

# UNION EMPLOYEES

## 25. Sick Leave

- 25.1 Purpose and Use of Sick Leave:** The purpose of the Company's sick leave plan is to provide a benefit during periods of illness or injury subject to the terms of this article. The use of sick leave benefits is limited to periods of time during which an employee suffers an illness or injury which disables an employee from working. Employees who claim sick leave benefits in violation of this Agreement are subject to discharge. The Company has the right to require the employee to provide proper medical certification of the illness or injury which prevented the employee from working.
- 25.2 Credit and Payment of Sick Leave:** A regular employee shall be credited with one (1) day of sick leave benefits for each two (2) full months of service following completion of the employee's probationary period. Any month in which the employee performs at least 100 hours of compensable service for the Company shall be considered a full month of service for sick leave credit under this article. Sick leave benefits may not be used by an employee for any period of time during which the employee is claiming or receiving benefits under the Company's sickness and accident disability plan. Sick and vacation leave benefits may be used by an employee to make up lost wages when off on Workers Compensation. Sick leave benefits are not payable to any employee whose inability to work is directly related to current engagement in the illegal use of drugs. Any employee who formerly engaged in the illegal use of drugs and did successfully complete a supervised rehabilitation program will not be disqualified from sick leave benefits by reason of such former drug use. Sick leave benefits will be paid commencing with the first day of eligible illness or injury on the basis of eight (8) hours at the employee's current regular straight-time hourly rate. Sick leave will be taken in a minimum of 4-hour increments unless a verified doctor or dental appointment has occurred in which case 15 minute segments may be used.
- 25.3 Accumulation of Sick Leave:** Unused sick leave benefits may be accumulated and used as provided in this article from year to year.
- 25.4 Payment on Termination of Employment:** Upon termination of employment with the Company, other than for just cause, an employee shall be paid an amount equal to \$50.00 times the total unused days of accumulated leave, provided such payment shall not exceed \$5,000.00.

## Sick Leave

Sick leave benefits are provided to assist employees suffering from an illness or injury that disables the employee from working. Sick leave benefits are available with the first day of eligible illness or injury. Sick leave is available in minimum 4-hour increments. Special situations for doctor or dentist appointments are subject to less than four (4) hour increments based on advance Supervisor approval.

Regular employees are credited with one (1) day of sick leave benefits for each month of service. Sick leave may not be used for any period in which an employee is claiming or receiving benefits under the North Dakota Mill's Sickness and Accident Benefit or under the North Dakota Worker's Compensation laws.

In case of illness or injury, an employee must notify their Supervisor at least one (1) hour prior to the employee's starting work time. An employee that is physically unable to work, but does not have accrued sick leave, may be granted a leave of absence without pay subject to Supervisor and General Manager approval.

The North Dakota Mill has the right to require the employee to provide proper medical certification of the illness or injury which prevented the employee from working. Upon return, from two (2) or more weeks of sick leave, an employee must first present written authorization from a doctor that the employee is released to work.

An employee may use Sick Leave to care for the employee's child, spouse, or parent if the child, spouse, or parent has a serious health condition. An employee may take not more than forty (40) hours in any twelve (12) month period for this leave. Additional information on the Sick Leave Policy is available from the Personnel Department.

Employees terminating their employment after ten (10) continuous years, are entitled to receive a lump-sum payment equal to one-tenth (1/10) of the pay attributed to the employee's unused sick leave. This will be based on the salary/wage at the time of termination/retirement.

If an employee leaves and returns to the North Dakota Mill within one year, the employee will be credited with the amount of sick leave hours the employee had accumulated at the time of departure, less any amount for which the employee had subsequently been paid.

Sick leave accrues on a prorated basis for a fraction of a month.

All accrued unused sick leave may be carried over from one year to the next.

### **Service Award Program**

The service award program recognizes employees who have completed certain total years of service with the state. After completing the following years of service, each employees shall receive as follows:

1. Five years; plaque and a \$25 gift certificate
2. Ten years; plaque and a \$50 gift certificate
3. Fifteen years; plaque and a \$75 gift certificate
4. Twenty years and up; plaque and a \$200 gift certificate
5. Twenty-five years and up; plaque and a \$200 gift certificate
6. Thirty years and up; plaque and a \$200 gift certificate
7. Thirty-five years and up; plaque and a \$200 gift certificate
8. Forty years and up; plaque and a \$200 gift certificate
9. Forty-five years and up; plaque and a \$200 gift certificate

In recognition of their completed service, employees receive a certificate or plaque, and a gift.

Retirement awards are given to those employees who have a minimum of fifteen years of service and who have not been previously recognized for a retirement by the state.

An employee may not receive cash as part of the service award.

## Family Leave

Note: Family leave is provided for by state law and by federal law - the state Uncompensated Family Leave Act of 1989 and the federal Family and Medical Leave Act of 1993. In the requirements that follow, the provision of state law or federal law that provides the more generous benefit is the one that is listed. However, this brief description is NOT intended to be an exhaustive description of all the requirements for the use of State or Federal Family Leave.

Family Leave is an unpaid leave of absence available to an employee for the birth, adoption or foster placement of a child; or for the serious health condition of a parent, child, spouse or employee. (Federal)

Family Leave is available to all employees who have worked for one year, at least 20 hours per week. (State) For an employee's own serious health condition, the employee must have worked for at least one year, 1250 hours in the prior 12 months.

The maximum length of leave available in a twelve-month period is 12 weeks for an employee's serious health condition and 16 weeks for all other authorized reasons. The leave is prorated for part-time employees. (State)

If both spouses are employed by the state, the combined leave may not exceed the applicable 12 or 16 weeks. Reasonable and practical notice must be provided to the agency; the needs of the agency shall be given reasonable consideration. (State)

Birth, adoption or foster care leave must be taken within 12 months of the event. (Federal)

When leave is completed, the employee must be returned to the same position or a position with equivalent compensation and benefits. If a layoff would have caused the position to have been lost, this reinstatement provision does not apply. (State)

An agency must continue health benefits at the same level and coverage had the employee not taken leave. (Federal)

Certification may be required by the agency. However, it is limited to stating only that: a serious health condition exists, the date of commencement and probable duration, or the medical factors to the best of the provider's knowledge. (State)

An employee is required to use accrued, unused annual and sick leave (up to 40 hours of accumulated sick leave for Child/Family Care Leave) during the leave period. Once such benefits are exhausted, the balance of the leave will be without pay.

Please consult the Personnel Department for specific information on Family Leave.

## Educational Assistance

The North Dakota Mill recognizes our future well-being rests upon the strength of our entire milling team. Our management objective is to increase your effectiveness in your present job and to develop your skills to fill higher level or specialized jobs as they become available. To help achieve this objective, the North Dakota Mill will reimburse you for 100% of tuition and required fees pertaining to approved training courses at an accredited school or college, a recognized correspondence school, or an approved technical or professional organization.

If you have a desire to participate, contact the Personnel Department for a "Request for Tuition Aid" form. The request must be approved by the Department Manager and General Manager prior to the beginning of the training course and reimbursement will only be made upon documented proof of satisfactory course completion.