

CITY PERSONNEL POLICY

SICK LEAVE

Policy # 29-00

Approved by Personnel Board: 8/26/99

Michele Frost, Personnel Director

Approved by City Council: 4/4/00

Council President Paul Koneck

Pursuant to the Omaha Municipal Code, Section 23-65, the following is declared to be the policy of the City of Omaha. Please check the City's e-mail system in the Public Folders under Personnel Department for the latest amendments to this policy.

Policy

The purpose of the policy is to reduce sick leave usage by focusing on the employee (classified or unclassified) whose absences "create a direct hindrance to the effective performance of City government functions." Regardless of the validity of the illness/injury, when it reaches a certain level for a particular employee, that employee is no longer a benefit to the City work force and, regardless of the validity of the illness, we can no longer keep such person employed.

The continuing objectives of the policy are:

1. to protect sick leave as "insurance" for maintaining an employee's income when illness prevents an employee from performing the employee's duties;
2. to eliminate the misuse of sick leave (i.e., the use of sick leave when an employee can perform the employee's duties);
3. to focus on constant users of sick leave by identifying and resolving the underlying problems causing the usage;
4. to reduce sick leave costs by eliminating the misuse of sick leave; and
5. to improve productivity and co-worker morale by eliminating the misuse of sick leave.

City sick leave benefits are intended to provide the employee with full salary when that employee is unable to work because of illness. Additionally, these sick leave benefits provide the employee with short-term disability benefit so that the employee will continue to receive full salary (up to the amount of accrued sick leave) if he/she is temporarily disabled by illness or injury.

An employee's use of sick leave could constitute grounds for that employee's termination of employment because such usage reaches a level which indicates that the employee is simply too sick to continue City employment, even though such employee has accrued sick leave balance. The City will not terminate any employee unless:

1. such usage is over an extended period of time;
2. there is no indication, by history, that such excessive usage will abate;
3. the City has taken steps over a period of time to counsel, aid, and assist such employee regarding his/her usage; and,
4. the usage is not a result of a continuing illness, such as cancer, heart disease, or any serious, chronic, long-term illness.

Call-In and Verification Procedures

As the supervisor deems appropriate, the following call-in and verification procedures may be followed to monitor sick leave usage:

1. Sick leave will be approved or denied by the employee's supervisor. Employees must not simply call in and leave a message that they are "taking" sick leave. Supervisor approval/denial must be based on sound business principles and the procedures outlined in the appropriate union contracts or Chapter 23 of the Omaha City Code. When an employee calls in to request sick leave before a shift begins, but is unable to talk to the proper supervisor directly, the employee shall leave a message for the supervisor with his/her phone number. Unless later canceled, sick leave will be considered to be granted unless the supervisor calls the employee back to deny such leave within thirty (30) minutes of the beginning of the shift.
2. The employee calling his/her supervisor to request sick leave must advise that supervisor where (address and phone number) the employee can be located during the time he/she is on sick leave. Should it be necessary for the employee to change this location during the course of the day, he/she must notify the supervisor before such change occurs.
3. Each successive day the employee is on sick leave, the employee must call in and request sick leave, as explained above in Number 1, unless the employee's supervisor has instructed the employee otherwise.
4. The employee's supervisor may verify the employee's identified location by telephoning or visiting the employee during that employee's assigned work hours.
5. The supervisor shall classify an employee as "absent without leave" (i.e., without pay) for the shift should any of the following occur during the employee's scheduled work hours:

- a) the employee fails to answer the supervisor's verification call to the phone number the employee designated;
 - b) the employee is not where the employee designated when the supervisor visits;
 - c) the employee visits a destination other than those indicated to the supervisor.
6. Failure to follow and abide by these call-in procedures may result in loss of pay and/or disciplinary action, up to and including termination. Any such discipline shall be in accordance with the appropriate union contract or Chapter 23 of the Omaha City Code.

Sick Leave Usage Review

Each supervisor will review periodically (minimum of each quarter) sick leave records of his/her employees. If an employee's usage reaches a level that becomes a direct hindrance to the effective performance of City government functions, then the following procedures shall apply:

1. The supervisor will counsel the employee. (Counseling procedures for Local 251 employees are somewhat different and governed by Union contract Article 17, Section 1.) The supervisor will explain to the employee the impact of the employee's absence on the effective performance of City functions. The supervisor and the employee will discuss the steps the employee could take to correct the employee's use of sick leave. These steps can include referral to the Employee Assistance Program.
2. Should the problem not be resolved, the supervisor shall review the case with the Labor Relations Director to determine which of the following additional actions may be pursued:
 - a) additional counseling sessions involving the employee, the supervisor, the Labor Relations Director, and a Union representative, where applicable;
 - b) a complete medical examination by a doctor selected and paid by the City for the purpose of determining any medical factors which are contributing to excessive sick leave usage and which can be corrected by treatment.
3. If the employee continues to use sick leave such that it becomes a direct hindrance to the effective performance of City government functions, then the employee may be terminated from City employment