


<b>PBP FORM 290</b>  <b>PITTSBURGH BUREAU OF POLICE</b> <i>"...accountability, integrity and respect."</i>		<b>SUBJECT:</b> <b>"SICK LEAVE/PERSONAL DAYS"</b>		<b>ORDER NUMBER:</b> <b>28-5</b>	
		<b>CALEA STANDARD:</b> <b>NONE</b>		<b>PAGE 1 OF 4</b>	
<b>ISSUE DATE:</b> <b>7/15/98</b>	<b>EFFECTIVE DATE:</b> <b>7/15/98</b>	<b>ANNUAL REVIEW DATE:</b> <b>JULY</b>	<b>RESCINDS:</b> <b>ALL PREVIOUS</b>	<b>AMENDS:</b> <b>NONE</b>	

### **1.0 POLICY OR PURPOSE**

- 1.1 The use of sick leave or personal days may be used by an officer in compliance with the current Working Agreement Between the Fraternal Order of Police and the City of Pittsburgh, Sections 13 (B) (1) and (2).
- 1.2 Section 13 (B) (1) (c) of the Working Agreement recognizes that the City of Pittsburgh may establish, and require compliance with such regulations as shall be reasonable and necessary to prevent any abuse of sick leave by an employee.
- 1.3 The false or fraudulent use of sick leave creates an inherent danger and undue hardship to fellow officers who must assume the workload of those not in attendance. It is a basic right of management to control excessive absenteeism or abuse of sick leave because of the consistent need to efficiently provide critical public safety services.

### **2.0 USE OF SICK LEAVE**

- 2.1 Section 13 (B) (1)(a) of the current Working Agreement Between the Fraternal Order of Police and the City of Pittsburgh provides that any officer who is unable to report to work due to personal illness or non-job related injury is entitled to sick leave with pay for the period of his/her illness not exceeding fourteen (14) workdays and accumulated sick leave.
- 2.2 Use of sick leave by an officer for any reason other than personal illness is prohibited.
- 2.3 The use of sick leave under this section applies to all officers hired prior to January 1, 1980 and after December 31, 1987.

### **3.0 USE OF PERSONAL DAYS**

- 3.1 Section 13 (B) (2) (a) requires that personal leave time must be requested in writing at least seventy-two (72) hours in advance of time requested unless due to sudden illness or emergency.
- 3.2 For the purposes of this policy, any use of personal leave time for sudden illness shall be subject to the same conditions set forth in the following policy regarding the use of sick leave.
- 3.3 The use of personal leave time under this section applies to all officers hired between January 1, 1980 and December 31, 1987.

### **4.0 PROCEDURE FOR REPORTING OFF-DUTY DUE TO ILLNESS OR INJURY**

- 4.1 An officer who needs to report off-duty due to an illness or non-job related injury shall report "off" to his/her duty location at least one (1) hour prior to the scheduled start of his/her tour of duty.
- 4.2 The officer receiving this notification shall mark the name of the officer, the date/time the notification was made and his/her name in the sick book at the respective duty location.
- 4.3 While on leave due to personal illness or non-job related injury, an officer is expected to remain at home during his/her absence. If for any reason it becomes necessary for an officer to leave his/her residence, or if the illness or injury occurs when the officer is away from home, the officer must provide the Desk Officer with the location and phone number (not

pager number) where they can be reached. An officer may be required to notify his/her duty location to advise if they will need to leave their residence to seek essential medical care.

## **5.0 MONITORING OF OFFICERS REPORTING OFF-DUTY DUE TO PERSONAL ILLNESS OR INJURY**

- 5.1 Shift supervisors may call, visit or have visited any officer who has reported off duty due to personal illness or injury to ascertain and/or confirm the illness or injury.
- 5.2 When an officer has been called or visited and is not at home at the time of the call or visit, the officer shall be required to submit a Special Report (PBP Form #54) giving explanation as to the officer's whereabouts. If the officer does not return to duty on the next scheduled working day, a call or visit shall be made on that and each succeeding working day the member is off sick. The shift supervisor shall document his/her findings on a Special Report (PBP Form #54) through the chain of command to the member's respective Assistant Chief.
- 5.3 The superior officers of an officer reporting off-duty due to personal illness or injury shall be satisfied that the absence of the officer is caused by actual illness and is not malingering unless there is some cause to believe otherwise. When this is the case, the officer who was absent for one (1) to three (3) consecutive work days shall be required to submit only a completed Sick Leave Report (PBP Form #65) upon his/her return to work.
- 5.4 If the superior officer of an officer reporting off-duty due to personal illness or injury is not satisfied that the absence of an officer is caused by actual illness or injury, the officer shall be marked "Y" (AWOL – Absent Without Permission/No Pay) and disciplinary action shall be filed against the officer.
- 5.5 As per Section 13 (B) (1) (b) of the Working Agreement Between the F.O.P and the City of Pittsburgh, any officer who has reported off-duty due to personal illness or injury for four (4) consecutive work days or more shall complete and submit to her/his shift supervisor a Sick Leave Report (PBP Form #65) together with a signed certification from her/his physician or a hospital diagnosis slip. The slip will contain the name of the officer, the date and time of the appointment, the nature of illness or injury, the treatment received and a statement from the physician that "Due to this illness or injury, the officer was not able to work." The doctor's name and address shall appear on this certificate along with the signature of the attending physician.
- 5.6 Those officers off on extended sick leave or "X" time will be required to submit a doctor's certificate for each pay period they are off. This slip, which shall be due at the end of every pay period, will contain the name of the officer, the reason for absence and the statement that "Due to this illness or injury, Officer \_\_\_\_\_ did not return to work during the period from \_\_\_\_ to \_\_\_\_." The doctor's name and address shall appear on this certificate along with the signature of the attending physician.
- 5.7 Any time an officer has been marked "X" (Absent with Permission/No Pay) because all sick leave or personal leave time has been exhausted, the Commander shall submit a Special Report (PBP Form #54) through the chain of command to the respective Assistant Chief. This memo shall both justify and explain the reason for the "X" or recommend changing the "X" to a "Y" and filing disciplinary action against the officer. A copy of this memo will be forwarded to Personnel & Finance.
- 5.8 Payroll markings may NOT be changed except with the approval of an officer's respective Commander.

## **6.0 ABUSE OF SICK LEAVE**

- 6.1 Since sick leave is to be used only for an officer's necessary absence from duty due to illness or injury, officers shall refrain from abusing sick leave or personal leave time. In determining if an officer's use of sick leave or personal leave time may constitute an abuse, the following patterns of occurrence may be considered:

- 6.1.1 The use of sick leave or personal leave time for sudden illness in conjunction with an officer's pass days that occurs more than two (2) times in an evaluation period where the use of such leave has not been medically substantiated.
  - 6.1.2 The use of sick leave or personal leave time for sudden illness in conjunction with any discretionary days off (V-Days, Vacation or Holiday) that occurs more than two (2) times in an evaluation period where use of such leave has not been medically substantiated.
  - 6.1.3 The use of sick leave or personal leave time for sudden illness on the same day of the week occurring more than two (2) times during an evaluation period where use of such leave has not been medically substantiated.
  - 6.1.4 The use of sick leave or personal leave time for sudden illness when discretionary days off have been cancelled occurring more than one (1) time in an evaluation period where use of such leave has not been medically substantiated.
  - 6.1.5 The use of sick leave or personal leave time for sudden illness when a request for a discretionary day off has been refused due to manpower constraints occurring one (1) time in an evaluation period where use of such leave has not been medically substantiated.
  - 6.1.6 When an officer has exhausted all available sick leave or personal leave time for sudden illness without medical substantiation, and is being marked "X" when reporting off sick.
- 6.2 As part of the semi-annual performance evaluation, shift supervisors shall review the attendance record of all officers under his/her command, and shall identify those officers who, during the previous review period, may have demonstrated a pattern of sick leave based on the above criteria.
  - 6.3 Any officer who may be demonstrating a pattern of sick leave abuse shall first be counseled by the evaluating supervisor in an attempt to ascertain if there is a continuing health problem and what steps, if any, have been taken to correct it. The officer may request that an F.O.P. Grievance Representative be present during this counseling session.
  - 6.4 Should the pattern of abuse continue through subsequent performance evaluation periods without acceptable explanation, additional measures may be initiated. These measures may include, but are not limited to:
    - 6.4.1 Written notification to the officer that a possible abusive pattern exists.
    - 6.4.2 Calls or visits to the officer's residence by a supervisor when reporting off sick to verify an actual illness or injury.
    - 6.4.3 Requiring the officer to request permission from the on-duty supervisor if the officer wishes to leave his/her residence while on sick leave.
    - 6.4.4 Requiring the officer to submit to a fitness-for-duty evaluation by the City doctor.
    - 6.4.5 Requiring that the officer produce a doctor's certificate for each incident of absenteeism.
    - 6.4.6 Revoking any secondary employment privileges enjoyed by the officer.
    - 6.4.7 Any progressive disciplinary action that may be warranted.

## **7.0 PROCEDURE FOR RETURN TO DUTY FOLLOWING ABSENCE DUE TO ILLNESS OR INJURY**

- 7.1 An officer, who reporting on-duty from leave due to personal illness or non-job related injury, shall report "on" to his/her duty location at least one (1) hour prior to the scheduled start of his/her tour of duty.
- 7.2 A Sick Leave Report (PBP Form #65) shall be completed and submitted by an officer who used either sick leave or personal leave time for sudden illness.
- 7.3 The Sick Leave Report (PBP Form #65) shall be submitted by the end of the tour of duty of the day of return to work. If applicable, the Sick Leave Report shall be accompanied by the doctor's certificate. In cases where an officer fails to submit a Sick Leave Report, and when applicable, a doctor's certificate by the end of the tour of duty of the first day of return to work, the officer may be subject to disciplinary action.
- 7.4 Those officers on extended sick leave or "X" time shall submit a doctor's certificate for each pay period they are off. This certificate will be due at the end of every pay period.
- 7.5 The falsification of Sick Leave Reports or doctor's certificates shall result in disciplinary action.
- 7.6 Completed Sick Leave Reports and doctor's certificates will be forwarded to Personnel & Finance at the end of each payroll period where they shall be maintained.

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Approved By:

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Robert W. McNeilly, Jr.  
Chief of Police