

CITY OF PORTSMOUTH
ADMINISTRATIVE POLICY

#37

JANUARY 2003

SUBJECT: Sick Leave

PURPOSE: This policy is to provide full-time employees with paid leave during illnesses. Paid sick leave is available to employees for the following reasons:

1. Employee's illness and/or general medical appointments;
2. The birth and care of the employee's newborn child or for the adoption or placement of a foster child with the employee;
3. To care for a spouse, parent, child, or someone in the employee's primary care with a general illness (limited to three days in any one calendar year);
4. To care for a spouse, parent or child with a qualifying (FMLA) serious health condition (does not include in-laws). Child is defined as under 18 years of age unless incapable of self-care because of a mental or physical disability;

These items may also qualify for FMLA leave. Please refer to AP#33 Family and Medical Leave for more information.

ACCRUAL: Employees will accrue eight hours of paid sick leave for each full calendar month worked. Sworn Fire Personnel who work a 27-day cycle accrue 12 hours of paid sick leave for each full calendar month worked. Part-time employees accrue no sick leave. Sick leave is not accrued when there is any unpaid leave (approved or unapproved) during the calendar month.

Sick leave may not be taken until earned and credited. There is no limit to the amount of sick leave an employee may accumulate.

One-half of an employee's accumulated sick leave balance will be credited in the form of increased service at the time of retirement for members of the Portsmouth Supplemental Retirement System and the Portsmouth Fire and Police Retirement System. For Sworn Fire Personnel who work a 27-day cycle, the accumulated sick leave will be converted to a 40-hour a week employee basis before determining the amount of sick leave credit. There is no retirement credit for members of the Virginia Retirement System.

Unused sick leave will not be paid at the time of termination.

REQUESTING SICK LEAVE: Employees must obtain supervisor's approval before using sick leave. The supervisor will inform employee of department's call in procedures. A supervisor may deny payment of sick leave if it is taken contrary to policy, even when an employee has accrued sick leave.

Departments are required to report the use of sick leave to the Payroll Department within 30 days of the leave being taken. Failure to properly report such leave may subject the supervisor to appropriate disciplinary action.

Employees are prohibited from working second jobs while out on sick leave. Employees found in violation of this requirement will be subject to disciplinary action.

RETURNING TO WORK: Employees returning with a doctor's note (medical certification) must first notify their Department Heads of their return date before returning to work. Department Heads will then refer those employees to the City's Medical Provider, Maryview MedCare, request them to submit their medical certification to Maryview MedCare, and obtain a return to work release form indicating what, if any, restrictions apply. This may be required in cases of suspected abuse or per department procedure. An employee may be required to provide this form before returning to their position or asked to provide it within a specified period of time to receive payment of sick leave. If applicable, the Department Head will designate such leave as FMLA leave. All medical records/certifications are to be submitted to the City's Medical Provider, not to the supervisor or department.