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## New England Fishery Management Council

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Eric Reid, *Chair* | Thomas A. Nies, *Executive Director*

### MEMORANDUM

**DATE:** January 10, 2023  
**TO:** Executive Committee  
**FROM:** Tom Nies, Executive Director  
**SUBJECT:** SOPP Update – Sick Leave

50 CFR 600.120(d) authorizes the Councils to establish accounts to fund annual and sick leave, with payout on separation and death as specified by the Council in its SOPPs.

In early 2013, a Council staff member was diagnosed with a terminal illness. In November 2013 the Executive Committee authorized a change to the payment of sick leave upon death to allow the payment for all earned sick leave, rather than limiting the payment to a limit of 100 days. While this change was made to the employee handbook, it was not made to the Council SOPPs. At the time, the SOPPs were in year two of what turned into a four-year review process.

I recommend we update the SOPPs to reflect this change. If the Executive Committee agrees, this will be brought to the full Council for approval in January. The following paragraph shows the suggested text.

“Full-time Council employees shall accrue sick leave at the rate of two hours per week (13 days per year). Part-time employees may accrue at a percentage of the hours worked compared to 40 hours. Unused sick leave credit may be accumulated without limit. Lump sum payments to the employee upon separation other than by retirement or death are not authorized. **However,** Distributions of accumulated funds for unused sick leave will be made to the employee upon his or her retirement for up to 100 days of unused sick leave, at the employees current salary rate, subject to budgetary limitations. **In the event of a terminal illness or death the full amount of accumulated sick leave will be paid to the employee or designated survivor. To claim sick leave payment at separation due to a terminal illness the employee must submit a statement by a physician who specializes in the specific illness or condition confirming that the illness is terminal.**”