



DeKalb County Government

Human Resources Department

Eldercare Leave Policy

January 2025

I. PURPOSE

DeKalb County recognizes the importance of supporting an employee who provides care for elderly relatives. This policy outlines the procedure and resources available to assist employees in managing eldercare responsibilities while utilizing their accrued sick leave.

These responsibilities often involve a variety of routine activities and caregiving tasks. By providing this support, the County enhances employee well-being and retention while promoting a family-friendly work environment and ensuring operational efficiency.

II. APPLICABILITY

This policy applies to all probationary and regular-status employees eligible for sick leave. Eldercare Leave requests require department head approval.

III. DEFINITIONS

Elderly Relative: An individual who meets one of the following criteria:

- A parent or grandparent of the employee
- A parent or grandparent of the employee's spouse
- An in loco parentis relationship with the employee or the spouse

Caregiving Activities: Tasks performed to assist an elderly relative due to illness, incapacity, or limited self-care ability, including but not limited to:

- Transporting to medical appointments or errands
- Cooking and meal preparation
- Cleaning and housekeeping
- Shopping for groceries and necessities
- Attending doctor or dentist appointments with the elder family member
- Providing care for a parent under FMLA

In Loco Parentis: An individual who has assumed the role and responsibilities of a parent, providing day-to-day care and financial support to a person, even if there is no biological or legal relationship.

Rolling 12-Month Look-Back Period: A method of calculating leave eligibility by measuring 12 months backward from the date an employee intends to begin use of leave. For example, if an employee intends to use leave on May 15, 2025, eligibility is determined by reviewing leave usage between May 15, 2025, back to May 16, 2024.

Accrued Sick Leave: The balance of sick leave that an employee has earned and not used as of a specific date. This includes leave hours already credited to the employee's sick leave bank and available as of the date intended for use.

Documentation: Evidence that may be required to substantiate the need for Eldercare Leave. Acceptable forms of documentation may include, but are not limited to:

- A statement from a healthcare provider confirming the elder's condition and caregiving needs.
- A confirmation of upcoming appointments or caregiving responsibilities (e.g., a calendar entry or care schedule from the provider).
- Written statement of caregiving activities provided by the employee.

Serious Health Condition: An illness, injury, impairment, or physical or mental condition as defined by the Family and Medical Leave Act (FMLA) that involves inpatient care, continuing treatment by a healthcare provider, or conditions that cause incapacity and require ongoing medical attention.

IV. PROCEDURES

1. Use of Sick Leave

- Employees may use up to four (4) weeks of accrued sick leave in a rolling 12-month look-back period for caregiving activities. Eldercare eligibility is 160 hours per 12-month period for 40-hour employees (or the equivalent for Sheriff and Fire employees with alternative standard hours).
- Eldercare usage must be in minimum half-day (i.e., 4-hour) increments. Departments may require a full-day minimum if half-day usage would severely impact operations. Departments requiring more than half-day minimum usage must include this in departmental policies and post it in areas where employees are informed of such procedures.
- Department heads may require documentation verifying the relationship (e.g., parent or grandparent of the employee or employee's spouse) and the need for the employee to provide care.
- Employees must discuss their Eldercare Leave needs with their supervisor and/or department head and follow departmental leave request procedures. Most departments require the same timeframes and advance notice as used for requesting regular annual leave. Each department must post its Eldercare request procedures in a visible location, on the intranet, or wherever an employee typically accesses such policies.
- The use of sick leave for eldercare will not negatively affect employment decisions.
- Employees must have sufficient accrued sick leave to cover the requested time off.

2. Requesting Eldercare

Required Documentation

An employee seeking to use Eldercare for the first time must receive approval in writing from the department head. The department's payroll or absence coordinator will provide the necessary guidance and forms.

- Documentation of the employee's or employee spouse's relationship to the purported parent or grandparent needing assistance.
- Documentation of the need for the employee to provide assistance to the identified elderly relative, the type of activities, expected frequency, and the amount of time required per week or per month.
- Documentation from a medical provider of the medical need if the Eldercare usage is for more than a standard work week (typically 40 hours) by submitting an FMLA request. If the Eldercare use is intermittent but on a frequent or recurring basis that exceeds the thresholds for excessive absenteeism outlined in the personal code, then medical documentation is required.
- Employees may be required to provide updated documentation of need for Eldercare periodically (e.g., up to quarterly), or when the established approved amount or frequency of usage changes significantly.
- As Eldercare is a specific category of sick leave, all sick leave rules in the DeKalb Code apply. A doctor's note should be required for Eldercare (sick leave) use of three or more consecutive days.

Department Head Approval

Once an employee has received approval from the department head to begin using Eldercare, the employee must request usage in CV360 using the "Eldercare" drop-down on the request page, or using the procedures established by your department.

- Managers who approve requests without verifying prior approval may be subject to disciplinary action.
- Failure to provide appropriate documentation may be a reason to deny use of Eldercare Leave.
- Denial of Eldercare Leave cannot be grieved.

Coordination with FMLA

- Eldercare use of more than one workweek consecutively or on a recurring intermittent basis will require the employee to apply for FMLA to justify the use of Sick Leave.
- Eldercare usage that does not involve a serious medical condition may be approved without requiring FMLA. However, if the elder's condition qualifies as a serious medical condition, Eldercare and FMLA must be used concurrently and tracked by the department's payroll coordinator.
- Under no circumstances may an employee receive more than a combined 12 weeks of leave under Eldercare and FMLA to care for a parent. If Eldercare is used for a condition that qualifies under FMLA, the four weeks of Eldercare will run concurrently with FMLA.
- FMLA requirements must be given consideration to determine if Eldercare use will be concurrent with and deducted from FMLA for eligible serious health conditions.

3. Timekeeping

- Payroll coordinators are responsible for tracking both Eldercare and FMLA usage.
- Leave must be recorded in CV360 with the corresponding Kronos code (pay code 023 for Eldercare). If the leave qualifies for both Eldercare and FMLA, the FMLA code should be selected via the CV360 drop-down, with the payroll coordinator manually adding the additional 023 (Eldercare) code into Kronos for the same leave dates (which will allow the 013 and 023 codes to be tracked simultaneously).

V. ABUSE AND FALSIFICATION

Falsification of supporting documentation can result in discipline up to and including termination. An employee found to have used Eldercare fraudulently will have the payments utilizing Sick Leave recovered, with the employee requiring financial payback or substitution of other accrued leave, which may be deducted at the employer's sole discretion.

VI. MANAGEMENT OF ELDERCARE LEAVE

The approval of Eldercare Leave is solely at the discretion of the department head in accordance with this policy.

VII. AMENDMENT OR DISCONTINUATION OF ELDERCARE LEAVE POLICY

DeKalb County and the HR Director reserve the right to amend, discontinue, or terminate this policy at any time without prior notice.

VIII. NON-DISCRIMINATION/RETALIATION NOTICE

DeKalb County prohibits discrimination and harassment based on race, color, religion, national origin, sex, pregnancy, age, disability, genetic information, familial status, political affiliation, sexual orientation, gender identity, marital status, protective hairstyle, or any other characteristic protected by law. Retaliation is strictly prohibited.