




Sheriff's Supervisory Class 

introducing

# Sick Leave



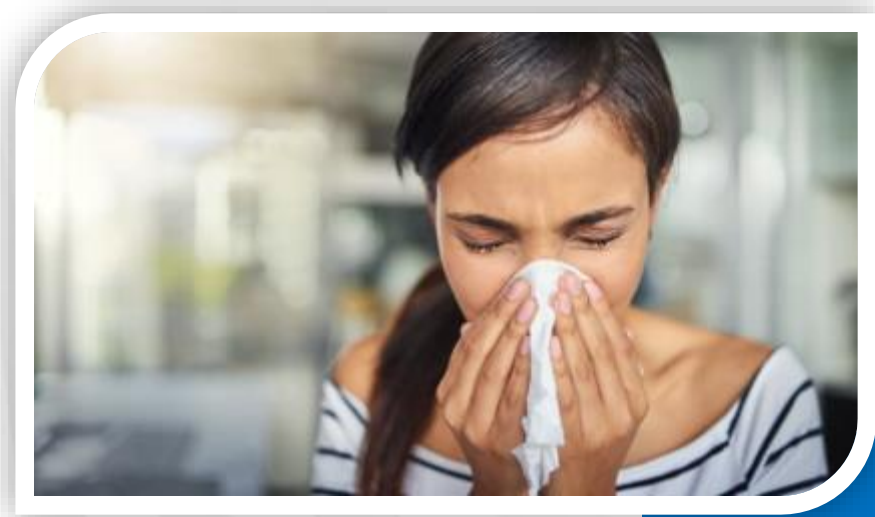
# Agenda

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- Define Sick Leave
- Law and Policy
- Supervisor Role
- Working in our Group
  - Kronos Codes
  - Managing Sick Leave
  - Requesting Sick Leave
  - Identifying Sick Leave Abuse
  - Sick Leave Orders



# Sick Leave



Paid leave, earned and granted to an eligible employee for absences from work due to medical or dental reasons; relating to themselves or their immediate family member.

Definition

# Medical/Dental



- Personal Illness or Injury
- Routine Medical and Dental Care
- Prenatal/Postnatal Care
  - Immediate Family Member
  - Includes Reasonable Travel Time to and from Health Care Facility

Definition

# Immediate Family Member

- Husband, wife, **domestic partner**, child, stepchild, brother, stepbrother, sister, stepsister, parent, **guardian**, stepparent, **foster parent**.
- Or any Person Serving as a Parent or who has served as a parent, or person **living in the same household as employee**.

# Legal Update

- California Law regarding Sick Leave went into effect January 1, 2016
- MOAs are compliant



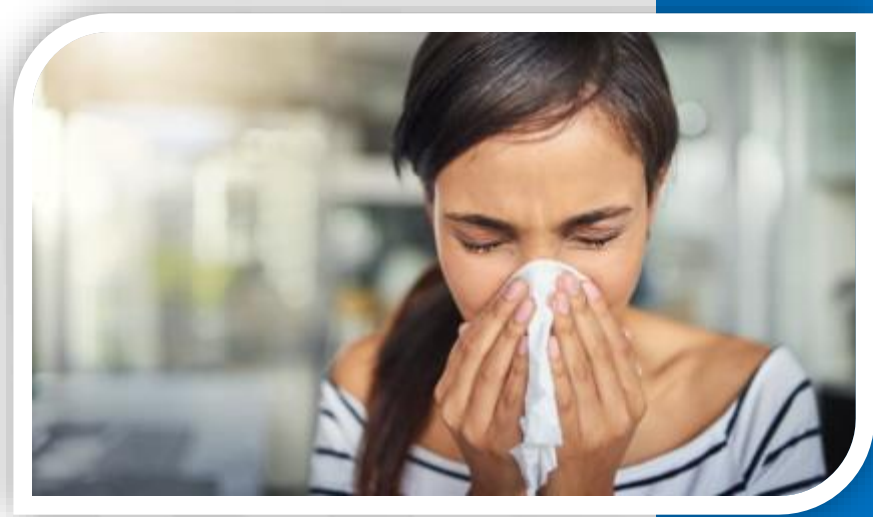
Supervisors cannot ask for a Dr.'s Note within the first 52 or 56 hours of used **PAID** Sick Leave in a calendar year.

- **SWORN: 56 Hours of PAID Sick Leave**
- **PROFESSIONAL: 52 Hours of PAID Sick Leave**
- **The 52 or 56 hours Reset each January 1**

# Sources

- Sheriff's P&P Section 3.50 Sick Leave
  - ✓ Under revision based on new Labor Law
- DS MOA Article 6, Section 4
- DS and SM LOU Paid Sick Leaves- Use of Sick Leave
- SEIU MOA Article 6, Section 4
- SEIU LOU Paid Sick Leaves- Use of Sick Leave

# Without Pay



- Sick Leave Without Pay - SLW
- Miscellaneous Leave Without Pay - MLW
- Absence Without Leave - AWOL



# Sick Leave Without Pay (SLW)

SLW is the code to use in Kronos when an employee calls out sick and does not have any sick leave balances to use.

Supervisor's can approve the use of vacation Or compensatory time up to 3 days in lieu of sick leave but under no obligation to do so.

# Miscellaneous Leave w/o Pay (MLW)

MLW is the code to use in Kronos when an employee calls out due to vehicle issues or reasons other than being sick and do not have any vacation or compensatory leave balances to use.

# AWOL or Miscellaneous Leave w/o Pay (MLW)

- Unexcused Absence.
- Kronos Code used when employee has significant attendance and tardiness Issues.
- NOT on a Protected Leave Status.
- Contact Employee Relations in advance.

# Managing Sick Leave



- Proactive
- Consistent
- Open Communication
- Offer
  - FML
  - EAP
  - Counseling Team

# Protocol for calling out sick



## 3.50 REPORTING NON-WORK-RELATED ABSENCES

- Who should they call?
- What time should they call in?
- Explain the importance of advance notification, if possible.

# Requesting Sick Leave



Employees should state the general reason for request:  
(They do not need to state medical or dental issue)

1. Personal Sick
2. Family Sick
3. Work Related

# Use of Alternative Leave Balances

## Sheriff's Policy and Procedures Section 3.50 Sick Leave

- Employees without sick balances may request vacation or compensatory time off in lieu of sick leave up to 3 days.
- Sick Leave Without Pay (SLW)

# Sick leave/FML

- Employees should know they will be required to submit a doctor's note, if unexcused absent for 5 or more consecutive days.
- Supervisors are to notify the Employee of their Family Medical Leave rights.



# California's Working Parents Can Take Leave For

## School-Related Activities:

- Finding, Enrolling, or Reenrolling a Child in a School or with a Licensed Child Care Provider
- Behavioral/Discipline Problems, Unexpected Closure.
- Parent, Guardian, Stepparent, Foster Parent, or Grandparent
- Reasonable prior notice to employer is required

# California's Working Parents Can Take Leave

## School-Related Activities:

- Maximum of 8 hours in a Month (except for emergencies)
- Maximum 40 hours a Year
- Vacation, Comp Time
  - Not Sick Leave

# What Not to Say or Do



- “Why are You Always Sick?”
- “What’s Wrong with You?”
- “What's your Diagnosis?”
- Don’t share Sick Leave Info with other Employees

# Identifying Sick Leave Abuse



Frequent Use / Consistent low balances



Off the same Day Of The Week



Arrive Late / Leave Early



To extend weekends / holidays



Sick Leave + Scheduled Overtime

# Now What?

You've been

- *Proactive*
- *Consistent*
- *Engaged in dialogue*
- *Communicated expectations*
- *Offered assistance*

...and the employee continues to call in sick.

**TIME TO CONTACT EMPLOYEE RELATIONS**

# When to Consider a Sick Leave Order



## AFTER

- 52 or 56 Hours of Paid Sick Leave
- Pattern of Abuse
- Unprotected Sick Leave
- Before the End of the Calendar Year
- 6 Month Duration

# What's included in a Sick Leave Order

- You are ordered to perform the duties and responsibilities of your assignment according to Department standards.
- You are ordered to be at work on time and leave at the required hour. You must be at all briefings on time unless excused by a supervisor.
- You are ordered to not use any other leave balances in lieu of your sick time balances without the approval of the Captain. A written request must be submitted to the Captain if you wish to use other leave balances in lieu of your sick time. The Captain may grant your request, but is under no obligation to do so.

# Monitoring Sick Leave Order

- Document the employee's compliance with the sick leave order with a simple sentence in the Employee's Performance Log
- Include in Performance Appraisal





# Non Compliance of Sick Leave Order

- If the employee does not comply with the Sick Leave Order do not lengthen the order
- Contact Employee Relations
- May be referred to Internal Affairs for investigation and proceed with possible disciplinary action



## Sick Leave Decision Flow

