

OFFICE OF THE MANAGING DIRECTOR
SICK LEAVE RULES AND REGULATIONS
JANUARY 1, 1993
AMENDED JULY 1, 1994

Sick leave is a benefit that the City provides to its employees to protect them from loss of wages due to injury or illness. Proper use of sick leave will protect employees from income loss while assuring continued program accomplishment for the City. It is the purpose of these rules and regulations to control and reduce, to the extent possible, the abuse of sick leave by employees which has had a detrimental effect upon the City.

It is further the purpose of these rules and regulations to provide a uniform procedure for the administration of sick leave benefits as set forth in Civil Service Regulation 21, and to familiarize all employees with their responsibilities when they wish to obtain sick leave benefits. This policy supersedes any sick leave policy of individual departments.

I. Notification Requirements

- A. A non-shift employee who is unable to report to work because of authorized sick leave as defined by the Civil Service Regulations must contact the appropriate authority or designee no later than one (1) hour after the scheduled start of work. A shift worker reporting off sick must contact the appropriate authority or designee at least one (1) hour before the start of the shift.

In most cases the appropriate authority will be the employee's immediate superior, or if unavailable, the second level supervisor, the departmental Personnel Office, or other departmental Sick leave certification number. The applicable numbers for individual departments are indicated in the spaces below.

Supervisor: _____

Next level Supervisor: _____

Departmental sick leave telephone number: _____

- B. An employee on sick leave is required to call in only on the first day of any absence, indicating the expected date of return, the reason for the absence, and the address and telephone number where confined if different from that on file in the departmental personnel office. Employees must inform departmental personnel representative of any changes in address or telephone

number to insure valid information for sick leave investigation purposes. Failure to do so may result in disciplinary action. If unable to return to work on the date originally indicated, the employee must call again to indicate the new expected date of return.

- C. During regular working hours, when an employee is home on sick leave, the employee must notify the appropriate authority or designee when leaving home and upon return. An employee is to remain at home except for personal needs or needs related to the reason for being on sick leave. While on sick leave an employee may be called or visited by a sick leave investigator unless the employee has 150 days or more of accumulated sick leave credit.

II. Medical Certification Requirements

- A. A medical certificate is required for all absences of more than two (2) consecutive work days, and must be submitted to the appropriate authority or designee within two (2) working days after the employee returns to work. Notwithstanding the foregoing, an employee who has been placed on the Excessive Use of Sick Leave List as set forth in Section III below shall be required to bring a medical certificate for all use of sick leave until such time as he/she is removed from the list. Failure to adhere to the time limits for submission of medical certification while on the Excessive Use of Sick Leave List will subject an employee to the penalties outlined in Section IV below.

An employee who must be absent for more than 10 work days must submit a medical certificate during each pay period, unless the employee's physician submits a written statement giving an estimated date of return to work which covers the period in question.

- B. A Medical Certificate must contain the following information:
1. The date and time the employee was treated;
 2. The dates that the employee was unable to work due to the illness or injury;
 3. If appropriate the date of expected return to work;
and,
 4. Date and doctor's authorized signature.

III. Excessive Use of Sick Leave List

- A. An employee, who in a calendar year uses a total of eight (8) sick days in full or partial day occurrences without a medical certificate will be placed on the "Excessive Use of Sick Leave List". The employee shall be notified after reaching five (5) uncertified sick days that a total of eight uncertified days within a calendar year will result in placement on the Excessive Use of Sick Leave List.
- B. An employee will remain on the Excessive Use of Sick Leave List until twelve months have elapsed from the date of placement on the list, provided that no additional violations of the policy or uncertified sick leave usages occur. Further violations of the policy or uncertified usages will cause the reckoning date for the removal of an employee from the Excessive Use of Sick Leave List to extend twelve months from the date of such violation or uncertified usage.
- C. In addition to the procedures for placement and removal from the list, and the requirement of certification for all sick leave usage, an employee on the list will be disciplined in accordance with the progressive penalties detailed in Section IV below as long as the employee remains on the list.
- D. An employee who exhibits a pattern of uncertified Sick leave usage will be placed on the Excessive Use of Sick Leave List. Similar uncertified days off sick, as well as questionable use of sick leave after being denied other leave will constitute cause for being placed on the list.
- E. An employee who feels aggrieved when placed on the "Excessive Use of Sick Leave List" may file a grievance as outlined by Civil Service Regulations and respective labor agreements.

Any employee who has an earned sick leave balance of one hundred (100) days or more, shall not be placed on the Excessive Sick Leave List until a formal inquiry held with the department head or designee and a union representative (President, Business Agent or designee). Such an employee, who in spite of the aforementioned, is placed on the Excessive Sick Leave Usage List, may appeal such listing to an appropriate higher authority.

- F. An employee who has been placed on the "Excessive Use of Sick Leave List", and is subject to any penalty as set forth in Section VI is entitled to grieve the discipline in accordance with the appropriate procedure for appealing any disciplinary action.
- G. In addition to other penalties provided for in this policy, an employee who is placed on the Excessive Use of Sick Leave List will not be paid for the first day of any certificated sick leave usage over the next four occasions or next twelve months, whichever is shorter.

Note: Regardless of any extension of the reckoning date for removal from the Excessive Use of Sick Leave List by uncertified usages or violations of the policy, the number of occasions for which an employee will not receive pay for the first day of a certified sick Leave absence will not exceed four (4).

- H. In the event that an employee who is on the Excessive Use of Sick Leave List is granted a leave of absence, the reckoning date for removal from the list will be recalculated to extend the date by the number of days equal to the leave.

IV. Penalties

- A. An employee placed on the Excessive Use of Sick Leave List will be disciplined in accordance with Paragraph B below.
- B. An employee who violates any of the provisions of these rules and regulations under Section I or II will not be paid for the days not worked, and will be disciplined in accordance with the following procedure:

<i>First Occurrence</i>	<i>Written Warning</i>
<i>Second Occurrence</i>	<i>One (1) Day Suspension</i>
<i>Third Occurrence</i>	<i>Three (3) Day Suspension</i>

The employee will be counseled and advised by his/her supervisor when given the three day suspension. Prior to the meeting on the suspension, an employee shall also be advised of the right to have Union representation present.

<i>Fourth Occurrence</i>	<i>Ten (10) Day Suspension</i>
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The employee will be counseled and advised by the Division Head or designee in the presence of a Union Representative, if requested by the employee, when given the ten day suspension.

<i>Fifth Occurrence</i>	<i>Subject to Discharge</i>
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C. An employee on the Excessive Use of Sick Leave List who violates any of the provisions under Section I or II of these rules and regulations will be subject to the above penalties for one year from his/her last violation, in accordance with Section III, Paragraph B.

V. Sick Leave Charges

All sick time used, in any time increment, will be charged to the employee's accumulated sick leave balance, except as otherwise provided in Civil Service Regulations and/or respective labor agreements.

VI. Sick Leave Credit/Conversions

A. If the average number of sick days used per employee in a department in a calendar year is 20% less than the average number of sick days used in the prior calendar year, then all employees in the department will be eligible for the following bonus:

1. An employee who uses no sick time will receive two (2) Administrative Leave Days.
2. An employee who uses less than five (5) days of sick time will receive one (1) Administrative Leave Day.

Administrative Leave Days granted under this section must be used by June 30 of each year in accordance with appropriate Civil Service Regulations.

VII. Sick Leave Control Units

A. In departments where sick leave control units have been established the union may submit recommendations for changes to the heads of such departments. Modifications may be made according to the Department Head's discretion, the parameters of the Civil Service Regulations and these rules and regulations.

VIII. Separations Due to Non-Service Incurred Disability

Employees who are out on extended sick leave and who provide medical documentation of a disability or physical condition that prohibits them from returning to work will be subject to examination to determine if they can perform the essential duties of their position. Employees who have been determined to be permanently and totally or permanently and partially disabled by the Chief of the Medical Evaluation Unit with a non-service connected injury or illness may be separated from employment in accordance with Civil Service Regulation 17.07.

20.04 - ACCUMULATION OF UNUSED VACATION DAYS.

20.041 DISTRICT COUNCIL #33 REPRESENTATION CLASSES. An employee in a class of position represented by District Council #33 may not have to his/her credit at the end of each calendar year unused vacation leave in excess of seventy (70) working days.

20.042 DISTRICT COUNCIL #47 REPRESENTATION CLASSES. An employee in a class of position represented by District Council #47 may not have to his/her credit at the end of each calendar year unused vacation leave in excess of seventy (70) working days.

20.043 EXECUTIVE AND PROFESSIONAL CLASSES. An employee in a class of position represented by the Executive and Professional category may not have to his/her credit at the end of each calendar year unused vacation leave in excess of seventy (70) working days.

ADDENDUM TO SICK LEAVE RULES AND REGULATIONS FOR NON-
REPRESENTED EMPLOYEES AND EMPLOYEES IN CLASSES REPRESENTED BY
DISTRICT COUNCIL 47

Family Sick Leave

Each employee will be permitted to use up to five days of accumulated sick leave for the care of dependents in the household who are sick or disabled.

These days shall be used in accordance with the existing Sick Leave Rules and Regulations. Family sick leave days that are not documented by a physician's note will be considered uncertified and will count towards placement on the Excessive Use of Sick Leave List.

Employees maybe required to provide proof of the dependent's relationship.