

Sick Leave

1006.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the City personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.) and the California Family Rights Act, and leave related to domestic violence, sexual assault, stalking or for organ or bone marrow donor procedures (29 CFR 825; Government Code § 12945.2; Labor Code § 230.1; Labor Code § 1510).

1006.2 POLICY

It is the policy of the Merced Police Department to provide eligible employees with a sick leave benefit.

1006.2.1 NOTIFICATION BY DISPATCHER OR LEAD DISPATCHER

Should a Dispatcher or Lead Dispatcher call out sick, the call out should be handled as follows:

LEAD DISPATCHER ON DUTY:

The call should be forwarded to the Lead Dispatcher, who shall received the notification. The Lead Dispatcher shall:

- Immediately contact the Duty Watch Commander with the information of the reported absence via cell telephone or pager.
- Notify, via email, all Lead Dispatcher, the Dispatch Supervisor, and the Division Commander of the reported absence.
- Note the absence period into 'SPEED SHIFT' noting your Badge / ID Number into the Comments box.
- Start the MPD Leave of Absent Notification / Request form and place it into the employees mailbox to be completed and attached to his/her payroll form.
- Cover vacant hours of the ill dispatcher as necessary to cover his/her shift.

LEAD DISPATCHER NOT ON DUTY:

When a dispatcher receives a call from another dispatcher or Lead Dispatcher who is calling out sick, and no Lead Dispatcher is on duty, the dispatcher receiving the call is responsible for the following:

- Accepting the infomration from the dispatcher or Lead Dispatcher as to when they are calling out sick.

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- Forwarding the call to the Duty Watch Commander.
- Notify, via email, all Lead Dispatchers, the Dispatch Supervisor, and the Division Commander of the reported absence.
- Start the MPD Leave of Absence Notification / Request form and place it into the next on-duty Lead Dispatcher's mailbox for processing by the Lead Dispatcher.
- If necessary, replace the absent dispatcher through voluntary compliance. If unable to obtain coverage, notify the next on-duty Lead Dispatcher in a timely fashion with regards to when the vacant shift will occur.
- If necessary to maintain minimum staffing coverage, remain on duty (overtime) until relieved by further coverage.

1006.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences. Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness (see Outside Employment Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

1006.3.1 NOTIFICATION

All members should notify the Shift Supervisor or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor (Labor Code § 246).

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30 days' notice of the impending absence (Labor Code § 246).

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

1006.4 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

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Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days after the first three days of paid sick leave are used in a 12-month period.

1006.5 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Personnel Department as appropriate.
- (c) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:
 - 1. Negatively affected the member's performance or ability to complete assigned duties.
 - 2. Negatively affected department operations.
- (d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible members to an available employee assistance program when appropriate.

1006.6 REQUIRED NOTICES

The Personnel Director shall ensure:

- (a) Written notice of the amount of paid sick leave available is provided to employees as provided in Labor Code § 246.
- (b) A poster is displayed in a conspicuous place for employees to review that contains information on paid sick leave as provided in Labor Code § 247.