Employees have the right to use sick leave for:

- incapacitated for illness, injury or pregnancy-related medical conditions
- emergency medical, dental or eye exams
- contagious disease

If you suspect an employee is abusing leave:

- Review the employee’s leave use for the past 6 months (sick leave, leave without pay and annual leave).

Potential leave abuse indicators:

- used frequently and unscheduled
- after leave is disapproved
- before or after a scheduled day off
- constant medical emergencies
- requests made by others
- requests made when the supervisor is away or at a meeting
- after a pay day
- before or after a holiday or weekend
- when there is bad weather
- when there is a heavy workload
- around certain events (sporting events, hunting season, etc…)
- not properly requested
- sick leave that is used as soon as it’s earned
- low sick leave balance
- child is frequently ill
- many of the employee’s relatives require care by the employee

Supervisor’s Responsibilities When Counseling an Employee

- Review the leave usage for the past 6 months with the employee
- Point out patterns of possible abuse
- Explain the proper use of sick leave to the employee
- Provide the employee with a written counseling letter
- Advise them that they may be placed on sick leave restriction
- Refer the employee to the Employee Assistance Program (EAP) if appropriate
- Stress the importance of maintaining a sick leave balance
Letter of Sick Leave Restriction

- make reference to the previous written counseling – when and why it was issued
- indicate why the restriction letter is being issued including a review of leave use since the written counseling letter was issued
- clearly state what the restriction time period will be (usually 6 months)
- explain what type of documentation the employee will need – the medical documentation must state that the employee was incapacitated, with the time period covered and signed by a medical provider
- explain the consequences of not providing the required medical documentation – employee will be marked Absent Without Leave (AWOL) until the required documentation is received.
- explain the time period by which the employee must provide the required documentation – usually within 3 work days

Unscheduled Annual Leave

- Annual Leave should be requested in advance
- Employees must call in to request leave no later than 2 hours from the beginning of their tour of duty
- Set up a system for employees to either orally advise you or send you an e-mail that a request is pending
- If you disapprove of a leave request, explain to the employee why and document it in writing
- Options for dealing with disapproved annual leave requests include:
  ✓ Give the employee a reasonable time to report to duty and grant them appropriate leave until that time
  ✓ State the specific time they are expected to report to duty
  ✓ Charge AWOL after that time if the employee does not report to duty or reports after the established time
  ✓ OR grant no leave and charge the employee AWOL until they report to duty

Employee Tardiness

Supervisors may grant up to one hour of Authorized Absence (AA) for tardiness if the reason for tardiness is acceptable to you. If the reason is not acceptable, the absence is unexcused. Employee may take annual leave, comp time or leave without pay. Keep a record of excused and unexcused absences in the employee’s file. The employee may also be charged Absence Without Leave (AWOL).
Properly Charging Absence Without Leave (AWOL)

7 Minute Rule – Since time is charged in 15 minute increments, a charge of AWOL for 7 minutes or less does not result in any deduction in pay. Make sure you add comments to the employee’s time card explaining that the incident is an unexcused tardiness. This serves as your record. If you charge an employee with AWOL for over 7 minutes, the employee does not have to begin work until the 15 minute increment is up.

<table>
<thead>
<tr>
<th>Misconception</th>
<th>Reality</th>
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<tbody>
<tr>
<td>If an employee makes a formal leave request, the supervisor must approve it.</td>
<td>This is false because supervisors must consider requests in light of current and anticipated workloads.</td>
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<tr>
<td>Once leave is approved, it cannot be modified.</td>
<td>Leave can be cancelled and the employee given another opportunity to schedule their leave or the leave can be approved for carry over into the next leave year.</td>
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<tr>
<td>Whatever I approve for one employee sets a pattern for the others.</td>
<td>It may not always be possible to approve the same kind of leave for all of your employees.</td>
</tr>
<tr>
<td>If an employee uses all of their leave, I must grant leave without pay (LWOP).</td>
<td>Employees are not entitled to LWOP except in special circumstances.</td>
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<tr>
<td>I must approve absences that are called into the office as long as the employee has a positive leave balance.</td>
<td>This depends on the leave policy in your section. Make sure employees are aware of the policy.</td>
</tr>
<tr>
<td>Employee may call in their absence to anyone and at anytime. It is also permissible to leave a voice message.</td>
<td>Leave must be requested within 2 hours of the starting time of the employee, but employees should be encouraged to call in as close to their start time as possible. The use of voice mail messages depends on the leave policy in your section.</td>
</tr>
<tr>
<td>I cannot charge AWOL if the employee has accrued leave balance.</td>
<td>If the employee has an unauthorized absence, then you can charge AWOL regardless of their leave balance.</td>
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<tr>
<td>If I charge LWOP, it is like AWOL and can serve as a basis for discipline.</td>
<td>LWOP is an approved absence and cannot serve as a basis for discipline.</td>
</tr>
<tr>
<td>Once I know the employee’s length of service, I know how much leave a good employee should have.</td>
<td>Every employee is different and has different reasons for taking leave which must be taken into account.</td>
</tr>
<tr>
<td>Employees know the rules about leave, so there is no reason to state expectations.</td>
<td>It’s always a good idea to remind employees about the rules and your expectations.</td>
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