

City and County of Denver	POLICY & PROCEDURE	Public Works Department
Subject:	SICK LEAVE ABUSE	
Approved:	<i>[Signature]</i> Manager of Public Works	
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GENERAL

This policy supersedes and replaces Public Works Policy 10-P005, Sick Leave Abuse, issued on April 7, 1998.

PURPOSE

To establish a consistent procedure for handling suspected sick leave abuse by Public Works employees.

PROCEDURE

The employer has the right and the obligation to question any uses of leave. Each supervisor is responsible for evaluating the sick leave usage of each of their employees to determine possible abuse of sick leave. If fact finding reveals that sick leave use is due to a situation covered in the Family Medical Leave Act (FMLA), the supervisor will request documentation to determine applicability of FMLA.

Career Service Rules require that documentation be provided for absences exceeding three (3) days. However, a supervisor may request documentation for absences of any length. When appropriate, the employee will be directed, in writing, to submit documentation from a health care provider immediately on return to work. If documentation is not provided, the leave used will be Unauthorized.

EXAMPLES OF SICK LEAVE ABUSE

Supervisors should evaluate each case of sick leave usage individually. However, there are behaviors which may indicate abuse or excessive use of which supervisors should be aware, take note and investigate where warranted:

- if the employee has exhausted all sick leave (and vacation leave when used in place of sick leave) due to no apparent major or long term illness;
- if the employee develops a pattern of sick leave usage, such as absences occurring either on the days at the beginning or end of a work week, before or after holidays, or consistently after pay days;
- if the employee develops a pattern of requesting sick leave and investigation shows that the employee, or immediate family member, was not ill.

The first step in addressing suspected sick leave abuse is for the supervisor to talk with the employee about the alleged misuse. One instance does not usually point to abuse, and communicating expectations to the employee may alleviate further problems.

If the supervisor determines that there is a possibility of sick leave abuse, the supervisor should immediately contact a human resources representative for discussion concerning possible courses of action. Any determination, decision, or discipline concerning abuse of sick leave will be made by the division director after review with the human resources representative in accordance with current Public Works practices concerning discipline and relevant Career Service Rules.

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