

- B. If an employee is sick and cannot report for work, he/she must notify his/her supervisor as far in advance of normal working hours as possible.
- C. Employees may accumulate sick leave from year to year to a maximum of 60 days. However employees with fifteen (15) years of service with the Town on the date that this policy goes into effect, which is effective August 7, 1995, shall be entitled to accumulate ninety (90) days. More than four (4) consecutive work days of absence to be compensated under this section shall require a certificate from a licensed physician stating the necessity of the absence.
- D. Upon termination of employment voluntarily, involuntarily, or upon retirement, no compensation shall be granted for any unused portion of sick leave remaining. If an employee runs out of sick leave, he or she may use vacation time, if authorized by the Department Head.

## SECTION XVI

### PARENTAL AND FAMILY LEAVE

In accordance with Title 21, Section 472, the Town provides parental and family leave to its employees, on the following terms. During any twelve month period any employee who has been continuously employed for one year for an average of at least thirty hours per week shall be entitled to take unpaid leave for a period not to exceed twelve weeks:

- (1) for parental leave, during the employee's pregnancy and following the birth of an employee's child or within a year following the initial placement of a child sixteen years of age or younger with the employee for the purpose of adoption.
- (2) for family leave, for the serious illness of the employee or the employee's child, stepchild, or ward of the employee who lives with the employee, foster child, parent, spouse, or parent of the employee's spouse. "Serious illness" is defined as an accident, disease or physical or mental condition that poses an imminent danger of death, requires in-patient care in a hospital, or requires continuing in-home care under the direction of a physician.

During the leave, the employee may use accrued sick leave and vacation leave, not to exceed six weeks, consistent with the Town's other policies. Utilization of accrued vacation leave shall not, however, extend the length of this leave. During the leave, the employee's employment benefits shall be continued. During the leave, the cost of any benefits normally paid by the Town shall be paid by the Town, and the cost of any benefits normally paid by the employee shall be paid by the employee.

An employee shall give written notice of his or her intent to take a parental or family leave, including the date the leave is expected to commence and the estimated duration of the leave. In the event of parental leave, notice shall be given six weeks prior to the anticipated commencement of the leave. In the event of family leave, the employee shall provide certification from a physician to verify the serious illness and the amount and necessity of the leave requested. In the event an employee desires to extend a leave past the original estimated duration, written notice of that intent shall be given on the same terms as set forth above.

Upon return from leave, the employee will be offered the same or comparable job at the same level of compensation, benefits, seniority, and other terms and conditions of employment existing on the day the leave began, unless:

- (1) prior to requesting the leave, the employee had been given notice or had given notice that the employment would terminate; or
- (2) during the leave, the employee's job would have been terminated or the employee laid off for reasons unrelated to the leave or the condition for which the leave was granted; or
- (3) the employee performed unique services and hiring a permanent replacement during the leave, after giving reasonable notice to the employee of the employer's intent to do so, was the only alternative available to the employer to prevent substantial and grievous economic injury to the employer's operation.

If the employee does not return to employment (except in the case of serious illness of the employee), the employee shall be required to repay to the employer the value of any compensation paid to or on behalf of the employee during the leave, except payments for accrued sick leave or vacation leave.