTION AMENDING THE PERSONNEL POLICY FOR EMPLOYEES OF
CHEROKEE COUNTY, KANSAS, REGARDING SALARIED EMPLOYEES
REPORTING SICK LEAVE AND VACATION LEAVE**

**BE IT RESOLVED BY THE GOVERNING BODY OF CHEROKEE COUNTY,
KANSAS, THAT THE FOLLOWING RESOLUTION BE ADOPTED:**

SECTION 1. GENERAL AUTHORITY. K.S.A. 19-101, *et. seq.*, and K.S.A. 19-212 authorize the Board of County Commissioners of Cherokee County, Kansas, to transact all County business and perform all powers of local legislation deemed appropriate, and to make all contracts and do all other acts in relation to the property and concerns of the County necessary to the exercise of its corporate or administrative powers.

SECTION 2. LEGISLATIVE ACTION. The Cherokee County Personnel Policy, Section V-4 Vacation, shall be amended to require salaried, non-elected employees to provide vacation leave documentation to the Human Resources Department.

New Section V-4.

V-4 Vacation. The vacation year shall be from December 26th through December 25th of the following year. Vacation leave shall be earned and accrued from the most recent dates of appointment to employment under the conditions at the rate hereafter stated. No leave shall be granted to an employee until one year of service has been completed. Employees shall request vacation leave in advance of at least twenty-four hours and departments shall insure a minimum disruption of work.

Vacation leave cannot be carried over from year to year and cannot be transferred or given from one employee to another.

(a) **Regular Full-time employee.** Vacation leave shall be earned and accrued to the employee's continuous service. In the first year the employee gains an additional week. The additional week cannot be taken until after the employee's anniversary date. Following is the vacation leave earned.

<u>Length of Service</u>	<u>Vacation Leave</u>
1 year	1 week
2 through 6 years	2 weeks
7 through 11 years	3 weeks
12 through 19 years	4 weeks

20 through 29 years	5 weeks
30 or more years	6 weeks

Each week above is paid for actual hours regularly worked by the employee.

Each salaried, non-elected employee of the County shall receive paid vacation equivalent to the pay such employee would receive if he or she was eligible to exercise vacation leave.

Each salaried, non-elected employee shall provide documentation of his or her vacation days in increments of not less than four (4) hours to the Human Resources Office.

(b) **Regular Part-time employee.** Regular part-time employees will receive one-half vacation credit based upon the above vacation chart. Temporary or seasonal employees shall not earn vacation credit or pay

(c) **Holiday During Vacation.** Paid holidays which occur during a vacation leave shall not be counted as a day of vacation.

(d) **Time to Request.** All requests shall be in writing and shall be filed with the employee's departmental or office head.

(e) **Termination.** Upon termination, a regular full-time employee or regular part-time employee shall be compensated for accumulated unused vacation leave.

(f) **Death.** In the case of death, a regular full-time or regular part-time employee's estate shall be compensated for all accumulated unused vacation leave.

(g) **Abuse of Vacation Leave.** Any employee who improperly claims vacation leave shall be subject to disciplinary action, including loss of pay or dismissal.

(h) **Records.** The Human Resources Office shall provide each department head with records of earned and used vacation by each employee under their supervision on a monthly basis.

(i) **Units of Use.** Employees may use vacation leave in units of not less than a regular full day for the employee (7 or 8 hours, as applicable), subject to the approval of their supervisor or department head.

SECTION 3. LEGISLATIVE ACTION. The Cherokee County Personnel Policy, Section V-5 Sick Leave, shall be amended to require salaried, non-elected employees to provide sick leave documentation to the Human Resources Department.

New Section V-5.

V-5. Sick Leave. All regular full-time, regular part time **and salaried** employees of the County shall be entitled to sick leave with pay for absences resulting from the employee's or the employee's immediate family's injuries, accidents or other physical incapacities, occurring either

on or off the job. No employee shall be permitted to use sick leave for any periods spent on unauthorized leave or participating in any unlawful work stoppage.

(a) **Amount of Sick Leave.** Upon successful completion of the training period each regular full-time employee, **and each salaried, non-elected employee**, shall earn eight (8) hours of sick leave for each month of service or seven (7) hours of sick leave for each month of service if they are a seven (7) hour day employee. Employees must work a minimum of eighty (80) hours per month before accruing sick leave.

Each regular part-time employee shall earn one half the monthly sick leave allowed a regular full-time employee described above.

(b) **Accumulation of Sick Leave.** No employee shall accrue more than seven hundred twenty (720) hours of sick leave. Any hours above the 720 will be paid to the employee on the last paycheck of the year.

(c) **Computing Sick Leave.** Any absence for a fraction or part of a day which is chargeable to sick leave shall be charged in units of not less than fifteen (15) minutes. **Documentation of sick leave shall be provided to the Human Resources Office.**

(d) **Doctor's Certificate.** For sick leave in excess of three (3) days, an office or department head may require a signed statement from a physician or dentist verifying the employee's inability to perform his or her duties because of such illness or the illness of any of the following persons: a parent, child, step-child, or person over which the employee is the legally appointed guardian or custodian.

(e) **Notification.** To be eligible for paid sick leave, an employee shall notify his or her immediate supervisor of the reason for his or her absence no later than before the beginning of each day for which sick leave is taken.

(f) **Termination of Employment.** An employee shall not be paid for any unused sick leave upon termination of his or her employment with the County, unless such employee has maintained 10 years of continuous full-time employment with the County, and was not discharged from his or her most recent employment with the County.

(g) **Abuse of Sick Leave.** An employee who improperly claims sick leave shall be subject to disciplinary action, including loss of pay or dismissal.

(h) **Transfer of Sick Leave.** Employees may transfer sick leave to another employee up to 120 hours, but must have and keep 120 hours, subject to the approval of their department or office head and the County Commissioners. Transfer hours are only on an as need basis.

SECTION 4. INCORPORATION. The amended Section V-4 Vacation and Section V-5 Sick Leave are incorporated into the Personnel Policy Handbook For Cherokee County, Kansas.

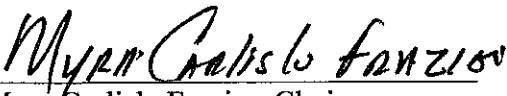
SECTION 5. ACKNOWLEDGMENT. Every Cherokee County employee shall be provided a copy of the amended Section V-4 Vacation and Section V-5 Sick Leave. Employees shall sign an acknowledgment that he or she has received a copy and understands the contents. Signed acknowledgments shall be maintained in employees' personnel files.

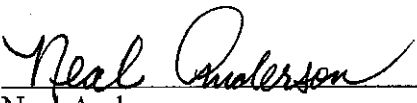
SECTION 6. PUBLICATION. The County Clerk shall cause this resolution to be published in the official County Newspaper.

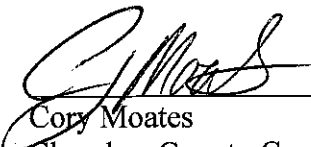
SECTION 7. CONFLICT. All resolutions, County policies or parts thereof, in conflict herewith are hereby expressly repealed insofar and they conflict herewith.

SECTION 8. EFFECTIVE DATE. This resolution shall be effective upon passage.

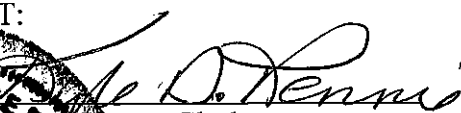
PASSED AND APPROVED this 23 day of November, 2020, by the Board of County Commissioners of Cherokee County, Kansas.


Myra Carlisle Frazier, Chair
Cherokee County Commissioner


Neal Anderson
Cherokee County Commissioner


Cory Moates
Cherokee County Commissioner

ATTEST:


Kyle Rennie
County Clerk

(Seal)

