



# SICK LEAVE

**INDEX CODE: 701.C**  
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## **I. SICK LEAVE BENEFITS & PROCEDURES**

### **A. Accrual**

All full-time classified sworn and civilian employees accumulate sick leave at the rate of 1.25 days per month of service (15 days per year), unless stated otherwise in the employee's labor contract, employment agreement, or benefit plan. A part-time classified employee who works at least 50% of the normal work week shall earn a pro-rated amount of sick leave as provided by Article 6, Section 1-303 of the Anne Arundel County Code. Employees may accumulate an unlimited amount of sick leave. Questions regarding sick leave earnings and entitlement should be directed to the Police Personnel Section.

### **B. Permissible Use of Sick Leave**

Accumulated sick leave is considered a benefit which may be used in accordance with Article 6, Section 1-303 of the Anne Arundel County Code as follows:

1. When the employee is incapacitated from performing his/her duties because of physical or mental impairment.
2. When the employee is needed to care for a spouse, dependent child, or dependent parent who is incapacitated by physical or mental impairment.
3. Up to three (3) days of leave per calendar year when a non-dependant parent or non-dependent child of the employee is incapacitated by physical or mental impairment.
4. When, through exposure to a contagious disease, the presence of the employee at work would jeopardize fellow employees.
5. For medical, dental, or optical examination or treatment. A request for disability leave for such examination should be made prior to the start of the absence and supported by evidence of the appointment. Whenever possible, appointments should be scheduled on non-work days or outside normal work hours.
6. For donation and use as approved or directed by the Office of Personnel or as provided for in a negotiated and signed memorandum of agreement.

C. When an employee becomes ill, injured, or quarantined while on annual leave, the period of such illness, injury or quarantine may be charged to sick leave if the employee submits a written certification by a physician or other recognized practitioner confirming the sickness, injury, or quarantine, and the length of such confinement.

D. Normally, the employee's personal certification will be sufficient for use of sick leave for absences of three (3) working days or less. Absence resulting in use of sick leave in excess of three (3) working days (whether paid or unpaid) require support of a medical certification attesting to the incapacity of the employee.

Supervisors/managers will ensure that required medical certifications are submitted by employees and the original is forwarded to the Police Personnel Section. Commanders/supervisors/managers and time keepers of districts, divisions, and sections will refer to Index Code 701.D, Section IV. E. & F. for additional responsibilities.

E. Upon recovery, the employee will submit a statement from the attending physician attesting to the employee's ability to resume assigned work. The County Personnel Officer may require the employee to undergo a physical examination by the County's physician to determine his or her capability to resume the duties of his or her position. Commanders/supervisors/managers and time keepers of districts, divisions, and sections will refer to Index Code 701.D, Section IV. E. & F. for additional responsibilities.

**F. Sick Leave Abuse**

If there is reason to believe that the sick leave privilege has been abused, a supervisor, acting on behalf of the Chief of Police, may request a medical certificate to justify any period of absence. In such cases, the employee will be advised in advance that a medical certificate will be required to support any further granting of sick leave, regardless of duration.

Article 6, Section 1-303 defines sick leave abuse and sets forth the basis of disciplinary action for such abuse. Sick leave abuse is defined as:

1. A consistent pattern of sick leave use, which may include, but is not limited to, leave use occurring before or after regularly scheduled days off, including holidays and weekends;
2. The use of sick leave as fast as it is accrued or regular requests for advance sick leave; or
3. Failure to provide the required medical certificate from a physician or other health care provider for absences requiring a medical certificate.

Disciplinary action may be taken if there is reason to believe that there has been sick leave abuse. In determining the severity of the discipline, the following shall be considered:

- \* The nature and gravity of the offense;
- \* The employee's sick leave record;
- \* The employee's work record; and
- \* Any other factors including, but not limited to, extenuating or mitigating circumstances presented by the employee.

G. The Chief of Police will report to the County Personnel Officer any employee who loses excessive time from employment due to illness, or appears to be suffering from a mental or physical illness which interferes with proper and satisfactory job performance. The County Personnel Officer shall conduct the necessary investigation and make appropriate recommendations to the Chief of Police for disability leave, accommodation, disciplinary action, or removal of the employee. The County Personnel Officer may require the employee to undergo additional examinations to determine suitability for retention in active County service.

**H. Advanced Sick Leave**

Sick leave may be advanced by the Chief of Police with the approval of the Personnel Officer in accordance with the provisions of Article 6, Section 1-303 of the Anne Arundel County Code and requirements of the Office of Personnel, provided the following conditions are met:

1. All available accumulated forms of paid leave (annual, compensatory, sick, personal, and unused "floating holidays") must be exhausted.
2. The amount of sick leave advanced to the employee's account may not exceed thirty (30) days at any time.
3. Where it is known that the employee is to be retired, or where it is anticipated that the employee is to be separated, the total advance may not exceed an amount that can be liquidated by subsequent accrual prior to the separation.
4. There must be a reasonable assurance that the employee will return to duty.
5. A medical certificate attesting to the necessity for the absence must support the request for advance sick leave.
6. All advance sick leave unearned at the termination of employment shall be reimbursed to the County at the employee's daily rate of pay.
7. Only employees with permanent status are eligible to receive advanced sick leave.
8. The employee has not been required to provide a medical certificate under the sick leave abuse section of the Anne Arundel County Code.
9. There has not been disability leave abuse by the employee in the previous 12 month period.

**10. *Timekeepers will not utilize advanced disability leave (the use of DL resulting in a negative DL balance) for payroll purposes without first notifying both their District/Division Commander and the department's Personnel Manager. If approved, the use of advanced disability leave will be coordinated with the department's Personnel Section to ensure the appropriate utilization.***

**I. Payment and Pension Benefit for Unused Sick Leave**

Upon termination from County service, no payment will be made for sick leave earned but not taken, except as follows:

1. Management, professional, confidential employees, and certain represented employees whose bargaining agreement specifies payment for unused sick leave are paid at the rate of \$25.00 for each day of accrued sick leave earned but not taken, subject to the following:

- a. The employee is retiring from County service; or
- b. The employee is leaving County service and has acquired vested rights in the pension plan and the employee elects not to withdraw the employee's contributions from the plan.
- c. The employee will be paid for leave earned before September 1, 1986, not to exceed ten (10) days of leave; and leave earned on and after September 1, 1986.

**2. *Unused sick leave accrued by an employee will be computed for service time based on the Anne Arundel County Code and Employee Relations Manual.***

J. Probationary employees may be granted sick leave if they have available sick leave.

**K. Monitoring of Sick Leave Usage**

Commanding officers/managers (civilian) of department sections, divisions, and districts will be responsible for monitoring the use of sick leave within their command, ensuring compliance with the current policies and procedures of the department, and dealing with irregularities as identified, ensuring that a yearly Attendance Card is maintained/completed for every member of their command that is forwarded to the Police Personnel Section at the end of the year and establishing component files for each member of their command containing copies of all sick leave usage documentation, to include that documentation which has been forwarded to the Personnel Section as required.

**II. PROPONENT UNIT:** Personnel Section.

**III. CANCELLATION:** This directive cancels Index Code 701.C, dated 03-18-02, and Written Directive Memorandum 04-049.