

**Resolution 2017-27**  
**Muncie Sanitary District**  
**Board of Sanitary Commissioners**

A Resolution providing certain amendments to the Personnel Policies Handbook of the Muncie Sanitary District first adopted on December 10, 2015.

WHEREAS, the Board of Sanitary Commissioners (the "Board") wishes to modify Section 6.6, Gifts or Gratuities; Section 4.5, Medical Leave and Section 4.22.2, Clothing Allowance (Boots).

BE IT THEREFORE RESOLVED, that the Board of Sanitary Commissioners does hereby adopt the following amendments to the Personnel Policies Handbook.

*The Board wishes to amend the following Section 6.6, Gifts or Gratuities:*

Muncie Sanitary District employees are not allowed to receive gifts or gratuities, in excess of one hundred dollars (\$175) in value, in any professional capacity. Anything over one hundred (\$175) in value must be approved by a Board of Sanitary Commissioners member.

*The Board wishes to amend the following Section 4.5, Medical Leave:*

Medical leave shall be available to full-time employees who have been employed for a minimum of six (6) months up to a maximum of less than one (1) year. This type of leave is only available to those employees who have a FMLA qualifying serious illness, injury, or condition ("Medical Condition").

Upon request, an eligible employee may be granted a leave of absence without pay for the period of his or her medical condition for up to a sixty (60) calendar day maximum during a twelve (12) month period. The twelve (12) month period will be measured forward from the date the employee uses any unpaid medical leave.

An eligible employee who is absent from work for four (4) or more consecutive workdays due to his or her own medical condition will automatically be considered on unpaid medical leave beginning with the first day of the absence.

An eligible employee who is granted a medical leave of absence is required to use any available, unused *paid* vacation time, personal/sick leave, *and Sick Leave Bank accrual* as part of the medical leave of absence, unless the employee is receiving Workers' Compensation benefits or disability benefits. In the event an employee is on Workers' Compensation, a full-time employee **must** use up to five (5) days combined of paid vacation leave and paid personal leave per continuous absence which is due to an illness or injury that is compensable under the Indiana Workers' Compensation law. This is optional by the employee. However, in the event those days are later covered by the District's Workers' Compensation Insurance, the employee **will not be permitted** to credit those days back to his vacation, personal leave, or Sick Leave Bank accrual.

An eligible employee who requires a medical leave of absence must notify his or her department head of his or her need for the leave as far in advance of the proposed beginning date of the leave as possible. The notice must be in writing and state:

1. The medical condition requiring the leave;
2. The date the employee desires the leave to begin; and
3. The length of the leave requested.

The notice must be accompanied by a physician's certificate substantiating the medical condition and the need for the leave requested. A "physician" means a person licensed to practice medicine in the State of Indiana.

If an eligible employee anticipates a need for medical leave due to pregnancy or other medical condition, the District asks that the employee notify his or her department head as soon as his or her physician has confirmed her pregnancy or medical condition so the District can plan for adequate, continuous staffing.

An eligible employee returning to work from a medical leave of absence must be able to perform the essential functions of his or her job. If a reasonable accommodation is required, the employee must notify the *District Administrator or designee*. Prior to the employee returning to work from a medical leave of absence, the employee must provide the District with a certificate from the employee's physician that the employee is able to resume work and perform the essential functions of his or her job. The certificate must contain at least the following information: (a) that the employee is released to return to work; (b) restrictions, if any; (c) basis for the restrictions; (d) expected date the restrictions are to be lifted; and (e) physician's signature.

If the employee desires to return to work before the approved medical leave of absence ends, he or she must contact the *District Administrator or designee* to determine if such a change is acceptable to the District.

An eligible employee who returns to work at the end of his or her approved medical leave of absence will be returned to his or her former position if conditions are the same at the end of the leave as when the leave began. If the District determines conditions are not the same, the employee will be offered the first opening thereafter in any job for which the District determines the employee is qualified.

An eligible employee who is granted medical leave of absence is expected to return to active employment upon expiration of the approved medical leave of absence. If the employee does not return for work at the end of the leave for whatever reason and the employee is not eligible for any other approved leaves, his or her employment is terminated.

Upon expiration of the sixty (60) calendar days' maximum length of medical leave of absence, if the employee is still unable to return to work with no restrictions which would prevent the employee from performing the essential functions of his or her job with a reasonable accommodation, his or her employment is terminated if the employee has exhausted all leaves that are available to him or her under these policies.

Insurances in which an eligible employee is participating when a medical leave of absence begins may be continued during the leave provided the employee pays the bi-weekly premiums. Employees are encouraged to make appropriate arrangements with the insurance department prior to the commencement of an extended leave of absence for the payment of the employee's portion of the biweekly health insurance premium payment as well as any other payroll deductions the employee may have. Failure to make appropriate arrangements for the payment of health insurance premiums or failure to pay those health insurance premiums when due may result in the termination of health insurance coverage.

An eligible employee who is absent from work for more than three (3) consecutive days due to a condition covered by Workers' Compensation automatically will be considered on a medical leave of absence under this section beginning on the first day of such absence and subject to the provisions of this section.

Employees continue to accrue benefits during medical leave. While an employee is on medical leave, he/she shall not be engaged in outside employment.

***The Board wishes to amend the following Section 4.22.2, Clothing Allowance (Boots):***

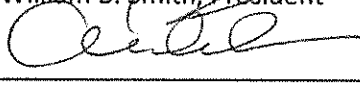
Boots will either steel toed or reinforced toe. Department Heads will provide a list of position requiring boots to the Administrator by January 1 of each year for approval prior to purchases.

This Resolution shall become effective on and after its passage and shall remain in full force and effect until it is amended or repealed by this Board.

**THIS RESOLUTION APPROVED** this 21<sup>st</sup> day of November 2017, by the Board of Sanitary Commissioners of the Muncie Sanitary District.

**MUNCIE SANITARY DISTRICT  
BOARD OF SANITARY COMMISSIONERS**

  
\_\_\_\_\_  
William B. Smith, President

  
\_\_\_\_\_  
Michael R. Cline, Vice-President

  
\_\_\_\_\_  
Joseph Evans, Secretary