

M E M O R A N D U M

Date: November 4, 1992

Reference Code: 92-111

To: PERSONNEL MANAGEMENT LIAISONS

This Memorandum should be distributed to:

LABOR RELATIONS OFFICERS

From: Department of Personnel Administration
Labor Relations Division

Subject: Changes to Sick Leave Use Policy (Section 3.2
1992 - 1995 MOU) - Bargaining Unit 10

The purpose of this memorandum is to advise your department of recent changes in the Sick Leave policy as it relates to Bargaining Unit 10 employees. The following subparagraphs of Section 3.2, Sick Leave (this is a different number from the previous contract) have the new or changed language underlined:

- d. The department head or designee shall approve sick leave only after having ascertained that the absence is for an authorized reason and may require the employee to submit substantiating evidence including, but not limited to, a licensed practitioner's certificate. If the department head or designee does not consider the evidence adequate, the request for sick leave shall be disapproved.
- e. An employee shall not be required to provide evidence to substantiate a sick leave absence when he/she uses up to two (2) consecutive days of sick leave except when:
 - (1) the employee has a demonstrable pattern of sick leave abuse; or
 - (2) the supervisor believes the absence was for an unauthorized reason; or
 - (3) the employee has an above average use of sick leave.

- f. If required to substantiate a sick leave absence, the employee may be required to provide verification from a licensed practitioner. Verification will be required by the department head or designee only after a review is made of the employee's reasons for absence.
- g. Sick leave may be accumulated without limit.
- h. Sick leave may be requested and taken in thirty (30) minute increments.

In making these changes to the above-referenced portion of the MOU, reference was made at the bargaining table to PML Memorandum 90-49 (September 20, 1990), Sick Leave Administration Guidelines for Supervisors. These guidelines are still in effect and may be referred to for further clarification.

The effect of the identified changes is as follows:

- 1. The department head or designee (usually a supervisor) is still responsible for ascertaining if the absence is for an authorized reason. This means that the employee must provide a reason for the absence and the supervisor must review that reason. (Subparagraph d)
- 2. The use of the term "licensed practitioner" reflects the State's practice of recognizing the involvement of a broader segment of the treating and therapy community in serving our employees. (Subparagraph d)
- 3. After the supervisor has reviewed the reason for absence, he/she may require the employee to provide substantiation from a licensed practitioner. (Subparagraph d)

The supervisor is restricted from requiring such substantiation for absences of less than two (2) consecutive days except in the circumstances delineated in subparagraph e.

- 4. If an employee is required to provide substantiation of a sick leave absence, the supervisor may require the substantiation to be from a licensed practitioner. Again, the supervisor must review the employee's reason for the absence before requiring the employee to substantiate the absence. (Subparagraph f)



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It is critical that the department reiterate its guidelines for ascertaining that an absence is for an authorized reason, and the procedure, document and/or mechanism for recording the reason(s) for the use of sick leave.

Once the supervisor authorizes the use of sick leave credits, as witnessed by his/her signature on the appropriate department document, that document must be processed by the department's transactions unit even if the reason for the absence is not therein contained.

If you should have any questions regarding the above, please call James Wheatley at (916) 324-0501.

