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| **CAMDEN COUNTY POLICE DEPARTMENT** | | | | | **C:\Users\lynch1046\Pictures\FINAL_CCPD_LOGO-PATCH.jpg** | |
| **VOLUME: 2** | **CHAPTER: 16** | | **# OF PAGES: 6** | |
| **SUBJECT: SICK LEAVE** | | | | |
| **EFFECTIVE DATE:**  **January 28, 2013** | | **ACCREDITATION STANDARDS:** | | **REVISION DATE** | | **PAGE #** |
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| **BY THE ORDER OF:**  **Chief John S. Thomson** | |
| **SUPERSEDES ORDER #:** | | | |

**PURPOSE** The purpose of this directive is to establish a standardized procedure for the use of sick leave as well as to establish a process to verify that an employee is using sick leave for its intended purpose. Managing absences is a legitimate business necessity and a basic management obligation. In public safety, managing absences is especially important due to the nature of the work and the consistent need to provide public safety services.

**POLICY** Sick leave cannot be used for purposes other than those permitted by law. Chronic use of sick leave may be symptomatic of an employee’s non-fitness for duty. Management shall take preventive and corrective action when appropriate to protect the employee, other employees and the public good. All public laws, regulations and applicable negotiable provisions in collective bargaining agreements related to sick leave use shall be followed. Employees determined to have violated the sick leave policy, abuse sick leave and/or are determined to be chronic sick leave abusers shall be subject to appropriate discipline.

**PROCEDURES**

1. **Definitions**
2. Excessive Absenteeism: chronic sick leave use, patterns of tardiness or not completing scheduled work days, booking off sick three or more days out of any five consecutive weekends, five or more days in two consecutive pay periods or the use of holiday/vacation leave in excess of the employee’s accumulated time.
3. Abuse of Sick Leave: patterns of excessive absenteeism or absences on certain days of the week disproportionate to other days, fraudulently claiming illness, on holidays, on days immediately prior to or after other benefit days off, the use of eight sick days in a six month period, the use of sick days in excess of seventeen days, booking off sick without accumulated sick leave or other approved leave.
4. Chronic Sick Leave Use: sick leave use totaling at least five (5) occurrences and at least ten (10) sick leave days within a twelve (12) month period.
5. Foreseeable Sick Leave Use: sick leave used when an employee knows in advance that he/she will not be available for regularly scheduled duties due to illness, a serious health condition or medical appointment for themselves or an immediate family member. Sufficient advance notice (5 days) of the need to use sick leave must be given so management can pre-plan for the employee’s absence.
6. Unforeseeable Sick Leave Use: sick leave used when an employee does not know in advance that he/she will not be available for regular scheduled duties due to illness, a serious health condition or medical appointment of themselves or an immediate family member.
7. Illness: includes sickness, physical conditions or maladies rendering an employee unable to perform their essential duties.
8. Immediate Family: means an employee’s spouse, domestic partner, child, legal ward, grandchild, foster child, father, mother, legal guardian, grandfather, grandmother, brother, sister, father-in-law, mother-in-law, and other relatives, residing in the employee’s household.
9. Place of Recovery: the specific location an employee will remain during their scheduled shift when out sick or utilizing intermittent FMLA/NJFLA.
10. Primary Residence: the place where an employee normally abides, their home, their one true domicile.
11. Alternative Place of Recovery: place of recovery during illness or injury other than the employee’s primary residence.
12. Sick Leave Occurrence: failing to report as scheduled due to illness, injury or serious health condition necessitating the use of at least one (1) or more sick days within a “specified sick leave period” prior to returning to duty.
13. Twelve (12) Month Period: any consecutive 12 months.
14. Six (6) Month Period: any consecutive 6 months.
15. Medical Officer: an employee designated by the Chief of Police, responsible for maintaining and reviewing the attendance of all department employees consistent with this directive.
16. Proof of Illness: The department may require proof of illness of any employee on sick leave. Abuse of sick leave shall be cause for disciplinary action,
17. **General**
18. Sick leave may be used by employees who are unable to work because of:
19. Personal illness, injury, or serious health condition.
20. Exposure to contagious disease.
21. Care for an immediate family member with a serious health condition or illness.
22. Chronic use of sick leave may be symptomatic of an employee’s non-fitness for duty.
23. When an employee calls off sick, the employee is immediately prevented from engaging in any type of secondary employment or overtime work or participate in any athletic events, training or meetings while out sick. This restriction shall remain in effect until the employee physically returns to his/her regularly scheduled tour of duty and completes one full day of work. The exceptions to this requirement shall be as follows:
    * 1. The authorization of overtime to employees of the department who are required to comply with any court issued subpoena or as directed by the Chief of Police;
      2. Where officers are out for issues of dependent care;
      3. Where officers are out for more than five days and have completed the return to duty form and are cleared by the county administration;
      4. Where officers are out for less than five days, have completed the return to duty form and provided medical documentation that they are able to work secondary employment.

1. Once an employee calls off sick, he/she is automatically restricted to their place of recovery during their scheduled shift. This includes being on sick leave to care for an immediate family member or intermittent FMLA/NJFLA.
2. If there is any reason why the employee must leave their place of recovery, they shall first contact the RT-TOIC and advise as to where they are going and when they expect to return.
3. Upon arriving back at their place of recovery, employees shall again contact the RT- TOIC and inform him/her that they have returned.
4. When taking intermittent FMLA leave employees shall only utilize sick leave and shall provide notice as soon as possible of the days the employees will be using intermittent leave.
5. When taking foreseeable intermittent FMLA leave, employees must make a reasonable effort to schedule the leave so as not to unduly disrupt the employer’s operations. Employees are to consult with the police department Human Resources unit and the employee’s commanding officer before scheduling treatment so they can work out a schedule that best suits the needs of the police department and employee. If the employee fails to consult with the Human Resources Unit to make a reasonable attempt to arrange a treatment schedule that will avoid undue disruption, Human Resources may initiate those discussions and require the employee to attempt to make such arrangements, subject to the health care provider’s approval.
6. Approved FMLA/NJFLA absences and/or absences with appropriate medical documentation shall not be considered when determining excessive absenteeism, abuse of sick leave or chronic sick leave use. However, if it is determined that the employee fails to comply with all FMLA/NJFLA procedures or fraudulently obtains FMLA/NJFLA leave, such time will be considered when determining chronic designation and disciplinary action.
7. **Call Out Procedures**
8. When an employee calls off duty utilizing unforeseeable sick leave, they shall notify the RT-TOIC no less than two (2) hours prior to the start of their tour of duty.
9. It is recognized that there may be instances where the use of sick leave can be scheduled in advance. Reasons for scheduling the use of foreseeable sick leave in advance include, but are not limited to, medical testing, elective surgery, medical procedures, or physical therapy. When foreseeable sick leave is used this information shall be documented in a Sick Leave Request Form and submitted via the Chain of Command, five (5) business days prior to the date(s) requested. In cases of approved FMLA the Sick leave request Form shall be submitted to the Human Resources Unit.
10. When unforeseeable sick leave and/or unforeseeable intermittent FMLA leave is utilized, the employee shall provide the RT-TOIC with the following information:
11. Date and approximate duration of sick leave; and
12. Current assignment (Platoon/Unit, regular scheduled shift or recall); and
13. Whether or not they are utilizing approved FMLA leave time; and
14. General nature of their illness; and
15. Is the nature of their illness personal or for the care of an approved family member; and
16. Are they able to work part of the day; and
17. Will they be seeing or calling a physician; and
18. Location of their place of recovery/treatment including address and telephone number.
19. The above information shall be noted on the employee *Call-Out-Log* by the RT-TOIC. The RT-TOIC shall notify the Internal Affairs Commander via email of all unforeseeable sick leave calls as they are received.
20. **Verification Procedures**
21. The RT-TOIC, the employee’s supervisor, or any member designated by the Chief of Police may make phone contact with any employee out sick, at any time during the employee’s scheduled shift.
22. Upon returning to work, employees must complete and forward to the medical officer without delay a *Return to Duty Report*. In cases of FMLA, the *Return to Duty Report* shall be submitted directly to the Human Resources Unit.
23. It is the responsibility of the employee booked out of work on sick leave, to personally speak on the telephone or in person whenever contact is attempted. Not hearing the phone or door is **NOT** a plausible excuse for failing to respond during the first half of an employee’s scheduled tour of duty. In the event that personal or telephone contact could not be made, the employee out on sick leave is required to respond to the person who initiated the contact within one (1) hour.
24. Call forwarding is strictly prohibited and no employee is allowed to use a pager or answering machine to screen calls to circumvent these procedures.
25. The employee’s supervisor or any member designated by the Chief of Police may perform in person verification.
26. The employee’s supervisor or any member designated by the Chief of Police may require the employee to report to an approved designated medical facility for medical evaluation,
27. An employee, who is advised that he/she has abused sick leave or has their sick leave designated as chronic, may be required to provide medical verification for all future subsequent illnesses.
28. The department may also request proof of illness of family member(s) when sick time is being utilized for this purpose.
29. **Medical Documents and Examination Requirements**
30. Employees, who are identified and advised of chronic sick leave use or advised of sick leave abuse, will be required to submit acceptable medical evidence to the Human Resources Unit for any additional sick leave for a period of twelve (12) months.
31. An employee, who has been absent for five (5) or more consecutive working days is required, upon returning to work, to present a note from a licensed physician indicating the nature of the employee’s medical condition and any limitations to the Human Resources Unit. Employees may be required to undergo a physical examination or functional capacity examination before returning to their regular duties as determined by the Chief of Police.
32. **Commanding Officer/Supervisor Responsibilities**
33. Commanding officers and supervisors shall conduct an ongoing and thorough review of each of their subordinates’ attendance records. Such review shall include identification of potential patterns of absenteeism, excessive absenteeism, sick leave abuse and chronic sick leave usage.
34. Whenever the commanding officer/supervisor identifies any violation of the department’s attendance procedures, sick leave abuse, or excessive absenteeism; he/she shall:
35. Prepare a report documenting all facts, findings and recommendations; and
36. Forward their report along with supporting documents to the Internal Affairs Commander.
37. **Medical Officer’s Responsibilities**
38. The Medical Officer shall conduct an ongoing and thorough review of each employee's attendance record. Such review shall include identification of potential patterns of absenteeism, excessive absenteeism, sick leave abuse and chronic sick leave usage.
39. Whenever the medical officer identifies or receives information of any violation of the department’s attendance procedures, sick leave abuse, or excessive absenteeism; he/ she shall:
40. Prepare a report documenting all facts, findings and recommendations; and
41. Forward their report along with supporting documents to the Internal Affairs Commander.