



Georgia Department of Community Health

Sick Leave	Policy No. 211
Effective Date: April 1, 2000	Page <u>1</u> of <u>6</u>

References: Rules of the State Personnel Board, Rule 18

I. Purpose

The purpose of this policy is to establish provisions by which an employee, who because of personal illness, disability, personal dental care, personal medical care or because of illness of an immediate family member, may be absent from work with compensation.

II. Scope

This policy applies to all full-time and part-time classified and unclassified employees eligible to earn and use leave.

III. Eligibility

- A. Full-time employees and part-time employees, who are scheduled to work at least 20 hours per week are eligible to earn sick leave **unless** they are on an hourly, temporary or student appointment. Part-time employees scheduled to work fewer than 20 hours per week do not earn sick leave.
- B. Employees are charged sick leave only for the time they are absent from work. Leave cannot be used before it is accrued.

IV. Leave Accrual

- A. Eligible employees accrue sick leave at the end of **each semi-monthly pay period** provided they are in pay status for the required amount of time. Accrued sick leave is available for use at the beginning of the pay period after it is earned.
 - 1. Eligible **full-time employees** accrue **5 hours** of sick leave at the end of each semi-monthly pay period provided they are in pay status for at least 40 hours. The accrual rate does not increase with years of service.
 - 2. The rate of accrual and the minimum period during which part-time employees must be in pay status in order to accrue sick leave at the end of each semi-monthly pay period are prorated by the percentage of time worked. Fractions of an hour are rounded to the nearest whole hour.



NOTE: The percentage of time worked is determined by dividing the scheduled work hours per workweek by 40.

3. Eligible employees who are not in pay status for the minimum amount of time in a pay period do not accrue sick leave for that pay period.
- B. Eligible employees can accumulate up to a maximum of 720 hours of sick leave. Any sick leave in excess of 720 hours is placed in a forfeited status, but may be restored in cases of illness or disability. (See Section IX. on Restoring Forfeited Leave.)

V. Use of Sick Leave

- A. Upon receiving supervisory approval, an employee may use sick leave for absences due to the following:
1. personal illness or disability;
 2. exposure to contagious disease, when attendance on duty would endanger the health of others;
 3. dental or medical care; and
 4. dental or medical care, illness, accident or death in the immediate family which requires the employee's presence.

NOTE: "Immediate family" includes the employee's spouse, child, parent, brother, and sister. "Immediate family" also includes any other person who resides in the employee's house **and** is recognized by law as a dependent of the employee.

- B. Sick leave for medical or dental care should be limited to the time necessary for the appointment(s) and related travel.
- C. Use of sick leave for death in the immediate family is limited to 5 workdays of sick leave. Any additional leave taken may be charged to annual leave, personal leave or leave without pay.
- D. Employees who are injured or ill for at least 3 workdays during a period of annual leave may substitute sick leave for annual leave. In order to substitute sick leave for annual leave, employees must submit a written request with an attached statement from a health care provider which justifies the use of sick leave to their supervisor within 3 days of returning to work.



- E. Employees who are receiving Short-term or Long-term Disability Insurance benefits through the Flexible Benefits Program cannot use sick leave at the same time. Employees may use sick leave during the qualifying period. Employees must request to use annual leave or be placed on leave without pay in order to receive Short-term or Long-term Disability Insurance benefits.
- F. Employees cannot use sick leave during periods of absence in which they are receiving state-funded wage substitutes, including but not limited to Workers' Compensation.
- G. Employees may request to use FLSA compensatory time in lieu of sick leave. However, employees are not required to use FLSA compensatory time prior to using sick leave.
- H. When there is a break in service, accrued sick leave balances are lost. Forfeited leave is also lost when there is a break in service. (If employees return to State government, lost sick leave balances and forfeited sick leave may be used for retirement purposes.)

VI. Sick Leave Request

- A. Employees must contact their supervisor or other designated official as soon as possible or within the established time frame to request approval of sick leave. When an employee is incapacitated, supervisors may accept calls regarding the employee's status from other individuals.
- B. DCH organizational units may establish procedures for requesting sick leave based on the needs of the organization.
- C. Once an employee has submitted a resignation, sick leave can only be approved with a statement from a health care provider.

VII. Evidence For Use of Sick Leave

- A. Employees may be required to report each day by telephone to their supervisor or other designated official and to provide satisfactory evidence for the use of sick leave.
 - 1 Satisfactory evidence may include a statement from a health care provider or a *CERTIFICATION OF SERIOUS HEALTH CONDITION FOR FAMILY LEAVE* Form completed by the attending health care provider when the reason for leave qualifies as a serious health condition under family leave.



2. Employees cannot, however, be required to provide evidence for use of fewer than 17 hours of sick leave in a 30-calendar day period, **unless** they have demonstrated excessive or abusive use of sick leave.
- B. Excessive and/or abusive use of sick leave is considered a pattern of intermittent, short-term use of sick leave. Establishment of this pattern includes, but is not limited to:
1. Frequent use of sick leave in conjunction with holidays, scheduled off days, or distribution of paychecks;
 2. Frequent use of sick leave when scheduled for undesirable temporary shifts or assignments, or during peak workload periods;
 3. Requesting sick leave for an absence for which annual leave has been denied;
 4. Frequent occurrences of illness during the workday;
 5. Peculiar and increasingly improbable excuses;
 6. Repetitive use of less than 17 hours of sick leave within 30-day periods;
 7. Prior written notification of failure to adhere to procedures for approval of leave, inappropriate attendance, or inappropriate use of leave (e.g., attendance plan).
- C. If questions arise regarding an attending health care provider's statement, an opinion from a health care provider of the Department's choice may be sought. Approval must be received from the Office of Human Resources prior to seeking this opinion.
- D. **Medical Examination**
1. Under limited circumstances and **only** with the approval of the Office of Human Resources, an authorized official may direct an employee to undergo a medical (physical and/or psychiatric) examination at the expense of the Department. This examination may be required prior to allowing use of accrued leave, granting a leave of absence without pay (regular or contingent) or prior to allowing an employee to return from leave or from a leave of absence without pay.
 2. The employee is required to release the results of the medical and/or psychiatric examination to an authorized official. The results must be considered confidential and are to be shared only on a "need to know" basis.



3. Upon receipt of the results, a determination regarding requested leave, leave of absence without pay or return to work will be made. If a determination is made not to allow an employee to return to work, appropriate action, which includes but is not limited to, the following should be taken:
 - a. The employee may be allowed to use accrued leave.
 - b. The employee may request and be granted a regular or contingent leave of absence without pay.
 - c. The employee may be referred to a treatment program.
4. If a determination is made to allow an employee to return to work, the employee will be returned with or without accommodation.

VIII. Denial of Sick Leave

- A. Sick leave may be denied for reasons including, but not limited to, the following:
 1. Excessive or abusive use of sick leave (See Section VII.);
 2. Failure to follow procedures for reporting the absence or requesting the use of leave; or
 3. Falsification of documents.
- B. Supervisors should carefully review the request prior to denying the sick leave and should be able to support the decision to deny the request.

IX. Restoring Forfeited Leave

- A. Sick leave forfeited during the current period of employment may be restored to employees as follows:
 1. when employees have exhausted FLSA compensatory time and all annual, sick and personal leave, and
 2. the absence from work is due to personal illness or disability or illness/disability of an immediate family member.
- B. Employees must submit a written request to their supervisor to have forfeited leave restored. A statement from the attending health care provider that supports the continuing absence from work is to be attached to the request.



- C. Supervisors are to forward requests to restore forfeited leave to the Office of Human Resources for review and approval.
- D. Forfeited annual/sick leave can only be restored to cover the current absence from work due to the illness/disability of the employee or immediate family member.

X. Transfer Of Leave

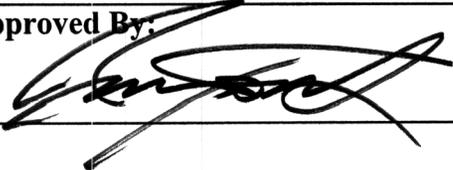
When employees transfer between positions entitled to earn leave without a break in service, accrued sick leave and forfeited leave transfer unless prohibited by state law.

Dual Employment

Employees who are employed in two positions within State government at the same time, both of which are entitled to earn leave, accrue and use leave independently in each position. When employment ends in one of the positions, but not both, and the positions are in different State departments, accrued sick leave balances are lost.

Creditable Service

Employees who are members of the Employees' Retirement System may receive creditable service toward retirement for forfeited sick leave and accumulated sick leave balances provided the combined leave balances of forfeited annual leave, forfeited sick leave, current accumulated and unused sick leave, and sick leave balances previously lost due to a break in service total at least 960 hours.

Approved By: 	Date: 4-3-00
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