

C.A. 05-12-09(3)  
C.A. 05-26-09(3)  
09-19

**AN ORDINANCE**  
**NO. 09-19**

An ordinance amending annual and sick leave policy and creating a new catastrophic sick leave policy.

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THE COUNCIL OF COLUMBUS, GEORGIA HEREBY ORDAINS:

SECTION 1.

Section 16B-15-5(a)(4) of the Columbus Code is hereby repealed and replaced with a new paragraph (4) that reads as follows:

- (4) Vacation leave may be accumulated to a maximum of twenty (20) working days for employees with less than fifteen (15) years of service, and thirty (30) working days for employees with fifteen (15) or more years of service. At the end of each leave year all vacation leave days above the maximum allowable accumulation will be added to the catastrophic sick leave bank until such bank reaches its maximum accrual.

SECTION 2.

Section 16B-15-6(a)(2) of the Columbus Code is hereby repealed and replaced with a new paragraph (2) that reads as follows:

- (2) Accumulation above thirty (30) days shall be handled in the following manner:

When a city official or an employee shall have accumulated thirty (30) days of sick leave by the end of the last pay period in November, he may be paid in cash each year by December 25 for one-fourth (1/4) of the accumulated sick leave beyond the base thirty (30) days, and the other three-fourths (3/4) above the thirty (30) days shall be added to his sick leave reserve accumulation until a maximum of sixty (60) days shall be attained in the reserve accumulation. At the end of each leave year all sick leave days above the maximum allowable reserve accumulation will be added to the catastrophic sick leave bank until a maximum of one hundred and twenty (120) days shall be attained.

No charge shall be made against the above sick leave reserve accumulation until the base accumulation of thirty (30) days has been exhausted, and until a valid medical certificate has been presented as to the nature of the employee's illness.

SECTION 3.

Section 16B-15-6 of the Columbus Code is hereby amended by adding a new subsection (f) that reads as follows:

- (f) Catastrophic Sick Leave. When an employee with a major illness or injury exhausts all available leave, to include sick, vacation and compensatory time, and remains unable to return to work as certified by a licensed physician, such employee may be paid from any accrued leave time in their catastrophic sick leave bank.
- (1) To receive benefits from their catastrophic sick leave bank employees must present medical certification to the Human Resources Director that they are unable to return to work due to their own illness or injury.
- (2) A catastrophic illness or injury is usually life threatening and may leave significant residual disability or involve lengthy recovery and/or rehabilitation periods, and is expected to incapacitate the employee for an extended period of time or required the employee to receive care from a hospice or similar palliative care provider. Examples of illness or injury that

qualifies for Catastrophic Sick Leave include heart attacks, heart conditions requiring heart bypass or valve operations, congestive heart failure, most cancers, back conditions requiring extensive therapy or surgical procedures, strokes, severe respiratory conditions, spinal injuries, emphysema, severe arthritis, severe nervous disorders, and injuries caused by serious accidents.

- (3) If the Human Resources Director determines that the injury or illness does not qualify for catastrophic sick leave benefits the employee may appeal that determination through the Human Resources Director to the City Manager. The Human Resources director will provide the employee leave request and all supporting documentation to the City Manager for review. The decision of the City Manager will be communicated to the employee by the Human Resources Director and is final.
- (4) When employees are paid from their catastrophic sick leave bank their department is relieved of the payroll charge and may hire a temporary replacement for the employee on catastrophic leave.
- (5) Balances held in the catastrophic sick leave bank shall be treated the same as sick leave for incidents involving leave of absence, separation, reinstatement and reemployment.

SECTION 4.

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

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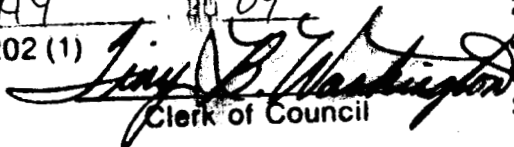
Introduced at a regular meeting of the Council of Columbus, Georgia held on the 12<sup>th</sup> day of May, 2009, introduced a second time at a regular meeting of said Council held on the 26<sup>th</sup> day of May 2009, and adopted at said meeting by the affirmative vote of nine members of said Council.

Councilor Allen voting	<u>YES</u>
Councilor Anthony voting	<u>YES</u>
Councilor Baker voting	<u>YES</u>
Councilor Barnes voting	<u>YES</u>
Councilor Davis voting	<u>YES</u>
Councilor Henderson voting	<u>YES</u>
Councilor Hunter voting	<u>YES</u>
Councilor McDaniel voting	<u>ABSENT</u>
Councilor Pugh voting	<u>YES</u>
Councilor Woodson voting	<u>YES</u>

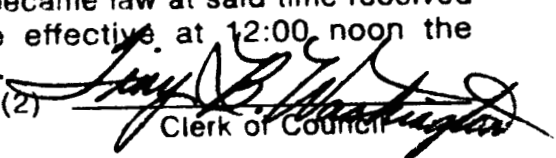
  
 TINY B. WASHINGTON  
 CLERK

  
 JIM WETHERINGTON  
 MAYOR

This ordinance submitted to the Mayor for his signature, this the 28<sup>th</sup> day of MAY, 2009  
 Sec: 3-202 (1)

  
 Clerk of Council

This ordinance received, signed by the Mayor at 11:35 A.M. on the 29<sup>th</sup> day of MAY, 2009, and became law at said time received and became effective at 12:00 noon the following day.

Sec: 3-202 (2)   
 Clerk of Council

**Columbus Consolidated Government  
Council Meeting**

\_\_\_\_\_, 2009

Agenda Report #

TO: Mayor and Council

SUBJECT: **Catastrophic Sick Leave Policy**

INITIATED: Human Resources Department

**Recommendation:** Approve an ordinance amending §16B-15-5 (Annual Leave), §16B-15-6 (Sick Leave) of the Columbus Code and adding a new subsection (f) to §16B-15-6 to create a new policy for Catastrophic Sick Leave.

**Background:**

**Maximum Leave** - The current annual leave policy allows a maximum accumulation of 20 days for employees with less than 15 years service and 30 days for those whose service exceeds 15 years; the employee forfeits any accumulation of annual leave days beyond these limits. Current sick leave policy allows a maximum accumulation of 90 days for all employees with any excess forfeited.

**Unused Sick Leave Payment** – Current policy pays employees in December of each year for 25% of their unused sick leave after they have accumulated 30 days in their base leave account. An employee with perfect attendance would be paid for 3.25 days. No change is proposed for this program.

**Vacation Donation Policy** – Employees are currently permitted to donate some of their vacation to other employees that have serious illness or injury and have exhausted their own leave. No change is proposed for this policy.

**Leave of Absence** – Current policy allows employees to retain all sick leave balances when they return from an unpaid leave of absence. No change is proposed for this policy.

**Separation from Employment** – Current policy does not permit payment for unused sick leave upon separation from employment for any reason. No change is proposed for this policy.

**Reinstatement** – Current policy restores sick leave balances to employees that are reinstated following a layoff. No change is proposed for this policy.

**Reemployment** – Current policy allows employees that are reemployed within 90 days of their separation date to be credited for up to 30 days of their sick leave that was unused at the time of their separation from employment. No change is proposed for this policy.

**Analysis:** This ordinance provides an additional level of income security for long-term employees that have not used or abused their sick leave at minimal cost to the City. Due to the restrictions and approval process for obtaining access to this leave there is little chance for abuse of the program.

- A catastrophic illness or injury is usually life threatening and may leave significant residual disability or involve lengthy recovery and/or rehabilitation periods, and is expected to incapacitate the employee for an extended period of time or required the employee to receive care from a hospice or similar palliative care provider. Examples of illness or injury that qualifies for Catastrophic Sick Leave include heart attacks, heart conditions requiring heart bypass or valve operations, congestive heart failure, most cancers, back conditions requiring extensive therapy or surgical procedures, strokes, severe respiratory conditions, spinal injuries, emphysema, severe arthritis, severe nervous disorders, and injuries caused by serious accidents.
- The maximum accrual for the Catastrophic Sick Leave bank is 120 days.

**Legal:** Amendment of the Columbus Code requires the approval of the Columbus Council.

**Financial Considerations:** The Finance Department estimated annual expenditure of \$200,000 once the catastrophic bank reaches 120 days. This is based on an average of 5 cases per year at an average pay of \$50,000 (assuming a 2.5% increase each year). It will take employees that are currently at their maximum in their sick bank, at least 12 years to reach 120 days in their catastrophic bank from forfeited sick leave. The time to reach the 120 days could be less if an employee also had forfeited vacation to add to the catastrophic bank.

**Recommendation/Actions:** City Manager and Human Resources recommend approval of this ordinance.

### Catastrophic Sick Leave Policy Proposal

- Current annual leave policy allows a maximum accumulation of 20 days for employees with less than 15 years service and 30 days for those whose service exceeds 15 years; the employee forfeits any accumulation of annual leave days beyond these limits.
- Current sick leave policy allows a maximum accumulation of 90 days for all employees with any excess forfeited.
- Under the proposed Catastrophic Sick Leave Policy annual and sick leave days that would otherwise be forfeited go instead to the Catastrophic Sick Leave bank.
- The maximum accrual for the catastrophic leave bank is 120 days.
- Employees must exhaust all of their accrued paid leave balances and compensatory time before they can be paid from the catastrophic leave bank.
- The employee must present medical certification to the HR Director to receive benefits from their catastrophic leave bank.
- A catastrophic illness or injury is usually life threatening and may leave significant residual disability or involve lengthy recovery and/or rehabilitation periods, and is expected to incapacitate the employee for an extended period of time or required the employee to receive care from a hospice or similar palliative care provider. Examples of illness or injury that qualifies for Catastrophic Sick Leave include heart attacks, heart conditions requiring heart bypass or valve operations, congestive heart failure, most cancers, back conditions requiring extensive therapy or surgical procedures, strokes, severe respiratory conditions, spinal injuries, emphysema, severe arthritis, severe nervous disorders, and injuries caused by serious accidents.
- If the Human Resources Director determines that the injury or illness does not qualify for catastrophic sick leave benefits the employee may appeal to the City Manager. The decision of the City Manager is final.
- When employees are paid from their catastrophic sick leave bank their department is relieved of the payroll charge and may hire a temporary replacement for the employee on catastrophic leave.
- Balances held in the catastrophic sick leave bank shall be treated the same as sick leave for incidents involving leave of absence, separation, reinstatement and reemployment

#### Statistics and Examples

	3/31/2009	11/1/2009	11/1/2010
# Employees with 90 days sick leave assuming no usage until effective date.	523	620	752
# Employees with 30 days vacation leave.	426	N/A	N/A

1. Employee #1 is a new employee. If this employee has perfect attendance for the first 9 years of employment then 5.25 days of sick leave would go into the employees Catastrophic Sick Leave Bank at the end of the 9<sup>th</sup> year of employment. If the employee continued to have perfect attendance the maximum accrual of 120 days of catastrophic sick leave would occur during the 21<sup>st</sup> year of employment.
2. Employee #2 is another new employee. If this employee uses an average of 3 days sick leave per year then 7.5 days of sick leave would go into the employees Catastrophic Sick Leave Bank at the end of the 12<sup>th</sup> year of employment. If the attendance trend continues the maximum accrual of 120 days of catastrophic sick leave would occur during the 27<sup>th</sup> year of employment.