

## **Procedure for Approving Leave Due to Illness When All Sick Leave Has Been Exhausted**

(Represented Employees)

Sick leave accrued on a regular basis by all represented employees is typically used to cover occasional illnesses of short duration, family health emergencies, long term illnesses, and medical appointments. Occasionally, an employee has exhausted all sick leave accruals and must be absent due to illness. In this situation, absences should be recorded as unpaid sick leave.

All collective bargaining contracts provide for the President or his designee to consider a request for the use of vacation or CTO in lieu of unpaid sick leave. The process for requesting such consideration is as follows:

1. The employee shall prepare a brief written request for approval of the use of vacation or CTO in lieu of unpaid sick leave that includes an explanation of
  - a) the nature of the medical incapacity necessitating time off from work,<sup>1</sup>
  - b) the anticipated length of the absence being requested,
  - c) the reasons for the lack of sick leave accruals to date, and
  - d) the amount of hours of vacation or CTO requested.
2. Notice to the non-bargaining unit supervisor (or the next level of management in the supervisor's absence) is required in all instances at the point the employee becomes aware of the need to be absent from work. Employees should provide at least 14 days' notice when the leave is foreseeable, such as for the expected birth or adoption of a child.
3. The supervisor shall submit the request for approval with any additional information to the Director of Human Resources.

The Director of Human Resources is responsible for approving all such requests. Requests will be considered in the context of Family Medical Leave (FML) requirements, the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act (PDA) and any other applicable law, regulation or policy such as Nonindustrial Disability Leave (NDI).

Requests will also be considered in terms of long term prognosis and any other contributing circumstances. The Director of Human Resources will be responsible for designating the type of leave of absence granted. All requests are handled on a case by case basis.

Any unpaid sick leave taken will place the employee in non-pay status until such time as the employee returns to work. All requests for extensions of approved leaves of absence shall also be directed to the employee's non-bargaining unit supervisor who will forward them to the Director of Human Resources.

If you have any questions regarding this policy, please call the Department of Human Resources at 559.278.2364.

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<sup>1</sup> Please note that the employee is not required to specify the health condition or provide a diagnosis of that condition, only the limitations of the condition (i.e., absence required due to a period of incapacity as well as treatment by a health care provider, incapacity due to pregnancy or prenatal care, multiple treatments required by a health care provider for non-chronic conditions, permanent or long-term conditions requiring medical supervision, or chronic conditions which continue over a period of time or are episodic in nature).