

**Resolution 2018-02
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 January 3, 2018 concerning Sections 4.4 Sick Leave Bank and 5.8 Drug-Free Workplace Federal Motor Carrier Safety Regulations/Safety Sensitive Positions Drug and Alcohol Policy.

WHEREAS, the Board of Sanitary Commissioners (the "Board") wishes to modify Sections 4.4 Sick Leave Bank and 5.8 Drug-Free Workplace Federal Motor Carrier Safety Regulations/Safety Sensitive Positions Drug and Alcohol Policy.

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 Sections - 4.4 Sick Leave Bank and 5.8 Drug-Free Workplace Federal Motor Carrier Safety Regulations/Safety Sensitive Positions Drug and Alcohol Policy:

4.4 SICK LEAVE BANK

The Muncie Sanitary District has an income protection plan for its full-time employees in the form of a Sick Leave Bank. This Bank is available for use when an employee is absent from work due to the employee's own medical condition (which is not compensable under the Indiana workers' compensation law or similar program and must be a FMLA qualifying event), provided the employee has exhausted all available personal leave time and the absence is verified by a doctor's statement satisfactory to the District. The term "medical condition" means all temporary and permanent medical conditions, including illness, injury, pregnancy, child birth, and related conditions. Sick leave accrual may not be used due to the medical condition of the employee's spouse, parent, or child, unless such condition is a qualifying situation under FMLA.

The District reserves the right to have the employee examined by a physician of the District's choosing, at the District's expense. In order to be reimbursed for this examination the employee must sign a healthcare release and complete a Muncie Sanitary District form for reimbursement before sick leave benefits can be expected.

Full-time employees accrue sick leave on the basis of one-fifth (1/5) of a day per pay period worked. Unused days are added to an employee's Sick Leave Bank on the employee's anniversary date after the conclusion of each year of service.

Employees do not accrue paid sick leave benefits during an unpaid leave of absence of thirty (30) consecutive days or more.

Sick leave may be accrued up to a maximum of nine hundred and sixty (960) hours. This limitation does not apply to executive management. Any employee is not eligible to use

Sick Leave Bank accrual until the employee has exhausted all unused personal/sick days and the employee has completed six (6) months of continuous service with the District.

In addition, you may earn sick bank days at the normal rate of 1/5 day per pay period if you use or loan days from your current allotment. You may also use unused vacation, sick days, and personal days to build back up to the nine hundred and sixty (960) hours maximum.

Sick leave benefits must be used and charged against available Sick Leave Bank accrual benefits in increments of one (1) day. Provided however, Sick Leave Bank accrual may be used in one (1) hour increments when it is being substituted and used for a Family and Medical Leave Act qualifying reason.

An employee's accrued Sick Leave Bank balance will be paid to him or her within thirty (30) days following the effective date of the employee's termination of employment, provided that:

- A. The employee has at least one (1) year of continuous service with the District;
- B. The employee has given the required notice of termination; and
- C. The employee was not terminated for just cause.

Payment will be up to a maximum of nine hundred and sixty (960) hours at the employee's current regular rate of pay. This limitation does not apply to executive management.

Unless otherwise stated in this policy, an employee will use up to five (5) days combined of paid vacation leave and paid personal/sick leave per continuous absence which is due to an illness or injury that is compensable under the Indiana Workers' Compensation law. 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 accrual Bank.

The District allows employees to assign their Sick Leave Bank benefits to other District employees provided all of the following terms and conditions are met:

1. The employee to whom the Sick Leave Bank benefits are to be assigned must be on an approved FMLA leave.
2. The employee assigning his or her Sick Leave Bank benefits must maintain a balance in their own Sick Leave Bank of one hundred and sixty (160) hours;
3. The employee assigning his or her Sick Leave Bank benefits must assign those benefits in increments of forty (40) hours.
4. The assignment must be noted on a Personnel Information Form and signed by both the employee and the department head;
5. Prior to the Personnel Information Form being processed to the HR Department, the District Administrator must approve the assignment; and
6. Only Sick Leave Bank benefits may be assigned to another employee. Vacation and personal days may not be assigned to another employee.

Employees who are receiving benefits from the Sick Leave Bank shall not be engaged in outside employment while receiving those benefits.

5.8 DRUG-FREE WORKPLACE FEDERAL MOTOR CARRIER SAFETY REGULATIONS/SAFETY SENSITIVE POSITIONS DRUG AND ALCOHOL POLICY

Reference 49 CFR, part 40.

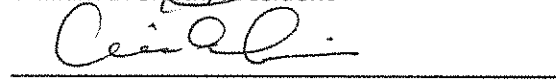
This Resolution shall become effective on and after its passage and shall remain in full force and effect until it is amended or repealed by this Board.

THIS RESOLUTION APPROVED this 14th day of February, 2018, 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