



County Technical Assistance Service

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Sick Leave

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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Sick Leave

Reference Number: CTAS-1004

The law does not mandate paid sick leave for most county employees,^[1] although a certain amount of unpaid leave may be required under the federal Family and Medical Leave Act (FMLA) for illness that meets the definition of a “serious health condition.” [More on FMLA](#)

Since employers generally are not required by law to give employees paid sick leave, an employer may establish any paid sick leave policy that suits the employer’s needs. However, state law requires that county government employers have a written policy stating whether paid sick leave is given and if so, how it accrues and how it may be used, and provisions for maintaining leave records.^[2]

[1] Paid sick leave for teachers is required and is regulated under T.C.A. § 49-5-710. Also, employees who are injured on the job receive leave with a portion of their regular pay under the state Workers’ Compensation Law, discussed elsewhere in this manual.

[2] T.C.A. § 5-23-104.

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