

**MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE**  
**Ordinance 2018-07**

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**Introduced By: Mayor Eberhardt**

**Date Introduced: May 1, 2018**

**Amendments Adopted: N/A**

**Date Adopted: June 5, 2018**

**Date Effective: June 25, 2018**

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**AN ORDINANCE concerning**

**TOWN PERSONNEL MANUAL**

**FOR** the purpose of amending the Town's current employee Personnel Manual relating to employee sick leave as required by the Maryland Healthy Working Families Act.

**BY** repealing and reenacting, with amendments  
Sections 5 and 11  
Town of Perryville Personnel Manual (adopted by Ordinance 2012-1 and amended by  
Ordinance 2013-05 and Ordinance 2016-10)

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**KEY:**

~~Strikethrough~~ denotes text being removed from Personnel Manual  
CAPITALS denotes new text in the Personnel Manual

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**SECTION 1. BE IT ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE** that Sections 5 and 11 of the Town of Perryville Personnel Manual adopted by Ordinance 2012-1 and amended by Ordinance 2013-05 and Ordinance 2016-10 is hereby repealed and reenacted, with amendments, as follows:

1. Section 5 is amended as follows:
  - a. On page 5-3 revise "SICK LEAVE" as follows:

SICK LEAVE

The Town of Perryville provides paid sick leave benefits to all regular ~~full-time~~ employees for periods of temporary absence due to illnesses, ~~and injuries~~ AND OTHER REASONS REQUIRED BY LAW. Sick leave is a privilege, not a right, and must be utilized as such. Sick leave will be granted to regular employees but may not be taken until the employee has completed ~~six (6) months of service~~ 106 CALENDAR DAYS OF WORK FOR THE TOWN. Use of unscheduled sick leave absences or unauthorized absences in a 12-month period from work not protected by FMLA will receive occurrences as shown in the Attendance section of this manual.

~~Eligible~~ REGULAR FULL-TIME employees will accrue sick leave benefits at the rate of 3.70 hours per pay period. REGULAR PART-TIME EMPLOYEES WILL ACCRUE SICK LEAVE BENEFITS AT THE RATE OF .04625 PER EACH REGULAR HOUR WORKED DURING THE WEEK. Sick leave benefits are calculated on the basis of a "benefit year", the 12-month period that begins when the employee starts to earn sick leave benefits, then each corresponding year after. Sick leave hours are not earned until the employee has been paid.

Paid sick leave can be used in minimum increments of one half (.50) hour. Eligible employees may use sick leave benefits for an absence due to their own illness or injury or that of an immediate family member THE FOLLOWING INDIVIDUALS: ~~husband, wife, father, mother, brother, sister, son, daughter, father-in-law, mother-in-law, grandfather, grandmother, and legal foster parents or children~~ 1) A BIOLOGICAL CHILD, AN ADOPTED CHILD, A FOSTER CHILD, OR A STEPCILD OF THE EMPLOYEE; 2) A CHILD FOR WHOM THE EMPLOYEE HAS LEGAL OR PHYSICAL CUSTODY OR GUARDIANSHIP; 3) A CHILD FOR WHOM THE EMPLOYEE STANDS IN LOCO PARENTIS, REGARDLESS OF THE CHILD'S AGE; 4) A BIOLOGICAL PARENT, AN ADOPTIVE PARENT, A FOSTER PARENT, OR A STEPPARENT OF THE EMPLOYEE OR OF THE EMPLOYEE'S SPOUSE; 5) THE LEGAL GUARDIAN OF THE EMPLOYEE; 6) AN INDIVIDUAL WHO ACTED AS A PARENT OR STOOD IN LOCO PARENTIS TO THE EMPLOYEE OR THE EMPLOYEE'S SPOUSE WHEN THE EMPLOYEE OR THE EMPLOYEE'S SPOUSE WAS A MINOR; 7) THE SPOUSE OF THE EMPLOYEE; 8) A BIOLOGICAL GRANDPARENT, AN ADOPTED GRANDPARENT, A FOSTER GRANDPARENT, OR A STEPGRANDPARENT OF THE EMPLOYEE; 9) A BIOLOGICAL GRANDCHILD, AN ADOPTED GRANDCHILD, A FOSTER GRANDCHILD, OR A STEPGRANDCHILD OF THE EMPLOYEE; OR 10) A BIOLOGICAL SIBLING, AND ADOPTED SIBLING, A FOSTER SIBLING, OR A STEP SIBLING OF THE EMPLOYEE.

PAID SICK LEAVE MAY BE USED FOR THE FOLLOWING REASONS: (1) "TO CARE FOR OR TREAT THE EMPLOYEE'S MENTAL OR PHYSICAL ILLNESS, INJURY, OR CONDITION; (2) TO OBTAIN PREVENTIVE MEDICAL CARE FOR THE EMPLOYEE OR EMPLOYEE'S FAMILY MEMBER; (3) TO CARE FOR A FAMILY MEMBER WITH A MENTAL OR PHYSICAL ILLNESS, INJURY, OR CONDITION; OR (4) FOR MATERNITY OF PATERNITY LEAVE; OR (5) IF: (I) THE ABSENCE FROM WORK IS NECESSARY DUE TO DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING COMMITTED AGAINST THE EMPLOYEE OR THE EMPLOYEE'S FAMILY MEMBER; AND (II) THE LEAVE IS BEING USED: 1. BY THE EMPLOYEE TO OBTAIN FOR THE EMPLOYEE OR THE EMPLOYEE'S FAMILY MEMBER: A. MEDICAL OR MENTAL HEALTH ATTENTION THAT IS RELATED TO THE DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING; B. SERVICES FROM A VICTIM SERVICES ORGANIZATION RELATED TO THE DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING; OR C. LEGAL SERVICES OR PROCEEDINGS RELATED TO OR RESULTING FROM THE DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING; OR 2. DURING THE TIME THAT THE EMPLOYEE HAS TEMPORARILY RELOCATED DUE TO THE DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING.

If an employee is absent for three (3) or more consecutive days due to their own illness or injury or that of ~~an immediate family member~~ ANOTHER AUTHORIZED INDIVIDUAL, a physician's/doctor's statement OR OTHER APPROPRIATE VERIFICATION must be provided verifying the illness or injury and the beginning and ending dates, except as provided by applicable law.

To prevent abuse of sick leave, department heads may require a physician's/doctor's certificate OR OTHER APPROPRIATE VERIFICATION for any absence MORE THAN TWO CONSECUTIVE DAYS.

[Subsequent text unchanged]

2. Section 11 is amended as follows:
  - a. On page 11-3, revise "DEFINITIONS" as follows:

#### DEFINITIONS

[Preceding text unchanged]

**Regular Part-time Employee:** An employee appointed to fill a vacancy or a newly created position who REGULARLY works a minimum of ~~twenty (20)~~ TWELVE (12) hours each work week. The employee may be entitled to some benefits.

[Subsequent text unchanged]

**SECTION 2. AND BE IT FURTHER ENACTED**, that this Ordinance shall be applied retroactively to January 1, 2018.

**SECTION 3. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE** that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor and Commissioners.

**ADOPTED** this 5<sup>th</sup> day of June, 2018, by a vote of 5 yeas, 0 nays, and 0 abstentions.

**SEAL:**

**MAYOR AND COMMISSIONERS OF  
THE TOWN OF PERRYVILLE**

By: Robert R. Ashby Jr.  
Robert R. Ashby Jr., Mayor

**ATTEST:**

Jackie Sample  
Jackie Sample, Town Clerk

Date: 6/6/18