

**ADMINISTRATIVE ORDER**  
**OF THE**  
**JEFFERSON COUNTY COMMISSION**

05- 3

PURSUANT to the authority vested in the Jefferson County Commission by law, the following Administrative Order is hereby issued:

**PURPOSE**

To establish a policy and procedure for providing paid vacation and sick leave to provisionally appointed employees who do not have permanent status in the Merit System.

**I. POLICY**

Provisionally appointed employees of Jefferson County who do not have permanent status in the Merit System shall be authorized to accrue and use paid vacation and sick leave subject to the restrictions set forth in this Administrative Order.

**II. PROCEDURE**

**A. VACATION LEAVE**

1. Provisionally appointed employees who do not have permanent status in the Merit System shall earn paid vacation leave at the rate of eight hours per month of service. Provided, such employee shall not earn paid vacation leave during any month which, for more than 15 days of the month, the employee is on a leave of absence without pay, is suspended, or is otherwise in a non-pay status.

2. Vacation leave may accrue and may be used by the employee with permission from the Department Head.

3. Vacation leave accrued but not used, may be accumulated. Provided, no

more than 320 hours of accrued vacation leave may be carried forward from one calendar year to the next.

4. Except as provided in paragraph III below, vacation leave earned pursuant to this Administrative Order must be taken as leave.

B. SICK LEAVE

1. Provisionally appointed employees who do not have permanent status in the Merit System shall earn paid sick leave at the rate of eight hours per month of service. Provided, such employee shall not earn paid sick leave during any month which, for more than 15 days of the month, the employee is on a leave of absence without pay, is suspended or is otherwise in a non-pay status.

2. Sick leave may accrue and may be used by the employee with permission from the Department Head in accordance with paragraph B.5. below.

3. Sick leave may be accumulated and carried forward from year to year with no maximum amount.

4. Except as provided in paragraph III below, sick leave earned pursuant to this Administrative Order must be taken as leave. There shall not be any entitlement to a cash payment for any reason whatsoever.

5. Provisionally appointed employees who do not have permanent status in the Merit System may be allowed to use paid sick leave for any of the following reasons:

- (a) Personal illness of the employee, including inability to work due to pregnancy, child birth or related medical conditions.
- (b) Personal physician and dental appointments.
- (c) For the employee to receive treatment, care and/or counseling, as

either an in-patient or out-patient, for substance abuse at a duly licensed treatment facility.

- (d) For any other reason, directly related to the health and wellness of the employee which; in the judgment of the Department Head, constitutes good and sufficient justification for the use of sick leave.
- (e) For an illness or death in the employee's immediate family that necessitates the employee's absence from work. For purposes of this resolution, the phrase "immediate family" includes the employee's spouse, children, parents, grandparents, siblings and legal guardians, as well as the employee's spouse's immediate family.

6. The Department Head may require a doctor's certificate or other written evidence to substantiate all use of paid sick leave.

7. Employees who improperly use sick leave may be subject to disciplinary action, including termination

### **III. TRANSITION TO REGULAR APPOINTMENT OR TERMINATION**

A. Provisionally appointed employees who transition to a regular appointment shall not be credited with their accrued and unused vacation and sick leave in the regular appointment. Upon such regular appointment accrued and unused sick leave is forfeited. Accrued and unused vacation leave shall be paid to the employee.

B. Provisionally appointed employees whose employment is terminated for cause shall forfeit any accumulated vacation leave. Provisionally appointed employees whose employment is terminated and are not reappointed in a provisional appointment shall be paid for accrued and unused vacation leave. Provisionally appointed employees

whose employment is terminated and then reappointed in a provisional appointment shall retain such accrued and unused vacation leave.

**IV. EFFECTIVE DATE**

This Administrative Order shall be effective upon adoption. Provided, the beginning accrual date for vacation and sick leave authorized hereby shall be the earlier of (a) the beginning date of their initial provisional appointment, or (b) January 1, 2005.

ORDERED at the Jefferson County Courthouse this 22 day of November,  
2005.

  
LARRY P. LANGFORD, President  
Jefferson County Commission

APPROVED BY THE  
JEFFERSON COUNTY COMMISSION  
DATE: 11-22-05  
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