

**CAPITOL POLICE SECTION
OFFICER RULE 7
SICK/PERSONAL LEAVE**

Section 7-1 Sick Leave

A. Sick leave is defined in Regulation 3 and shall be administered as outlined in this rule.

B. A Capitol Police Section (CPS) officer may use sick leave for appointments with any licensed health care provider. Sick leave shall not be taken in less than 15-minute increments.

C. CPS officers who, while on scheduled vacation leave, become sick or injured, shall remain on vacation leave until the original leave period ends at which time the officer may be placed on sick leave.

However, CPS officers who, while on scheduled vacation leave, become sick or injured to the extent that there is a severe limitation of their functional capacity to perform the duties of their job, may request to be placed on sick leave in lieu of vacation leave.

Such requests shall include a completed [Employee's Physician Report](#) and shall then be submitted to the CPS officer's commander for consideration.

D. Sick leave with pay shall accrue to CPS officers at the rate of one (1) working day for every two (2) full months of employment. These days can also be used for illness or injury in the officer's immediate family.

Section 7-2 Abuse of Sick Leave

A. A commander may require a CPS officer to verify, by doctor's statement, fitness to work or legitimacy of leave request in the following circumstances:

1. Absence for a period of three (3) or more consecutive days;
2. The Officer has demonstrated an unacceptable pattern of attendance;
3. The Officer had previously requested the day off and been denied;
4. The Officer demonstrates behavior which indicates that a fitness problem may exist; or
5. A request for sick leave is thought to be in concert with a job action or other form of work stoppage.

Note: The Superintendent may designate a physician to verify the legitimacy of the sick leave. The cost of verification by an employer-designated physician shall be the responsibility of the Department.

B. CPS officers shall request sick leave at least one (1) hour prior to the start of their assigned shift.

C. CPS officers shall not be disciplined for the use of sick leave in compliance with this section; however, the inappropriate use of sick leave shall be recorded as unauthorized leave and may subject the officer to discipline.

D. CPS officers who resign, in good standing, after June 30, 1982, and are subsequently rehired shall have reinstated accrued sick leave, which was unused at the time of their resignation.

Section 7-3 Additional Sick Leave

All CPS officers shall accrue one (1) additional sick day each time they accrue a personal leave day. The first additional sick day shall be credited to all officers on the date after October 7, 1992 that they are presently scheduled to receive a personal leave day.

Section 7-4 Special Sick Leave

A. On July 1, 1989, all CPS officers with more than one (1) year of continuous full time state employment, were credited with a bank of special sick leave days equal to five (5) work days for each year of continuous full time state employment completed as of June 30, 1989. A proportionate number of special sick leave days were credited for that period of continuous employment in excess of complete years. Any special sick leave used prior to July 1, 1989 was subtracted from that total.

B. No special sick leave shall be credited for any employment after June 30, 1989.

C. CPS officers who have exhausted all accumulated sick leave, personal leave compensatory time and vacation time shall, upon request to the Superintendent, be granted special sick leave for periods of disability as certified by the [Employee's Physician Report](#).

D. No sick leave, vacation leave or personal leave shall accrue while on special sick leave.

Section 7-5 Return to Duty from Sick Leave

CPS Officers who are absent from work due to a work related or non work related illness or injury shall immediately notify their commanding officer when released by a physician to return to duty in a full or limited (light) duty capacity.

Applicable requests to return to:

A. Limited duty shall be submitted by a CPS officer as outlined in the provisions of [HMR-010](#).

B. Full duty shall be submitted by a CPS officer as outlined in the provisions of [HMR-006](#).

Section 7-6 Personal leave

A. CPS officers shall accrue a personal leave day for every four (4) months of service on the date of appointment and/or adjusted service date.

B. No CPS officer shall accrue a personal leave balance in excess of three (3) days. Any accrual of personal leave beyond the three-day limit shall be credited to the employee's sick leave balance.

C. Personal leave shall not accrue while in a disability status nor while on leave without pay.

D. Personal leave shall not be recorded or compensated in less than 15-minute increments.

E. Requests for personal leave

1. CPS officers shall request personal leave at least one (1) hour prior to the start of their assigned shift and shall be granted at the discretion of the officer's commander, supervisor or designee.

2. CPS officers should provide more than the required notice, whenever possible. Notice requirements shall be waived upon the submission of documentation that an emergency situation existed, which made it impossible or impractical for the officer to comply with the notice requirement.

F. Requests to use accrued personal leave may be denied for the following reasons:

1. An inordinate number of requests are received for the same day, such as days before, on, or after a holiday;

2. Proper notice requirements were not met;

3. An emergency situation exists which requires the presence of the employee (for purposes of this article, normal workloads or staffing shortages shall not constitute an emergency);

4. Request is for second half of shift and approval was not secured prior to beginning of shift; or

5. Request is for consecutive personal leave days.

G. A CPS officer who resigns in good standing after June 30, 1982, and is subsequently rehired, shall have restored, six (6) months from date of rehire, any personal leave that was accrued but unused or uncompensated for at the time of separation.