



Charleston County Sheriff's Office Policy and Procedures Manual

Sheriff Carl Ritchie

4-07 Employee Leave

- New
- Revised
- Reviewed

ACA Standards Reference:
CALEA Standards Reference: 22.1.2
NCCHC Standards Reference:
SCLEA Standards Reference:
SC Minimum Standards:

This policy dated 1/28/2025 replaces prior policies cited above and supersedes all previously issued directives.

I. Purpose:

To define the types of leave available to the Charleston County Sheriff's Office employees and establish guidelines for the use of leave.

II. Policy:

The Charleston County Sheriff's Office grants its employees time away from work through various forms of leave, both paid and unpaid.

III. Definitions:

A. For purposes of this procedure, the word "deputy" applies to all agency employees with a certification classification of Class I, Class II, Class III, or Reserve Deputy, as defined by the South Carolina Criminal Justice Academy.

The following terms are used interchangeably; however, they carry guidance to specific employees based on usage of the term:

1. Deputy, deputy sheriff, detention deputy, sworn employee, uniformed sworn employee, sworn administrative employee, etc., and
 2. civilian, non-sworn employee.
- B. *Employee*: When used without further clarification, the term employee is inclusive of all agency members (sworn and non-sworn).
- C. *Annual Leave*: Paid time off used by an employee for general reasons.
- D. *Sick Leave*: Paid time off used by an employee during periods of absence from work due to illness, injury, and associated recovery period or disability, exposure to a disease which requires quarantine, and/or short periods of time needed for the care of a family member (i.e., sick child).
- E. *Family Medical Leave Act (FMLA)*: Federal legislation providing qualified employees up to 12 weeks or 480 hours per year of unpaid leave for certain family members and medical reasons as defined by [Charleston County Personnel Policy and Procedures Manual #6.12, Section C, Family and Medical Leave Act](#). Employees may substitute appropriate paid leave for specified family and medical reasons.
- F. *Bereavement Leave*: Paid leave granted to an employee to arrange and/or

attend the funeral of an immediate family member or relative as defined in

the [Charleston County Personnel Policy and Procedures Manual](#) #6.16 *Bereavement Leave*.

- G. *Workers Compensation Leave:* Paid time off for an injury sustained during the course of an employee's job.
- H. *Military Leave:* Leave granted to an employee who has been called into active military service.
- I. *Court Duty:* Granted leave for jury duty, the answering of a subpoena, or to otherwise appear in any legal proceeding wherein the matter before the Court is not personal in nature to the employee and is related to the execution of job-related duties.
- J. *Personal Holiday:* One day of paid time off per year that is selected by an employee with prior approval by the department head.
- K. *Unpaid Leave:* Unpaid leave is to be utilized as part of an administrative investigation or administrative punishment associated with employee misconduct; such leave may only be approved by the Sheriff, Undersheriff, Chief Deputy, Detention Chief, or Major. Unpaid leave may be granted by a Chief Deputy, Detention Chief or Major in extenuating circumstances when an employee has exhausted all other available leave.
- J. *Administrative Leave:* Leave assigned when there is an open investigation to an employee for misconduct or an employee engages in continual misconduct. Administrative leave may be either paid or unpaid. Paid administrative leave will not affect the employees accumulated leave hours. Administrative leave without pay may only be approved by a Chief Deputy, Detention Chief or Major; employees are prohibited from the use of any accumulated leave during the time they are on administrative leave without pay. (Ref: CALEA 22.1.2 item a)

IV. Procedure:

A. Leave Accrual Rates:

- 1. Annual and Sick Leave are accrued based on time employed and length of daily shift.
- 2. The accrual rate is established by Charleston County Government and is subject to change. Refer to the [Charleston County Personnel Policies](#)

and Procedures #6.11 Annual Leave and #6.12 Medical Leave for the current accrual rates.

3. Family Medical Leave Act (FMLA) does not accrue. A qualified employee who utilizes the FMLA is entitled to twelve weeks of unpaid leave per twelve months. The twelve-month period begins on the first day that the employee takes this type of leave (see [Charleston County Personnel Policy and Procedures](#) #6.12 FMLA)
4. While on workers' compensation leave, employees do not accrue sick or annual leave and will not be paid for holidays. If an employee elects to use accrued sick leave or annual leave while out on workers comp, their leave balances will continue to accrue. Employees must use their own leave for the first seven calendar days. No reimbursement is made for accrued sick or annual leave of less than seven calendar days. Employee may use accrued sick and/or annual leave or will be placed on leave without pay. After a waiting period of fourteen calendar days, the employee is reimbursed retroactively for all days of leave. During a period when no compensation is paid, the employee must utilize accrued sick leave, accrued annual leave, or be placed on unpaid leave of absence. If absence continues for more than seven calendar days, and the employee utilized sick or annual leave, an adjustment will be given for the excess number of days used and the appropriate leave balance will be adjusted proportionately. The adjustment will be at the prevailing rate outlined in the state statute (e.g., 66.23 percent). If the employee was in a leave without pay status, they will be paid at the prevailing rate outlined in the statute, based upon their average weekly wage (see [Charleston County Personnel Policy and Procedures](#) #6.19 Workers' Compensation Leave).
5. Military leave does not accrue; it is used whenever an employee is required to report for active military duty and military training dates. Military leave is based on the type of deployment as outlined on the employee's official orders (see [Charleston County Personnel Policy and Procedures](#) #6.14 Military Leave/Veteran Reemployment).
6. Jury Duty is paid leave to be used when an employee is directed and/or subpoenaed to appear in any court other than for personal matters, when the court appearance times conflict with the employees work schedule (see [Charleston County Personnel Policy and Procedures](#) #6.15 Court Duty).
7. Holiday Leave is paid time off on pre-determined holidays which does not affect accrued annual leave (see [Charleston County Personnel](#)

[Policy and Procedures #6.13 Holiday Leave](#)).

B. Use of Leave:

1. Annual Leave: (see [Charleston County Policy 6.11](#))

- a. When requesting the use of annual leave, employees are to submit a *Leave Request (CCSO form-300)* through their chain-of-command well in advance of the desired leave date(s).
- b. Annual leave slips are not guaranteed until the employee receives the signed approved leave form.
- c. Annual leave may not be used in the same period in which it is accrued.
- d. Annual leave hours are not considered hours worked in computing overtime.
- e. While on approved annual leave, employees continue to accrue annual and sick leave.
- f. If annual leave occurs on a recognized holiday, the employee will receive holiday leave and will not be charged annual leave for their regularly scheduled work day(s) which fall on the holiday(s).
- g. Employees may retain up to 480 hours of annual leave. At the new calendar year, any employee having more than 480 hours will have their leave balance reduced to 480 hours.
- h. When an employee becomes separated from their employment or experiences a change in employment status, compensation for accumulated annual leave is limited to 480 hours, minus any annual leave hours previously paid out.

(Ref: CALEA 22.1.2 item d)

2. Sick Leave: (see [Charleston County Policy 6.12](#))

- a. When requesting sick leave, employees must contact an on-shift supervisor as soon as possible, but no less than one hour prior to the beginning of the shift, unless there is an emergency. Employees will not leave a message; they must receive notification/acknowledgement from the on-shift

- supervisor. If an on-shift supervisor cannot be reached it is the employee's responsibility to contact Central Control (detention deputy) or Consolidated 9-1-1 Center (deputy sheriff) and request to speak to an on-shift supervisor.
- b. Sick leave is subject to verification of medical necessity. Should sick leave be used for three or more days, a Physician's note will be required to verify illness. It is at the discretion of the supervisor to require a physician's note any time a pattern of abuse or excessive use of sick leave (other than medical leave, which is protected by law) has been established.
 - c. While on approved sick leave, employees continue to accumulate sick leave. However, sick leave cannot be used in the same pay period in which it was earned.
 - d. If an approved sick leave day falls on a county holiday, the employee will not be charged sick leave for their regularly scheduled work day(s) which fall on the holiday(s), but instead will be given holiday leave.
 - e. An employee must exhaust all other types of leave, annual and sick leave and the employee's personal holiday, before being put on medical leave without pay status.
 - f. If an employee wishes to use sick leave for appointments with health care providers, he or she must get prior approval from their supervisor.
 - g. If an employee is ill, it is their responsibility to keep their supervisor informed daily, unless other arrangements have already been made. Failing to do so may result in denial of sick leave and/or disciplinary action.
 - h. There is no limit to the amount of sick leave an employee can accumulate.
 - i. Abuse or excessive use of sick leave is grounds for disciplinary action. (Ref: CALEA 22.1.2 item c)
3. Family Medical Leave Act (FMLA): (see [Charleston County Policy 6.12](#))
 - a. Employees are eligible for FMLA if they have been employed by the Charleston County Sheriff's Office for twelve months

and have worked at least 1,250 hours during the previous twelve months.

- b. Eligible employees may request leave under FMLA for reasons of:
 - i. Caring for their child after birth or placement of a child for adoption or foster care, this is also known as bonding leave. Both parents are eligible for bonding leave. Bonding leave must be taken within one year of birth or adoption placement. The employee must request bonding leave 30 days prior to the desired leave date and provide requested appropriate documents. If both parents of a newborn child are employed by Charleston County, they may both qualify for FMLA, for a maximum of twelve weeks.
 - ii. Caring for a spouse, child, or parent with a serious health condition. Under this type of FMLA leave, employees must submit a request thirty days in advance and medical certification of the serious medical condition of the family member and any other relevant requested documents.
 - iii. Serious health conditions preventing the employee from performing their job. If an employee requests leave for a foreseeable health condition, such request is to be made 30 days in advance to minimize disruption of departmental operations. If the condition is not foreseeable, an FMLA leave request should be made as soon as practical. The employee must also forward to Human Resources medical certification of the condition thirty days prior to the requested leave date or within fifteen days of notification of required medical certification.
- c. If sick leave and/or annual leave qualify as FMLA, that type of leave will run concurrently with the FMLA leave.
- d. Employees should notify their supervisor, in writing, of an FMLA leave request, with doctors' instructions for the time off and the approximate duration of the absence.
- e. Employees must contact Human Resources to obtain the

FMLA leave request documents if they anticipate being out for two weeks or longer. Employees will inform Human Resources once their doctor releases them from medical care. Human Resources will then set up an appointment for the Charleston County Physician to clear the employee to return to full duty.

- f. Human Resources will notify the employee's supervisor if/once the FMLA request is approved, and the expected length of absence of the employee.
 - g. Employees taking leave under FMLA are required to remit to Human Resources, a check or money order, payable to Charleston County Government, for the costs of continued benefits during the period of FMLA leave once all leave has been exhausted. (Ref: CALEA 22.1.2 item e)
4. Bereavement Leave: (see [Charleston County Policy 6.16](#))
- a. Employees should inform their supervisor when the death of a family member occurs. Include the name and relationship of the family member and the dates of prospective absence, and provide any documentation requested by the supervisor.
 - b. Employees are granted three days of bereavement leave for immediate family members, to include an employee's spouse (including common-law), child, father, mother, legal guardian, someone acting in *loco parentis*, brother, sister, father-in-law and mother-in-law, stepparent, step- or half sibling, son-in-law and daughter-in-law, grandparent, grandchild, and/or any other relative within the first degree (as defined in law). One day of bereavement leave will be given for relatives outside the immediate family or household shall be aunt, uncle, niece, nephew, brother-in-law, sister-in-law, cousin (within the first degree), great-grandparent, and great grandchild.
 - c. If the prescribed days of bereavement leave are insufficient, employees may use annual leave for the excess absence.
5. Workers Compensation: (see [Charleston County Policy 6.19, 6.26](#))
- a. When an employee sustains an on-the-job injury, they must notify their supervisor, or a supervisor over the specific area, immediately, regardless of whether or not immediate medical attention is required. The supervisor will contact Human

Resources, who will schedule an appointment with the County Medical Provider.

- b. If an employee sustains a life-threatening injury or illness, a supervisor must call 911 or otherwise contact emergency services. The employee is to be transported to the closest emergency medical facility both available and prepared to provide necessary care, by EMS primarily. If EMS is unavailable, some other means of transport should be readily available.
 - c. Risk Management is to be contacted to arrange for drug testing. Risk Management will then advise how the drug screening will be conducted.
 - d. An incident report and the *First Line Injury Reports* (found on the agency's intranet HR page), whether or not the employee sustains an injury, must be completed by a supervisor as soon as is practical, but not more than twenty-four hours after the incident, and forwarded to the Sheriff's Office Human Resources Office. The form has instructions and contact information for reporting whether the accident/injury occurs during or after normal business hours.
 - e. The County Medical Provider will provide the duty status or restrictions of the employee. If the employee is unable to work, they will be placed on leave according to Workers Compensation rules.
 - f. If an employee is placed on Workers Compensation, it is their responsibility to keep their supervisor informed weekly and after each physician appointments of their progress, unless other arrangements have already been made. Failing to do so may result in disciplinary actions.
6. Military Duty: (see [Charleston County Policy 6.14](#))
- a. Employees should submit a copy of their orders and a "Request for Leave" (CCSO Form-300) to their supervisor within five working days of receipt of orders, if possible.
 - b. Employees should also contact the Human Resources Department to arrange for the continuation of insurance benefits.

- c. Employees shall comply with all applicable provisions of agency [Policy 4-13 Military Deployment and Reintegration](#).
 - d. Employees required to report for short term military duty will be granted leave without a loss of seniority or pay for one or more pay periods, not to exceed fifteen regular work days in any one year. Weekends and holidays may not be included in the fifteen-day threshold unless it is a regularly scheduled workday. If the employee is called into service during a time of national emergency, they are entitled to military leave for an additional 30 work days per year. When short term military leave exceeds the paid time off permitted by law, the employee may use accrued annual leave.
 - e. When an employee registers for the armed forces, is drafted, or otherwise called into long term military service they will be granted leave without pay, not to exceed five years. If the employee's tour of duty is extended by the military beyond five years, the employee must provide documentation of the extension. If the tour of duty extension is voluntary (by the employee), separation of employment proceedings may be initiated by Charleston County.
 - f. Upon return to work at Charleston County, the employee must provide documentation of release from military duty.
(Ref: CALEA 22.1.2 item f)
7. Court Duty: (see [Charleston County Policy 6.15](#))
- a. Any employee receiving a summons for court duty (limited to jury duty or to appearance commanded by subpoena) should immediately notify their supervisor and provide a copy of the official notification to Human Resources. Court duty leave shall not be permitted when the matter before the Court is personal in nature to the employee (i.e. the employee is a party to the action for reasons other than their employment).
 - b. Leave with pay will be authorized for court duty when the hours conflict with the employee's work schedule. Additionally, the employee is allowed to retain any compensation for jury service.
8. Holiday Leave: (see [Charleston County Policy 6.13](#))

- a. Charleston County provides the following paid holidays to its employees, without charge to accrued leave:
 1. New Year's Day January 1st
 2. Martin Luther King Day 3rd Monday in January
 3. Presidents Day 3rd Monday in February
 4. Memorial Day Last Monday in May
 5. Juneteenth June 19th
 6. Independence Day July 4th
 7. Labor Day 1st Monday in September
 8. Veterans' Day November 11th
 9. Thanksgiving Holiday 4th Thursday and following Friday in November
 10. Christmas Holiday Christmas Eve, Christmas Day and the day after Christmas. It is at the Governor's discretion to make an extra holiday during this period.
 11. Personal Holiday One day off per year, chosen by the employee and approved by their supervisor.
- b. The employee may choose a day for their personal holiday, subject to the Supervisor's approval. Personal Holidays do not carry forward from one year to the next.
- c. Holidays that occur on a Saturday or Sunday will be observed either the preceding Friday or the following Monday, respectively.
- d. Employees who work on a designated holiday will receive eight hours holiday pay in addition to their regular pay.

- e. Holiday pay is calculated at each employee's base rate of pay but does not count as hours worked in determining overtime.
- f. When a holiday occurs during an approved period of either sick or annual leave, the employee is given holiday leave instead of annual or sick leave.
- g. Employees continue to accrue annual and sick leave during paid holidays. (Ref: CALEA 22.1.2 item *b*)