

A top-down view of a desk with a magnifying glass, a yellow sticky note, and various office supplies. The magnifying glass is on the left, and the sticky note is in the center. The sticky note has the words "SICK LEAVE" written on it in a bold, black, typewriter-style font. There are several pencils and paper clips scattered around the sticky note.

**SICK
LEAVE**

Identifying and Managing Sick Leave Balances

Objective

Define
Sick Leave

Sick Leave
Policy

Managing Sick
Leave

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.

- **Personal Illness or Injury**
- **Routine Medical and Dental Care**
- **Prenatal/Postnatal Care**
- **Includes Reasonable Travel Time**



Immediate Family Member

- Husband, wife, domestic partner, child, stepchild, grandchild, brother, stepbrother, sister, stepsister, parent, guardian, stepparent, foster parent, or grandparent
- OR who has served as a parent, OR any other person living in the same household as the employee

Policies: Sheriff's P&P and MOA's



- Sheriff's P&P
 - Section 3.4 Reporting Absences
 - Section 3.50 Sick Leave
- DS/SEIU/Teamster
 - Article 6, Section 4
- Compensation Ordinance
 - 4.2.2 Sick Leave

California Law Regarding Sick Leave

Time provided to employees to take time-off of work to care for a family member. This allows employees to use up to half of their sick leave for specific family members as defined by California law.

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 every year on January 1st



California Awards Parental Leave

School Related Activities

- Find or enroll a child in a school or licensed daycare program
- Behavioral/Discipline Problems, Unexpected closure
 - Maximum of 8 hours in a month (except for emergencies)
 - Maximum 40 hours a year
 - Vacation, Comp Time hours to be used
 - Not Sick Leave

*Reasonable prior notice to employer is required

Managing Unexcused Absences

A man in a dark suit and tie is sitting at a table, looking at a tablet computer. A woman in a white shirt is sitting next to him, also looking at the tablet. They appear to be in a meeting or discussion. The background is a bright, out-of-focus office setting with a window and a plant.

- **Be Proactive**
- **Be Consistent**
- **Communicate Expectations**
- **Offer Resources**
 - **FML**
 - **Counseling Team (TCTI)**
 - **Employee Assistant Program (EAP)**
- **Document**
 - **Log Event**
 - **Employee Performance Appraisal (EPR)**

Protocol for reporting absences

- Who/When should they call?
- Should they text, leave a message, or speak to a supervisor?
- What time should they call in?
- How often do they call?

As a reminder...

Employee only states general reason of call out:

- Personal Illness
- Family Illness
- COVID
- Work Relate Injury

Remember do not ask about their illness



When can I ask for a doctors note?

After 5 consecutive workdays

Upon request of the appointing authority, an employee shall be required to provide the above-described verification of the proper use of sick leave at any time prior to the expiration of five (5) consecutive workdays, if the appointing authority has good cause to require such earlier verification and has so informed the employee.

Question

My employee goes on vacation and when they come back, they say they were sick and want to use sick time?

Do I have to substitute sick leave since they were “sick”?

Upon request of an employee, the appointing authority may allow the substitution.

DS - 5 or more consecutive days

SEIU - 3 or more consecutive days

Teamsters – 3 or more consecutive days

Codes

SLW

- SLW is the code to use 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.

MLW/AWOL

- Unexcused Absence
- Code used when employee has significant attendance and tardiness Issues
- NOT on a Protected Leave Status



*Sick
leave*

Identifying Unexcused Absences

Over the 52hrs (Pro-Staff) or 56hrs (Sworn Staff) of Paid Sick Leave

Pattern/Repetitive

- To extend weekends/holidays
- Use of sick leave on same day of the week
- Arriving late/Leaving early



NOW WHAT?

You've been

- Proactive
- Consistent
- Engaged in dialogue
- Communicated expectations
- Offered FML/ Resources

...and the employee continues to call in sick

Partner with Employee Relations for recommendations



Sick Leave Order

- Ordered to perform the duties and responsibilities of the assignment according to Department standards.
- Ordered to be at work on time and leave at the required hour.
- 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.





NON-COMPLIANCE

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**

Reminders

- Document the employee's compliance with the sick leave order with a simple sentence in the Employee's Performance Log (for their annual eval).
- Per Policy you should be cleaning out of the employee's station file once you have completed your yearly evaluation, this includes any sick leave orders that have run their time.

