

# **PINEVILLE POLICE DEPARTMENT**

## **GENERAL ORDER**

**SECTION: 10 OPERATION PROCEDURES**

**SUBJECT: 1006 LEAVES OF ABSENCE**

**EFFECTIVE: 09/09/2020**

### **I. BACKGROUND.**

All of the employees of the Pineville Police Department who are under Civil Service are very fortunate in the fact that by state law, they enjoy and are guaranteed 52 weeks of sick leave per year. This is a benefit and a privilege that is often taken for granted by most of us. However, in the field of law enforcement, such a liberal sick leave is essential in order to allow us to cope with and recover from the various illnesses and disorders that so often strike some of our members. The everyday stress can take its toll on several employees each year, but not all enjoy our sick leave benefits. Those employees who are already unfortunate enough to be trying to cope with a life threatening or very serious illness or injury would have their problems compounded if they also had to worry about not being paid, or even losing their job because they could not work.

Unfortunately, however, there are always a few employees in any organization who, for whatever reason (s), have a tendency to abuse, in one way or another, the benefits and privileges, especially one that is as liberal as ours. Therefore, it is necessary that certain policies and procedures be set forth so the administrators of our department can discourage and at least try to control the abuse of our sick leave policy.

These policies and procedures are not intended to punish any employee or group of employees. And, they are definitely not intended to, and will not be used to, deprive any employee of their basic, constitutionally guaranteed rights, such as freedom of religion, the right to vote, freedom of movement from place to place, or the right to obtain treatment, medicine, groceries, or other basic necessities. Also, there will be instances in which an attending physician may prescribe certain activities, such as relaxation exercise, walking exercises that he deems necessary for the recovery of an employee convalescing from a serious illness or injury. These policies and procedures are certainly not intended to contradict any of those orders. However, certain guidelines must be set and adhered to in order to ensure that employees who are on sick leave are diligently pursuing getting well and recovering so they can return to work.

### **II. POLICY.**

Employees of the Pineville Police Department shall adhere to the Leave Policy adopted by the Pineville Municipal Fire and Police Civil Service Board. In addition they shall also adhere to the following guidelines for sick leave.

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- A. An employee on sick leave shall remain in or at his or her residence or other approved place of confinement for the entire sick leave period, except in the following instances:
  - 1. To visit a physician, hospital, or clinic for treatment.
  - 2. To purchase medicine.
  - 3. To purchase groceries for meals at their residence.
  - 4. To attend church.
  - 5. To go vote.
  - 6. To attend the funeral of any close relative or friend.
  - 7. To engage in any limited activity specifically prescribed by an attending physician.
- B. In all instances, the employee shall notify, and receive permission from, his or her Supervisor prior to leaving from and upon their return to, their residence or place of confinement.
  - 1. If the employee's Supervisor is not on duty, the employee shall notify an on duty supervisor.
  - 2. If a supervisor is not immediately available, the employee shall leave a message for a supervisor to call them back as soon as possible.
- C. When an employee initially calls in sick, they shall notify a supervisor not later than thirty (30) minutes prior to the start of the assigned duty period. If a supervisor is not immediately available, the employee shall leave a message for a supervisor to call them back as soon as possible.
- D. In sections B and C above, it is imperative that the employee either talk to, or make a legitimate effort to talk to, a supervisor. Failure to do so may result in the employee being considered either AWOL or in violation of policy and procedure.

### **III. RESPONSIBILITIES OF EMPLOYEES AT THE END OF SICK LEAVE.**

- A. Should the illness last longer than three (3) calendar days, the employee upon returning to duty, shall provide their supervisor with a doctors excuse immediately upon their reporting for duty. Excuse(s) must indicate the illness or condition, which justified employee being absent, as well as probable duration of illness.
- B. If an employee is sick for 30 consecutive calendar days, the employee will be placed on Civil Service extended sick leave. Once this occurs, the officer shall notify his/her Bureau Commander of their status and provide a letter from the treating physician noting the reason the employee cannot remain at work, the prognosis for the employee and an estimated date the employee may return to work. The employee will be required to submit an updated excuse from their physician every 30 days until released. Before returning to work from extended sick leave the employee must provide a letter from the doctor stating any continued treatment, work

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restrictions if any, or medications that may affect his job performance as outlined in the job description.

- i. The Department will furnish a Physician's Certificate packet to the employee to have completed prior to acceptance back to duty. This packet includes the basic job description of a Police Officer and the specific descriptions of the officer's current rank.
  - ii. The City may also require a fitness for duty examination.
- C. If an employee returns to duty and is taking any medication that might impair their ability to fully perform their normal duties, including driving a vehicle, the employee shall furnish their supervisor with a letter from their attending physician listing the side affect(s) that may alter the performance of the employee and for how long.
- D. If there are grounds to believe an employee is abusing sick leave by being sick on scheduled work days and getting well on or just before their regular days off, that employee will be counseled and given written notice of the following: any further occurrences may result in the employee being required to bring a doctor's excuse to the supervisor on duty before the employee can be considered off on sick leave. Otherwise, the employee will be considered still on sick leave and will be subject to the restrictions of this policy on their days off.
- E. After three unexcused absences due to illness (which the employee does not provide a medical excuse from a physician) every illness there after must have a physicians release for the employee to return to work.  
*Note: An illness event is not determined by duration but is determined by consecutive days off relating to the same condition.*

#### **IV. LOCATION WHILE ON SICK LEAVE**

- A. An employee who is off on sick leave will not be allowed to use call forwarding just so they can be reached if they are called by a supervisor who might be checking on them.
- B. If a supervisor or other designated supervisor calls an employee who is on sick leave and gets an answering machine, that employee shall be considered absent without permission and in violation of this policy unless that employee has called his or her Division Supervisor, or a supervisor, and is properly logged as having permission to be absent from their residence.

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### **V. REPORT FOR DUTY.**

- A. The appropriate Chief or Supervisor shall have the responsibility of maintaining an illness log on each employee under their command who are on sick leave so that an accurate record can be kept of any and all calls by the employee. In instances where a shift supervisor takes a call from an employee, the supervisor shall forward the illness log to the Chief or Assistant Chief.
- B. When an employee turns in their doctor's excuse, that employee's supervisor shall turn in that excuse and the illness log on that employee to the Chief's Office/personnel section
- C. Supervisors will be responsible for personally checking on, or designating a supervisor under their command to check on employees who are on sick leave to ensure that the procedures set forth in this policy are being adhered to.
- D. Any Deputy Chief, Assistant Chief or supervisor who becomes aware of, or who is made aware of, any employee allegedly violating this policy shall document the allegation and forward it to the Chief of Police.

### **VI. VACATION**

- A. All full-time permanent employees shall be allowed to accrue vacation. As an employee the following standards are set and shall be followed by the employee.
- B. An employee's vacation time will be accrued and calculated in hours. As of the implementation of the policy, the following will be the accrual rate of the employees:

One to Six years of service-150 hours  
Seven  
to Fifteen years of service- 200 hours  
Sixteen or more years of service- 250 hours

C. Employees will be allowed to accrue 650 hours of vacation. Whenever an employee reaches this benchmark, then it is incumbent upon the employee to schedule within thirty days of reaching the benchmark the amount of hours of vacation that it will take to return

#### **D. Vacation Guidelines (Effective 10/16/2022)**

- 1. Employees are to sign up for vacation before January 31st of each year for the current calendar year.
- 2. Vacations will be taken according to seniority.
- 3. Employees can take a maximum of three weeks of vacation consecutively. There must be a 7 day break between vacations.
- 4. Employees will only be allowed to carry over 60 hours of their yearly accrued vacation from the current year.

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to compliance. The Chief of Police is allowed to make exemptions and have employees take the time off for policy compliance.

1. Upon implementation of this policy, it is understood that some members had accrued vacation hours that exceeded the 650 hour cap. Therefore, those employees with more than 650 hours accrued prior to this policy change (02/15/2013) will continue to be allowed to receive their annual leave, but must use it before the end of that calendar year. They will not be allowed to exceed their current accumulated total. Their maximum cumulative number of hours will be reduced through attrition.

### **VII. Compensatory and Cycle Time**

1. Effective September 1, 2019, there will be no more accrual of Compensatory Time.
2. Compensatory time will no longer accrue due to cycle time and cycle time will be paid in the payroll cycle period it was accrued.
3. Cycle time is paid to Essential (12 hour) employees each pay cycle who are physically present each day.
  - a. This is paid at an overtime rate for the 4 scheduled hours worked over in the pay period and .25 hours for roll calls attended.
  - b. If the employee uses Vacation Leave, Compensatory Leave or Holiday Leave, the cycle time is calculated at straight time for the additional 4 hours during the cycle and .25 hours for each roll call that is attended.
  - c. If the employee uses Sick Leave, Admin Leave or Funeral Leave during the pay period, no cycle pay will be earned.

### **VIII. Holiday Rules:**

1. Definitions:
  - A. Essential Personnel: 12 hour employees; generally uniformed personnel.
  - B. Non-Essential Personnel: 8 and 10 hour employees (Admin, Detectives, Clerks, and other specialized units.
2. Observed Holidays

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A. All Employees receive the holidays as set forth by the City of Pineville and the Appointing Authority on the date observed.

1. New Years Day
2. Martin L. King Day
3. Presidents Day
4. Friday before Easter
5. Memorial Day
6. Independence Day
7. Labor Day
8. Veterans Day
9. Thanksgiving Day
10. Day after Thanksgiving
11. Christmas Day

3. These days are to be scheduled for the upcoming year and must be taken during the year they are accrued. These days cannot be carried over beyond 30 days unless approved by the Appointing Authority or Chief of Police.
4. Essential Personnel shall observe the holidays on the actual day of the holiday. All other personnel in the Police Department shall observe the holidays per City Policy.
5. No Employee shall be paid twice for the same holiday. Any employee required to work on a holiday, shall receive compensation as follows.
  - a. Number of hours worked at his/her regular rate of pay, including State Supplemental Pay, and
  - b. Number of hours worked at his/her overtime rate of pay including State Supplemental Pay at an hourly rate.
  - c. If the non-essential employee is required to attend any official function during a holiday, he/she will be compensated for those hours as described in 5 a-b.
6. All Employees scheduled off duty on a proclaimed holiday shall accrue one (1) day of Holiday Leave. These days cannot be carried over beyond 30 days unless approved by the Chief of Police or his designee.
7. To be eligible for a Holiday Leave day, an employee must work his scheduled work day before the holiday and his scheduled work day following the holiday. Vacation time or compensatory time taken before or after the holiday shall be considered as working his/her scheduled work day.

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8. If an employee is paid holiday pay for any holiday or part thereof, he/she will not be eligible for accruing a holiday leave day for that holiday.
9. Holidays while on Sick Leave:
  - a. If any employee is sick on a holiday or scheduled holiday, no extra compensation shall be given to make up for the lost holiday.
  - b. If any employee is on extended sick leave, any observed or designated holidays that fall during that time shall be lost and unrecoverable.
10. On Easter Sunday, employees required to work shall be compensated as outlined in Section C above.
11. The Chief of Police has final authority to waive or countermand any or all of the above rules on a case by case basis.

**By order of**

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Darrell Basco, Chief of Police