GENERAL ADMINISTRATION
EMPLOYEE

045 LEAVE

045.8 Annual and Sick Leave Policy

045.8.1 Purpose

The purpose of this policy is to define general conditions for the use of annual and sick leave at the Human Services Department (HSD).

045.8.2 Definitions

A. "Employee" means any career, term, temporary, emergency, or probationary HSD employee.

B. "Leave" means any authorized absence from work activities granted to an employee for specific purposes as set forth in the State Personnel Board Rules.

C. "Relation by blood or marriage within the third degree" includes spouse, domestic partner, parent, mother-in-law, father-in-law, step-parent, children, domestic partner children, son-in-law, daughter-in-law, step-child, brother, step-brother, brother-in-law, sister, step-sister, sister-in-law, grandparent, grandchild, uncle, aunt, nephew, niece, great-grandchild, and great-grandparent.

045.8.3 Annual Leave Policy

A. Employees shall accrue annual leave, except those on unpaid medical leave, suspension without pay, Absent without Leave (AWOL) and Leave Without Pay Authorized (LWOPA).

B. Annual leave shall not be used before it is accrued and must be authorized before it is taken. Supervisors cannot approve leave before it is accrued.

C. Leave shall be granted on a first come-first serve basis subject to the specific and legitimate operational needs of the employer. Previously approved leave requests may be cancelled only in case of a reasonably unforeseen circumstance or in the absence of accrued leave. Leave for Collective Bargaining Unit employees must be granted in accordance with the respective Collective Bargaining Agreement.

045.8.4 Sick Leave Policy

A. Employees shall accrue sick leave, except those on unpaid medical leave, suspension without pay, Absent Without Leave (AWOL) and Leave Without Pay Authorized (LWOPA). There is no limit to the amount of sick leave that may be accrued.

B. Sick leave may not be used before it is accrued. When possible (i.e., medical appointments), prior approval should be obtained before leave is taken.

C. Employees shall contact their supervisor or supervisor's designee at their earliest opportunity and no later than 30 minutes after the scheduled beginning of their workday. If the supervisor or designee is not available at the designated phone number, the employee shall leave a message for the supervisor or designee in accordance with written instructions issued by management. In the event the employee is incapacitated, a family member may call in on behalf of the employee.

D. After three consecutive days of leave, the supervisor should contact HSD's Office of Human Resources (OHR) for possible eligibility and use of the Family Medical Leave Act policy.

E. An employee may be required to provide medical documentation or certification to return to work after medical leave. (See Section H below and HSD's *FMLA Policy*, *Leave Without Pay Policy*, *Leave Donation Policy*, *Medical Documentation Policy,* and *Public Health Emergency Threat Policy.*

F. An employee may use sick leave for personal medical treatment or illness or for medical treatment or illness of a relation by blood or marriage within the third degree, or of a person residing in the employee's household.

G. Any or all of unused sick leave in excess of 600 hours may be converted into cash at a rate of 50% of the hourly rate. The amount of unused sick leave that may be converted into cash in any one fiscal year may not exceed 120 hours unless the employee is planning to retire. Those retiring within the fiscal year may convert up to a maximum of 400 hours additional unused sick leave which is in excess of 600 hours. Payment for unused sick leave shall only be made on the payday immediately following the first full pay period in January or July except for retirement. Individuals retiring will be paid immediately prior to retirement.

H. If there is a pattern of abuse of leave or reason to believe that the employee is abusing sick leave, supervisors are to consult with the Office of Human Resources to determine the proper protocol based on the individual situation. Medical documentation may be required. Examples of patterns of abuse giving reason to believe an employee is abusing sick leave include, but are not limited to, the following:

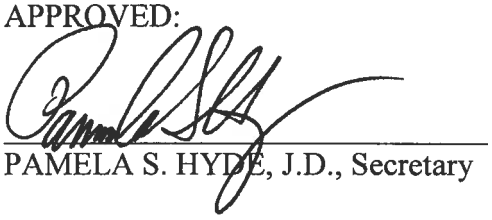
1. Calling in or requesting sick leave on certain days of the week.
2. Calling in or requesting sick leave prior to or following scheduled days off.
3. Calling in or requesting sick leave for several days at a time.
4. A request for another type of leave has been denied, and the employee calls in sick for the same period.

5. The employee continually uses sick leave as quickly as he or she has earned it and has not declared a medical condition.

045.8.5 References

State Personnel Board Rules

APPROVED: DATE:



PAMELA S. HYDE, J.D., Secretary

2/25/09