

## Leaves and Absences

### 808.1 PURPOSE AND SCOPE

To ensure proper and timely approval and notification of employee absences.

### 808.2 APPLICABILITY

This policy shall be applicable to all Department employees.

### 808.3 POLICY

It is the policy of the Probation Department that all leaves will be approved and administered in accordance with the County of San Diego Compensation Ordinance and applicable MOAs.

Employees' requests for leave, other than sick, must be approved prior to such leave being taken.

### 808.4 VACATION AND COMPENSATORY TIME OFF (CTO) FOR SWORN STAFF

While vacation and CTO procedures may vary between each Service, the following is applicable to all Services:

- 9/80 and 4/10 work schedules, or any other alternative work schedules are not considered when requesting vacation.
- Vacation and CTO requires prior supervisory approval. Supervisors will ensure there is adequate coverage for the work unit/responsibilities before approving vacation or CTO.
- Staff transferring to a new assignment will not be allowed to "bump" staff already granted leave. Every effort will be made to accommodate previously approved vacation periods.
- Staff must complete and approve Kronos prior to leaving on vacation.
- All requests for 21 or more days of consecutive vacation leave require prior approval from the Division Chief or Probation Operations Support Manager (POSM).
- Supervisors shall not consider staff absent for other reasons (e.g. military leave) when determining applicable ratios (refer to procedure) for approving vacation and CTO. Minimum staffing levels will be subject to Division Chief discretion based on the operational needs of each region.
- For field services staff, once per year there is a Vacation Request Window (VRW) wherein vacation can be requested for high-demand holidays for the following vacation year. Requests are prioritized according to seniority. The VRW is outlined in field services procedure.

### 808.5 VACATION AND COMPENSATORY TIME OFF (CTO) FOR NON-SWORN PROFESSIONAL STAFF

Supervisors will approve or deny requested leave based on workload demands. Approved vacation will generally be limited to one staff per unit at the same time. A request for one to two

# San Diego County Probation Department

## Field Services Policy Manual

### *Leaves and Absences*

---

days off must be submitted a minimum of three days prior to the requested time off. A request for one week off must be submitted at least two weeks prior, and a request for two weeks off must be submitted at least three weeks prior. A calendar for each unit will be available for approved time off to avoid duplication of requests and to ensure the needs of the office are covered.

Requests for time off during the holidays (Thanksgiving, Christmas, New Year's, Fourth of July, Easter) may be granted to staff for before or after, but not both, to ensure that other team members are allowed time off. Time off adjacent to the holidays will be rotated amongst staff. Generally, no more than two employees will be allowed time off during the holidays. However, Supervisors have the discretion to allow more than two staff off, depending on workload needs.

An Office Support Specialist/Senior Office Assistant/Lead Worker will not be off the same time as the Supervisor.

#### **808.6 CANCELING VACATION**

Canceling an approved vacation is permissible with 14 calendar days advanced written notice to the scheduling Supervisor and the officer's Supervisor. In unusual cases, such as a personal or family illness or other emergency, this guideline can be waived. Assignment of workload and management of the vacation schedule requires this advance notice. Division Chiefs have the discretion to waive the advance notice requirement.

#### **808.7 SICK LEAVE**

Sick leave may be used for absences caused by illness, injury, temporary disability (including pregnancy/maternity), medical, dental or vision exams, and medical treatment of the employee or the employee's immediate family when it is not possible to schedule such appointments during non-working hours. Sick leave is not considered vacation, and abuse of sick leave may result in discipline. Employees on sick leave shall not engage in other employment, or self-employment, or participate in any sport, hobby, recreational or other activity which may impede recovery from the injury or illness.

##### **808.7.1 NOTIFICATION**

An employee who is unable to report to work because of illness is to contact their Supervisor as soon as they are aware they will not be able to report to work. If the immediate Supervisor is unavailable, the Duty Supervisor is to be contacted. Employees who work in a 24-hour institution must talk to the Watch Commander at least one hour before they are scheduled to work if they are unable to report (leaving a message is not acceptable). All other employees must contact their Supervisor or Duty Supervisor at least 30 minutes prior to their reporting time.

##### **808.7.2 EMERGENCY**

When an employee cannot call because of accident or emergency, the immediate Supervisor or Watch Commander/Duty Supervisor shall accept other reasonable notification on behalf of the employee. Upon return, the employee shall provide verification of the accident or emergency, as well as a medical release if the employee was injured.

# San Diego County Probation Department

## Field Services Policy Manual

### *Leaves and Absences*

---

#### 808.7.3 SCHEDULED MEDICAL APPOINTMENTS

When an employee has a routine medical appointment, approval shall be requested as far in advance as possible. Employees are encouraged to schedule medical appointments during non-duty hours whenever possible. Employees are prohibited from using county vehicles for transportation to and from medical appointments.

#### 808.7.4 SICK LEAVE VERIFICATION

For employees who have used fifty-two or more hours of sick leave in a calendar year, each subsequent request for more than five consecutive workdays shall be accompanied by a physician's verification, or other evidence satisfactory to the appointing authority, which demonstrates the employee's incapacity or necessity to be absent for medical reasons.

#### 808.7.5 PROLONGED ILLNESS OR SURGERY

In cases of prolonged illness or surgery, an employee need not call in daily but shall provide their Supervisor with an estimated date of return, verified by the employee's physician. Prior to returning to work, the employee shall provide the Department with a medical release.

Eligible employees are required to file for Family Medical Leave if they anticipate an extended leave of absence due to illness, injury, or to care for an immediate family member who is ill.

#### **808.8 VACATION OR COMPENSATORY TIME USAGE IN THE ABSENCE OF SICK LEAVE**

An employee without a sick leave balance may request vacation or compensatory time in lieu of sick leave. Approval will only be granted if the employee has good cause, has not shown a pattern of sick leave abuse, and has exhausted all of their sick leave. The Supervisor is under no obligation to grant alternative leave. When such leave is not approved, the employee will be notified, and the employee's absence will be recorded as leave without pay.

#### **808.9 ILLNESS DURING VACATION**

An employee who becomes incapacitated due to illness or injury, or needs to care for an immediate family member who is ill, for three or more consecutive calendar days while on approved vacation status may substitute sick leave credits for vacation provided the request for sick leave substitution is accompanied by a physician's statement which verifies the illness or injury.

Staff calling in sick for a time period for which a previous vacation or CTO request has been denied may be asked to furnish medical proof of illness.

#### **808.10 ABUSE OF SICK LEAVE**

When facts and circumstances surrounding the use of sick leave, such as an identifiable pattern, suggest a potential abuse of sick leave, the Supervisor will first discuss the situation with the employee. If the pattern of abuse continues, the Supervisor should work with their DHRO to draft a Sick Leave Verification letter. If potential abuse of sick leave is apparent, the Appointing Authority will place the employee on Sick Leave Verification. A memorandum will be prepared setting forth specific requirements for the request and approval of all sick leave. Documented sick leave abuse will lead to disciplinary action pursuant to Civil Service Rule VII.

# San Diego County Probation Department

## Field Services Policy Manual

### *Leaves and Absences*

---

#### **808.11 BEREAVEMENT LEAVE**

Upon the death or funeral of an immediate family member, an employee is entitled to up to three days of bereavement leave. An additional two days of sick leave may be used as bereavement leave. An immediate family member is defined as husband, wife, child, stepchild, brother, brother-in-law, stepbrother, sister, sister-in-law, stepsister, grandmother, grandfather, grandchild, parent, stepparent, mother-in-law, father-in-law, or any person serving as a parent, or who served as a parent, or any other close person living in the same household as the employee.

#### **808.12 JURY DUTY**

Permanent employees who are required to appear in court for jury duty during their scheduled work hours will be paid for jury duty time. An employee should notify their Supervisor upon receipt of a court order to attend a local court as a prospective juror or as a witness in a court action to which they are not a party but are required to appear on behalf of the County.

Employees who are absent from work to attend jury duty are required to submit an attendance sheet provided by the court, indicating the time they reported in and out, upon their return to work. If attendance for court is required for less than the full day or shift, the employee is expected to return to work. In this case, court leave will include reasonable travel time between court and work.

#### **808.13 CATASTROPHIC LEAVE**

Catastrophic leave enables employees to donate vacation and/or sick leave credits for use by another employee who, due to personal catastrophic illness or injury, or due to the need to care for a spouse, child, or parent who is recovering from a catastrophic illness or injury, has exhausted paid leave and is subsequently facing financial hardship.

The Probation Department will follow the guidelines and procedures in the County of San Diego Compensation Ordinance and the Department of Human Resources policy for catastrophic leave.

Donations for vacation and/or sick leave credits can be requested and received once catastrophic leave is approved, but will not be transferred until the employee has exhausted all paid leave, including sick leave, vacation, and compensatory time off. Catastrophic leave cannot be granted retroactively.

Employees donating vacation and/or sick leave credits to another employee must transfer a minimum of four hours, in whole hour increments. Transferred credits are irrevocable.

Requests to be the recipient of catastrophic leave must be made in writing to the Chief Probation Officer or designee through the chain of command.

#### **808.14 DEFINITIONS**

**Leave without Pay** - An absence that is unpaid during the duration of such absence.

**Paid Leave** - Leave that is available to County employees, which includes vacation, compensatory time off, sick leave, bereavement leave, court leave, jury duty, and military leave.

# San Diego County Probation Department

## Field Services Policy Manual

### *Leaves and Absences*

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#### **808.15 REFERENCES**

For further guidance, see Field Services Procedure Manual—Leaves and Absences.