

## Sick and Safe Leave

### 1007.1 PURPOSE AND SCOPE

This policy provides general guidance on the use and processing of sick and safe leave (SSL). The accrual and terms of the use of SSL for eligible employees are outlined in the applicable collective bargaining agreement or memorandum of understanding, as well as in USM Policy VII-7.45 (Policy on Sick and Safe Leave for Nonexempt and Exempt Staff Employees).

This policy is not intended to cover all types of SSL or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons.

### 1007.2 POLICY

It is the policy of the University of Maryland, Baltimore Police Department to provide eligible employees with SSL benefits.

### 1007.3 USE OF SICK AND SAFE LEAVE

SSL is paid leave granted to employees in an effort to provide some protection against the loss of earnings due to absences for health and allied reasons; and when certain absences are necessary due to domestic violence, sexual assault, or stalking, pursuant to the Maryland Healthy Working Families Act and the provisions of USM Policy VII-7.45.

SSL is intended to be used for qualified absences and is not considered vacation. Abuse of SSL may result in disciplinary action. An employee may request that their mental or physical illness, injury, or condition occurring during a period of annual or personal leave be changed to SSL. Verification may be required as provided by this policy.

Employees on SSL shall not engage in other employment or self-employment or participate in any sport, hobby, recreational, or other activity that may impede recovery from the injury or illness (see the Outside Employment and Outside Overtime Policy 1021).

### 1007.4 PERMISSIBLE USE OF SICK AND SAFE LEAVE

Refer to Section III of USM Policy VII-7.45 (Policy on Sick and Safe Leave for Nonexempt and Exempt Staff Employees) for detailed provisions.

### 1007.5 NOTIFICATION

All nonexempt employees shall notify Communications as soon as they are aware that they will not be able to report to work and no less than two hours before the start of their scheduled shifts. If, due to an emergency, a nonexempt employee is unable to contact Communications, every effort should be made to contact their respective supervisor. Exempt employees may either notify Communications or their supervisor as soon as they are aware that they will not be able to report to work but no less than two hours of their normal start time.

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If the need to use SSL is foreseeable, such as planned medical appointments, the employee should, whenever possible and practicable, provide their supervisor with no less than 7 days' notice of the impending absence. If the need for SSL is not foreseeable, the employee should provide notice as soon as possible, provided that these requirements do not interfere with the employee's ability to use earned SSL. The department may deny a request to use earned SSL if the employee failed to provide notice and their absence would cause a disruption to the department.

Upon return to work, employees 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 when submitting their timesheet.

### **1007.6 MANAGEMENT OF ABSENTEEISM**

- A. Verification of illness for absences for five (5) or more consecutive days: The department may require an employee to provide an original certificate of illness or disability in cases where an absence is for five (5) or more consecutive workdays. The certificate required shall be signed by a certified medical provider as defined in this policy.
- B. Verification of illness for absences for less than five (5) consecutive days: The department may require an employee to submit an original certificate of illness or disability for absences of less than five (5) consecutive days on the following conditions:
  - 1. When an employee has a consistent pattern within a twelve-month period of maintaining a zero or near zero sick leave balance without documentation of the need for such relatively high utilization.
  - 2. Where an employee has unusual absence patterns such as Monday/Friday, or the day before and/or the day after a holiday for 12 months.
  - 3. Where an employee has five (5) or more occurrences of undocumented sick leave usage within a twelve-month period.
- C. Prior to imposing a requirement on an employee for documentation of sick leave use, the department shall orally counsel the employee that future undocumented absences may trigger a requirement for certification of future occurrences of sick leave. Verbal counseling involves informing the employee that future undocumented absences may require documentation for each use, regardless of duration, and recording the date of notification in a memorandum. If the employee has another undocumented absence after such counseling, the department may, subject to the concurrence of the UMB Human Resource Services, put the employee on a written notice that they must certify all sick leave usage for the next six (6) months if the undocumented absence accumulated in accordance with this policy.
- D. At the conclusion of the six (6) months, the certification requirement will be rescinded provided the employee has complied with the certification requirement. If the employee has not complied with the certification requirement and is not in compliance with this section, the requirement shall be extended for six (6) months from the date of lack of compliance with the requirement. Although a requirement for certification is not

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a disciplinary action, an employee may grieve allegations of misapplications of this procedure.

- E. If an employee fails or refuses to provide verification when properly requested to do so, the department may deny the use of SSL for that occasion. Prior to denying the request, the Human Resource Generalist for UMBPD or UMB Human Resource Services should be consulted.

### **1007.7 MEDICAL VERIFICATION**

Refer to Section V of USM Policy VII-7.45 (Policy on Sick and Safe Leave for Nonexempt and Exempt Staff Employees) for detailed provisions.

### **1007.8 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 SSL and unscheduled absences are consistent with this policy, while also documenting these absences in schedules to ensure they are accurately recorded in timesheets before approval.
- B. Informing the Human Resource Generalist for UMBPD or UMB Human Resource Services when an employee has been absent four (4) or more days so that appropriate information can be provided to the employee regarding whether the absence qualifies as family medical leave.
- C. Addressing unscheduled absences and SSL use in the employee's performance evaluation when excessive or unusual use has:
  - 1. Negatively affected the employee's performance or ability to complete assigned duties.
  - 2. Negatively affected department operations.
- D. Abuse or improper use of SSL and unscheduled absences may be included in the employee's performance evaluation, as long as the leave is not protected such as FMLA.
- E. Making members aware of the UMB Employee Assistance Program (EAP).

### **1007.9 ADVANCED SICK LEAVE**

Refer to Section VI of USM Policy VII-7.45 (Policy on Sick and Safe Leave for Nonexempt and Exempt Staff Employees) for detailed provisions

### **1007.10 EXTENDED SICK LEAVE**

Refer to Section VII of USM Policy VII-7.45 (Policy on Sick and Safe Leave for Nonexempt and Exempt Staff Employees) for detailed provisions

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**1007.11 LEAVE DONATION**

Refer to Section VIII of USM Policy VII-7.45 (Policy on Sick and Safe Leave for Nonexempt and Exempt Staff Employees) for detailed provisions