

MAYOR'S EXECUTIVE ORDER NO. 12-86  
SICK LEAVE RULES AND REGULATIONS

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 accomplishments 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 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 in Civil Service Regulations must contact the appropriate authority or designee no later than one (1) hour after the schedule start of work. A shift worker is to contact his/her appointing authority or authorized delegate at least one (1) hour before the start of the shift.

An employee who is unable to contact his/her office, using the assigned departmental number, should call the special number designated for sick leave call-in, 561-5100.

- B. An employee on sick leave will be 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 department. If unable to return to work on the date originally indicated, the employee must call in again indicating the new expected date of return.

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- C. During regular working hours, when an employee is home on sick leave, the employee must notify the appointing authority or designee when leaving home and upon return. An employee is to remain at home except for personal 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 credited sick leave.

## 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 employee's appointing authority or designee within two (2) working days after 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 subsequent use of sick leave. In order to be compensated, 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. if appropriate, the date of expected return to work;
  3. the address and telephone number of the doctor or practitioner;
  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) days without a medical certificate, will be placed on the "Excessive Use of Sick Leave List." The employee shall be notified after having used five (5) days that three additional uncertified days of sick leave during the calendar year will result in the employee being placed on the Excessive Use of Sick Leave List.
- B. An employee who develops a pattern of taking sick leave will be placed on the "Excessive Use of Sick Leave List." Similar days off sick without a medical certificate, as well as questionable use of sick time such as using sick time after being denied other leave will constitute reason for being placed on the "Excessive Use of Sick Leave List".

- C. An employee shall remain on the "Excessive Use of Sick Leave List" for one (1) year from the date of being placed on the list. Repeated occurrences of being placed on this list can constitute reason for disciplinary action.
- D. An employee who feels aggrieved when placed on the "Excessive Use of Sick Leave List" may file a grievance as outlined by Civil Service Regulation 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 Excessive Sick Leave List until a formal inquiry is 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.

- E. 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 IV, is entitled to grieve the discipline in accordance with the appropriate procedure for appealing any disciplinary action.

#### IV. PENALTIES

- A. An employee who violates any of the provisions of these rules and regulations under Sections I or II will not be paid for the days not worked and will be disciplined in accordance with the following procedure:

First Occurrence - Written Warning  
Second Occurrence - One (1) Day Suspension  
Third Occurrence - Three (3) Days Suspension

The employee shall be counseled and advised, by the supervisor, when given the three (3) days suspension. Prior to the meeting on the suspension, an employee shall also be advised of the right to have a Union Representative present.

Fourth Occurrence - Ten (10) Days Suspension

The employee shall 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 (10) days suspension.

Fifth Occurrence - May be discharged

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 CREDITS/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.

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 may be required to provide proof of the dependent relationship.

NOV. 14, 1986  
Date

  
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W. Wilson Goode, Mayor