



# GENERAL ORDER

Loudoun County Sheriff's Office

**Chapter:** Personnel Management

**Section:** 311.2

**Subject:** Leave

**Topic:** Sick Leave

**Enacted:** 7/30/2015

**Last Review:** 02/26/2025

**Review:** 11/01/2026

## I. PURPOSE

The purpose of this General Order is to define requirements for requesting use and management of sick leave.

## II. POLICY

It is the policy of the Loudoun County Sheriff's Office to ensure that all employees are afforded the opportunity to utilize their sick leave time as it is earned and to ensure it is used following the policies of Loudoun County, which Sheriff's Office employees are subject to pursuant to a Cooperative Agreement between the Sheriff and the Board of Supervisors of Loudoun County.

## III. DEFINITIONS

- A. Extended Family: All the relations identified below in the definition of Immediate Family plus the employee's biological, step, or adopted aunt, uncle, niece, nephew, or any of these relations as an "in-law."
- B. Immediate Family: In accordance with [Loudoun County Human Resources Handbook Chapter 6.3](#), the term "immediate family" is defined as:
  - 1. The employee's spouse.
  - 2. The employee's biological, step, or adopted son, daughter, parent, sibling, grandparent, or grandchild or any of these relations as an "in-law."
  - 3. A minor child to whom the employee is serving "*in loco parentis*" or a person who served "*in loco parentis*" to the employee when the employee was a minor.
  - 4. An individual to whom the employee serves as legal guardian, foster parent, next of kin, or medical power of attorney.
  - 5. A current member of the employee's household.

## IV. PROCEDURE

- A. Requesting Sick Leave

1. Sick leave is intended to be used when an employee is unable to work due to a physical, mental, or emotional illness, disorder, injury, or disability; health care provider appointments for the employee or an Immediate Family member; childbirth; necessary care of, or attendance to, an Immediate Family member; and/or exposure to a contagious disease when the employee's attendance at duty jeopardizes the health of others.
2. Sick Leave begins to accrue on the employee's first day of employment. The amount of Sick Leave accrued per pay period is based on the number of hours authorized for the position, please see [Loudoun County Human Resources Handbook Chapter 6.11 B](#) for the accrual schedule.
3. All employees who need to utilize sick leave while at work/on duty will coordinate the use of sick leave with their immediate supervisor or the supervisor on-duty.

**B. Management of Sick Leave**

1. The use of Sick Leave is limited to the reasons outlined in [Loudoun County Human Resources Handbook Chapter 6.11 \(A\)\(2\)](#). The County acknowledges that the frequency and duration of Sick Leave will vary based on the individual employee's health and/or the health of his or her immediate family members.
2. Employees who must use sick leave, or other available leave in place of sick leave, frequently or for an extended duration (more than three continuous days) due to their own serious health condition or that of a covered family member should review the [Loudoun County Human Resources Handbook Chapter 6.12 \(F\)](#) and [Loudoun County Administrative Policy HR-18](#) and apply for Family and Medical Leave.
3. The amount of sick leave used may not exceed the total amount accrued by the employee. Annual leave or exchange time may be used, at the employee's discretion, for sick leave purposes if the employee has exhausted his/her sick leave balance.

**C. Payment Upon Separation**

1. An employee who separates from employment with the County, or who transfers to a non-benefit-eligible position, shall receive a cash payment for unused accrued Sick Leave, subject to applicable Federal, state and FICA withholdings, calculated based on the rate of pay in effect at the time of separation as defined below.

Completion of Service Year	Percent of Sick Leave payment (up to maximum payment)
10-14 years	25% up to \$10,000 per lifetime
15-19 years	25% up to \$15,000 per lifetime
20 or more years	25% up to \$20,000 per lifetime

Employees who have not completed at least 10 Service Years at the time of separation will not receive any cash payment for unused Sick Leave.

D. Misuse of Leave:

1. The County Administrator has established and maintains administrative policies and procedures governing requests to use paid leave and the reporting, approval, and denial of paid leave. While not exhaustive, the following actions shall constitute a misuse of County leave and shall subject an employee to discipline, up to and including a termination of appointment/employment:
  - a. Failure to accurately report leave to cover time off from work.
  - b. Falsely reporting hours worked.
  - c. Failure to follow the department's and/or supervisor's established procedures for reporting absences and/or tardiness ("call out" procedure).
  - d. Failure to provide adequate notice or submitting last-minute requests for Annual Leave on a frequent basis (e.g. for the same or next business day).
  - e. Sick Leave (including Paid Family Leave and leave donated for the purpose of Sick Leave) usage patterns that suggest the employee is utilizing the requested leave for a non-qualifying reason, to include:
    - i. A pattern of requesting or taking Sick Leave on a Monday or Friday, or consistently requesting or taking Sick Leave on the same day of the week or same workday
    - ii. A pattern of routinely requesting Sick Leave or calling in sick as paid leave hours are accrued
    - iii. A pattern of requesting Sick Leave or calling in sick directly preceding or directly following a Holiday, pre-approved Annual Leave or

otherwise normally scheduled day off; or

- iv. A pattern of depleting Sick Leave accruals to less than the equivalent of three available days in the employee's Sick Leave balance.
- v. A pattern of calling in sick after a denied Annual Leave or Personal Leave request
- vi. A failure on the part of the employee to apply for Family and Medical Leave or provide the required supporting documentation despite a pattern of Sick Leave usage that suggests the employee (or a covered family member) may have a qualifying health condition; and/or
- vii. A failure to accurately report intermittent FMLA hours as required by County policy.

f. Falsifying a report of a work-related injury to receive Injury Leave.

- 2. In the event a supervisor suspects the misuse of Sick Leave, the Sheriff or designee may require an employee to produce a note from a healthcare provider supporting the need for sick leave.

**E. Sworn Personnel Return to Duty Medical Clearance for Off Duty Injury/Illness**

- 1. Any deputy that experiences an off duty physical or mental health condition that meets the following criteria shall be required to seek a return to duty clearance from the County's contracted medical provider.
  - a. Hospitalization
  - b. Surgery
  - c. Musculoskeletal Injury
  - d. Inability to work for more than 3 consecutive days due to the employee's own serious health condition which requires continuing care by a licensed health care provider.
  - e. OR Any conditions in which the Sheriff is concerned about the employee's ability to perform the essential function of the job in a safe manner and without causing harm to him/herself or others.
- 2. If the affected deputy anticipates a release to full duty by his/her physician, he/she must contact the Sheriff's Office Human Resources Special Program Assistant,

and he/she will authorize the County's contracted medical provider to provide the return to duty examination.

3. The deputy shall then contact the County's contracted medical provider to schedule an appointment as soon as possible after his/her private physician's release. When making the appointment, describe the injury or illness and inquire as to the information needed for the evaluation.

Note: Please see the [Human Resources Handbook Chapter 6: Benefits and Leave](#) for additional information and definitions of policy regarding leave.