

Sick Leave

Sick Leave: DHRM Rule 477-7-4 states that sick leave may be granted for preventive health and dental care, maternity, paternity, and adoption care, or for absence from duty because of illness, injury or temporary disability of the employee, a spouse, children or parents living in the employee's home.

Generally

To be approved to use sick leave, an employee must:

1. Notify the supervisor prior to the beginning of his/her shift,
2. Have sufficient sick leave available to cover the absence,
3. Have reason for the absence that fits the description above, and
4. Support the request for leave with “administratively acceptable evidence” if the absence is:
 - a) greater than four consecutive working days, or
 - b) if there is reason to believe that the employee is abusing sick leave.

Note: Administratively acceptable evidence may be presented at a later date, but it should be requested as soon as the supervisor determines that it is required.

If any condition above is not met, the supervisor may have grounds to deny the request for sick leave. Please call your HR Specialist to discuss the matter.

More Details

Abuse of Sick Leave: Any use of sick leave for purposes other than those allowed by the above-quoted rule.

Administratively Acceptable Evidence: Evidence that persuades the supervisor that sick leave is being used appropriately.

If an employee fails to notify his/her supervisor that s/he will be absent, s/he is in violation of rule and policy. A written warning or disciplinary action may be used to address the issue. Contact your HR Specialist.

If an employee does not have any leave available but has a legitimate need to be absent, there are other options available to him/her. The supervisor should direct the employee to call the HR Specialist to discuss options. This should be done before the employee enters into an unauthorized leave status. If the employee enters into an unauthorized leave status, a written warning or disciplinary action may be used to address the issue. Contact your HR Specialist.

If the supervisor believes that sick leave is being abused, the employee should be directed to provide administratively acceptable evidence. This direction should be given in clear terms such as, “Please bring a note from a health care provider supporting your absence.” A request for a “doctor's note” is not appropriate because the department cannot require the employee to see a doctor. If the employee fails to provide the requested evidence, refuses to provide it, or the evidence is not acceptable, a written warning or disciplinary action may be used to address the issue. Contact your HR Specialist.

All Other Leave

Everything Else: DHRM Rule 477-7-1(5) states that an employee may not use compensatory, annual, converted sick leave used as annual, or excess leave without *advance approval* by management.

DHRM Rule 477-8-1 states that an employee is required to be at work on time. An employee who is late, regardless of the reason including inclement weather, *shall* make up the lost time by using accrued leave, leave without pay or, with management approval, adjust their work schedule.

Generally

To be approved to use annual, compensatory, converted sick used as annual, or excess time, an employee must get approval from management before the leave occurs.

If an employee calls in and states that s/he will be absent for some reason that does not qualify for sick leave, the supervisor should direct the employee to come to work AND state, "If you do not come to work, you will be in an unauthorized leave status for which you may be disciplined." If s/he does not come to work, a written warning or disciplinary action may be used to address the issue.

More Details

Leave Without Pay: Granted at management's discretion in response to an employee's written request.

Unauthorized Leave Status: Any absence from work that results in non-compliance with DHRM leave rules.

Examples of Unauthorized Leave Status:

1. An employee has scheduled a week of vacation. On the day he is due back, he calls in and says he is taking one more day of vacation. Although he may have leave to take, it was not approved in advance and is therefore unauthorized.
2. An employee runs out of accrued leave and enters into leave without pay having not made a written request to do so.

If an employee enters an unauthorized leave status, a written warning or disciplinary action may be used to address the issue. Contact your HR Specialist.