

2.01.000 LEAVES OF ABSENCE

2.01.005

PURPOSE AND SCOPE: 10/25

The purpose of this policy is to establish clear guidelines for the administration of leaves of absence available to members of the King County Sheriff's Office. It applies to all members eligible for leave under federal, state, and local laws, King County ordinances, and applicable collective bargaining agreements.

2.01.010

DEFINITIONS: 10/25

For the purpose of this policy:

"Disability Coordinator" is a person in the KCSO Human Resource Unit who is responsible for coordinating efforts relative to department members with medical leaves of absence, disabilities, and transitional duties.

"FMLA" means the Family Medical Leave Act which provides members with job protection. Members must have worked 1250 hours in the preceding year to qualify.

"KCFML" means the King County Family and Medical Leave Ordinance which provides members with job protection. Members must have worked 1040 hours in the preceding year to qualify.

"PFML" means the Washington State Paid Family and Medical Leave program which provides a partial paid benefit and protected leave. Members must have worked for any Washington employer for a Qualified Period. Eligibility is determined by the State of Washington Employment Security Department (ESD).

"PPL" means the King County Paid Parental Leave Policy that provides comprehensive leave eligible members with up to 12 weeks of paid leave for the birth, adoption, or foster-to-adopt placement of a child.

"Qualified Period" in Washington means the first four of the last five completed calendar quarters or, if that does not get the member to the required 820 hours, the last four completed calendar quarters immediately preceding the application for leave.

"WFCA" means the Washington State Family Care Act which allows members to choose to use sick leave or other paid time off to care for a covered family member with certain health conditions.

2.01.012

POLICY: 10/25

Members of the King County Sheriff's Office may be eligible for various types of leave, including sick leave, military leave, medical leave, and unpaid leave. These leave provisions may be governed by federal, state, and local regulations, including but not limited to:

1. Family and Medical Leave Act (FMLA).
2. King County Family Medical Leave (KCFML).
3. Washington State Family Care Act (WFCA.)
4. King County Paid Parental Leave (PPL).
5. Washington Paid Family and Medical Leave (PFML).
6. Applicable Military Leave statutes.
7. Collective Bargaining Agreements (CBAs).
8. Relevant King County ordinances and Washington Administrative Code (WAC) provisions.

It is the policy of the Sheriff's Office to monitor and administer all leaves of absence in accordance with applicable laws, ordinances, and collective bargaining agreements to ensure compliance and consistency across the department. If anything in this policy conflicts with federal or state law, or the King County Code, those laws and regulations will apply.

2.01.015

MILITARY LEAVE: 10/25

1. Department members who voluntarily enlist or are drafted to serve in any branch of the military service or belong to any reserve component of the military shall be given a leave of absence for the duration of their enlistment or drill periods.
2. Department members on military leave shall receive normal pay for a period not to exceed twenty-one (21) days during each military fiscal year beginning October 1st and ending the following September 30th.
 - a. Such military leave shall be in addition to any other time off covered by the current Collective Bargaining Agreements.
3. Department members subject to military leave shall submit their orders and/or annual training drill schedule from their military unit and a completed Uniformed Service Payment Election Form (USLF), to the Disability Coordinator.
 - a. The USLF and annual training schedule is due to the Disability Coordinator no later than the 31st of October each year.
4. Supervisors who approve military leave requests should review the actual military order or drill schedule before approving the military leave request.
 - a. The supervisor should contact the Disability Coordinator if there are questions about the dates being requested.
 - b. The Disability Coordinator may contact the requesting member's military unit commander to verify the training schedule.
 - c. KCSO payroll unit will verify leave approved in Atlas with supporting documentation on file prior to processing military paid leave.
5. When a member is required to go on active duty for more than thirty (30) days they will be assigned a Peer Support Team (PST) member. The PST member will:
 - a. Along with the Disability Coordinator, be a liaison for the member going on active duty.
 - b. Be responsible for collecting the member's firearms, computer, phone and department vehicle.
6. When the member separates from military service, supporting documentation, (i.e. Discharge Certificate, DD-214, Discharge Orders, etc.) must be forwarded to the Disability Coordinator.
7. Upon returning, the member's chain of command and the Advanced Training Section will ensure any refresher training and weapons qualifications are completed by the member.

2.01.020

SICK LEAVE: 03/26

Use of sick leave shall be governed by the current Collective Bargaining Agreements, King County policies and regulations, and applicable state and federal law.

The member's supervisor shall notify the Disability Coordinator if a member is absent for more than three (3) consecutive (full or partial) days the employee is expected to work.

1. Members who are sick, injured, or unable to show up for work shall notify their supervisor or an on-duty supervisor of their section or unit as soon as possible.
2. Members shall complete a leave request in Atlas, for all absences, no later than the first day back to work.
3. Members who become sick or injured while on vacation may request to substitute sick days for vacation days.
4. Members using or requesting sick leave for more than three (3) consecutive (full or partial) days may be required to provide verification from a health care provider that the days designated as paid sick leave were for an authorized purpose.
 - a. Verification shall be submitted directly to the Disability Coordinator within ten (10) calendar days of the first consecutive day sick leave was used or entered in Atlas.

Members who fail to timely submit required verification may be "absent without leave" (AWOL) per GOM 2.00.100.

2.01.035

SICK LEAVE, REPORTING SUSPECTED ABUSE: 10/25

When a supervisor has cause to believe there has been an abuse of sick leave, the supervisor shall contact the KCSO HR Manager. For guidance on what may qualify as sick leave abuse, supervisors may refer to King County's Paid Sick Leave Policy and/or speak with KCSO Human Resources.

2.01.040

FAMILY AND MEDICAL LEAVES: 10/25**MEMBER'S RESPONSIBILITIES:**

All members who need to take a leave of absence due to personal illness, injury, pregnancy, serious medical condition, work-related illness or injury or to care for a covered family member's serious medical condition, shall:

1. Notify the Disability Coordinator of the need for leave.
 - a. Provide notification 30 days in advance (or as soon as possible) once the member learns of their need to take leave.
 - b. Provide all known or planned dates for leave.
2. Complete a Leave Request Form.
 - a. Work-Related Injury/Illness: Obtain a Safety & Claims Packet and complete the Self-Insured Claim Form (SIF-2).

- b. Forward medical verifications, restrictions, etc., to the Claims Office if related to an on-duty injury with copy to the Disability Coordinator.
3. Provide a health care provider's verification when absent for more than three (3) consecutive workdays (full or partial) by the 5th consecutive calendar day of absence, and complete any leave of absence forms issued by the Disability Coordinator.
4. Discuss possible transitional duty with the Disability Coordinator and/or the supervisor when restrictions are imposed by a healthcare provider. Restrictions without medical diagnosis maybe forwarded to your supervisor.
5. Ensure Job Analysis and Activity Prescription forms are completed by the licensed healthcare provider when required.
6. Provide a written release to full duty prior to returning to work after an absence of more than three (3) consecutive workdays (full or partial days) or longer, or when transitional duty is no longer required.

SUPERVISOR'S RESPONSIBILITIES:

1. Notify the Disability Coordinator if an employee is absent for more than three (3) consecutive (full or partial) workdays. .
2. If applicable, consider a transitional duty assignment, in coordination with the Disability Coordinator and the Precinct/Section Commander, where medical restrictions allow. (See GOM 2.04.000).
3. Upon receipt of a healthcare provider's release, forward the release to the Disability Coordinator.

DISABILITY COORDINATOR'S RESPONSIBILITIES:

1. Verify eligibility for FMLA, KCFML, WFCA, PPL, or Military Leave based on current Collective Bargaining Agreements and other applicable King County Ordinances. Issue and receive appropriate forms for leaves of absence.
2. Track and monitor members' leaves of absence, workers' compensation, transitional duty, and coordinate information with appropriate unit personnel.
3. Answer member and supervisor questions about leaves of absence, sick leave, disability, medical restrictions, transitional duties, and workplace accommodations.
4. Coordinate efforts with Safety & Claims regarding members who have been injured on the job and with King County Disability Services regarding potential accommodation or job reassignment.
5. Ensure appropriate forms and paperwork are given to members.
6. Notify the appropriate commander of the member's leave or transitional duty status.

2.01.045

UNPAID LEAVES OF ABSENCE: 10/25

Unpaid leaves of absence are governed by RCW 41.14.160, King County Code 3.12.250 and Collective Bargaining Agreements.

PERSONAL UNPAID LEAVES:

1. Members shall inform their supervisor of their need for an unpaid personal leave of absence.
2. Supervisors shall notify the Precinct/Section Commander when a leave of absence request is for personal reasons.

3. If unpaid leave is due to a medical condition, supervisors shall notify the Disability Coordinator.
4. Precinct/Section Commanders or Managers may grant up to three (3) days of unpaid leaves of absence to members under their command.
5. Unpaid leaves of absence over three (3) days may only be granted by the Sheriff or designee.
6. Unpaid leaves of absence may not be extended beyond one (1) year without prior approval from the King County Director of Human Resources.
 - a. Failure to return from an approved leave of absence by the agreed-upon return date, without written authorization from the Sheriff, shall result in automatic termination of employment.

2.01.047

FITNESS FOR DUTY: 10/25

Members are expected to maintain physical and psychological fitness sufficient to perform the essential functions of their positions.

1. If there is reasonable suspicion based on clearly articulable observations that a member may be either psychologically or physically unfit to perform their duties, the Sheriff may require the member to undergo either physical or psychological medical examinations to resolve any questions regarding fitness for duty.
2. Examinations shall be performed by Sheriff's Office approved practitioners at Sheriff's Office expense.

2.01.050

DISABILITY TERMINATIONS: 10/25

Members who have been diagnosed with a permanent medical condition or limitation that prevents them from performing the essential functions of their job classification - and for whom all protected leave entitlements and transitional duty options have been exhausted - may be separated from the department for medical, non-disciplinary reasons.

2.01.055

HOLIDAYS FOR RELIGIOUS PURPOSES: 10/25

Members may take up to two (2) unpaid religious holidays per calendar year for "a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization," unless the member's absence would impose an undue hardship on the Sheriff's Office or necessary to maintain public safety.

1. Unused days do not carry over from one year to the next.
 - a. If a partial day off is taken, it will count as a full day toward the member's yearly allotment of two (2) days.
2. To request an unpaid holiday for religious purposes, members must provide advance written notice on an absence request in Atlas requesting leave without pay for this purpose.
3. Members choosing to take vacation or other paid time-off instead of an unpaid holiday, shall request the leave through the normal paid time-off approval process