

S.O.P. #: PERSONNEL-02

SUBJECT: SICK LEAVE

DIVISION: CAREER MEMBERS

Objective: Sick leave is provided for absences caused by actual non-work related illnesses or injuries, maternity-related matters, necessary medical, dental or optical appointments or treatments, or confinement due to quarantine as determined by a medical authority. Members should make every attempt to have routine appointments scheduled during non-duty hours. Management does recognize, however, that illnesses and medical emergencies may occur unexpectedly, causing a member to use sick leave. Members should familiarize themselves with sick leave provisions in the Memorandum of Understanding and the County's Personnel Policies and Procedures Manual.

Section 1: Sick Leave Accrual

- A. All full time members of the Fire Department will earn sick leave at the rate determined by the Memorandum of Understanding.
- B. Sick leave conversion to hours shall be calculated dependent upon the member's assignment as per the current Memorandum of Understanding.
- C. There shall be no limit to the number of sick hours that may be accrued.

Section 2: Family Sick and Safe Leave

Pursuant to the Maryland Healthy Working Families Act, members will be awarded forty (40) hours of paid Family Sick and Safe Leave (FSSL) at the beginning of each year, which is contained within the current Sick Leave allotment of twelve (12) days per year. The year commences on January 1 and ends on December 31. The terms under which members are permitted to use this FSSL are set forth below. Members are not permitted to carry over any unused FSSL at the end of the year. This does not impact the member's ability to carry over and accrue their regular unused sick leave allotment. For the purposes of accounting, the first 40 hours of any type of leave usage related to the FSSL provision will count as part of the sick and safe leave provision (vacation, compensatory, sick, sick pending, FMLA leave, and sick family).

Members during their first year of service with the Department earn FSSL on a monthly basis. During their first year of employment with Department, members accrue FSSL at a rate of one hour for every 30 hours the member works. Accrual of 40 hrs. of paid FSSL commences on the 107th calendar day of the member's initial hire date.

Usage of the forty (40) hours of FSSL will not be counted as an occurrence under the absence control policy, unless it is determined by the Chief, in consultation with the Department HR/OHR, that an employee is abusing or misusing FSSL, in which case the absence control policy shall control.

Members will not be paid for any unused sick and safe leave upon termination of employment. FSSL will not be applied to any employee for any Retirement benefit purposes. If a member leaves employment and is rehired within

37 weeks of leaving, any earned and unused sick leave that the member had at the time of separation will be reinstated.

A. Leave Usage

Members are not permitted to use FSSL during the first 106 calendar days of their employment. Sick leave absences during this first 106 days will be counted as an occurrence under the absence control policy.

Notwithstanding any Baltimore County Code provision or policy to the contrary, a member who has other available sick leave or other types of available leave may use their sick leave and/or any of their other types of available leave, in lieu of or, in addition to Family Sick and Safe Leave for any of the below mentioned reasons for which FSSL is allowed to be used. However, an employee's use of their regular sick leave or other leave types, other than their Family Sick and Safe Leave, for these purposes, will continue to be subject to Baltimore County's Absence Control Policy. Use of FSSL is not subject to the County's Absence Control Policy, unless it is determined by HR that an employee is abusing or misusing FSSL, in which case the absence control provisions of this Policy shall control. For purposes of this Policy, other types of leave include: Regular Sick, Annual, Compensatory, F Leave, Accrued and Personal leave.

In certain circumstances, a member may send a written request for a sick and safe leave exception to the Fire Chief. The Chief may authorize FSSL usage during the first 106 calendar days of employment. Members are allowed to use earned FSSL under the following conditions:

- To care for or treat the member's mental or physical illness, injury or condition;
- To obtain preventative medical care for the member or the member's family member;
- To care for a family member with a mental or physical illness, injury or condition;
- For maternity or paternity leave; or
- The absence from work is necessary due to domestic violence, sexual assault or stalking committed against the member or the member's family member and the leave is being used:
 - (1) to obtain medical or mental health attention;
 - (2) to obtain services from a victim services organization;
 - (3) for legal services or proceedings; or
 - (4) because the member has temporarily relocated as a result of the domestic violence, sexual assault or stalking.

"Family member" means:

- (1) a biological child, an adopted child, a foster child, or a stepchild of the member;
- (2) a child for whom the member has legal or physical custody or guardianship;
- (3) a child for whom the member stands in loco parentis, regardless of the child's age;
- (4) a biological parent, an adoptive parent, a foster parent, or a stepparent of the member or of the member's spouse;
- (5) the legal guardian of the member;
- (6) an individual who acted as a parent or stood in loco parentis to the member or the member's spouse when the member or the member's spouse was a minor;
- (7) the spouse of the member;
- (8) a biological grandparent, an adopted grandparent, a foster grandparent, or a step grandparent of the member;
- (9) a biological grandchild, an adopted grandchild, a foster grandchild, or a step grandchild of the member; or
- (10) a biological sibling, an adopted sibling, a foster sibling, or a stepsibling of the member.

Members are permitted to use FSSL in increments of not less than quarter (1/4) hour increments or fifteen minutes.

If the need to use FSSL is foreseeable (for example a scheduled doctor's appointment), the member must provide notice 7 days prior to leave use. Notice must be given in written form and directed to their supervisor.

If the need to use leave is not foreseeable, the member must provide notice as soon as practicable. A request for earned FSSL may be denied if the member fails to provide proper notice and the member's absence will cause a disruption to the employer. Proper notice is defined in accordance with Section 3.A.1 below.

Members may only use earned FSSL for one of the listed authorized reasons. Members using earned FSSL for unauthorized purposes or who have demonstrated a pattern of abusing FSSL may be investigated and disciplined for misconduct as well as be denied the right to use earned FSSL in the future.

The member requesting use of FSSL for the illness of a family member is required to:

1. Submit a statement to the Department's HR stating:
 - the relationship of the ill member of the immediate family
 - the necessity for assisting the ill member of the family.
2. The Department's HR will review:
 - the individual circumstances
 - the expected duration of the caretaker needs
 - the employee's employment records
 - the departmental recommendation
3. A member is not required to submit the above documentation if the reason for use of FSSL is other than for the employee's ill family member.
4. Members seeking use of FSSL are required to call in on each day they are out of work due to a qualifying reason(s) under FSSL, unless another prior arrangement has been made with the supervisor. Members, if possible, should contact their supervisor at specified intervals to provide an update on their absence and expected date of return. No doctor's note is needed for the use of FSSL for an employee's own illness, unless the absence exceeds two consecutive shifts/days, or abuse is suspected.

If a member uses FSSL for more than two consecutive scheduled shifts, the member must provide verification that the leave use was appropriate. If the member does not submit the verification within ten (10) days after member returns to work, any additional FSSL request(s) for the same reason may be denied.

- A. Verification may include a written statement from the medical provider indicating the employee is required to be absent from work due to the employee's own illness or the illness of an employee's family member, other FSSL qualifying reason (if appropriate), the duration of absence from work, prognosis of employees' ability to return to work, title and original signature of a licensed or certified medical provider and any other information necessary to verify that the employee's use of FSSL is appropriate. Such information does not need to include information about the specific illness or health condition of the employee or the employee's family member. Verification of the reason for the absence does not excuse the unscheduled absence.

- B. Verification for a qualifying reason other than illness for use of FSSL may include (1) a written statement from the employee indicating the absence is for a non-illness FSSL qualifying reason, or (2) any other documentation the employee chooses to submit as verification for the non-illness FSSL qualifying reason.
- C. Forgery and /or the submission of altered or falsified information or documentation with the intent to defraud will result in disciplinary action, which may include termination.

Nothing in this Policy precludes HR from requiring, with cause, a health care provider's statement for an absence of fewer than three consecutive scheduled shifts/days when FSSL is used. The HR Department may require an employee seeking to use FSSL to submit an original certificate of illness or disability for absences less than three consecutive shifts/days to HR when:

- A. The employee has a pattern within a 12-month period of maintaining a zero or near zero balance of sick leave without documentation of the need for such relatively high utilization; or
- B. The employee has an unusual absence pattern such as using Monday/Friday or tour of duty start and end date, and the day before and/or after a holiday or earned accrued leave (e.g., personal leave, vacation leave, etc.) to extend their time off; or
- C. The member has four or more occurrences of undocumented FSSL sick leave usage within a 12-month period.
1. An occurrence consists of undocumented sick leave from day 1, or up to day 4, if sick leave is used in consecutive days.
 2. On the 3rd day of consecutive sick leave usage, the employee must provide medical documentation for their absence, notwithstanding the use of sick leave other than FSSL for a qualifying FSSL reason.

Statement of Earned Sick and Safe Leave

Members will be provided with a statement of FSSL used and available leave through Workday

Notice

An employer is required to notify its employees that the employee is entitled to earned sick and safe leave along with an explanation of how earned sick and safe leave accrue and the purposes for which the leave may be used. Maryland law prohibits an employer from taking adverse action against an employee for exercising their rights under this law as well as prohibits an employee from making a complaint, bringing an action or testifying in an action in bad faith. The County believes the procedures contained in this Personnel 2 provision are consistent with the goals of the Maryland Healthy Working Families Act and satisfy its requirements.

Questions

The Commissioner of Labor and Industry has oversight of issues related to earned FSSL. The Commissioner may be contacted at ssl.assistance@maryland.gov.

Section 3: Off-Duty Non-work related Illness/Injury

A. Reporting Off-Duty

1. The member must notify the Officer-In-Charge (OIC) of the station or section to which they are assigned as soon as practical, but no later than 90 minutes prior to the start of the shift.
2. When reporting off-sick, the member shall inform the OIC if a note from a licensed healthcare provider (LHCP) will be provided upon the member's return to duty.
 - a. If a note will be provided, the member is only required to furnish the LHCP's name, address, and phone number. Upon the member's return to duty, a revised form 368 with the LCHP's information, along with a scanned copy of the note, will be emailed to Fire Staffing and the respective Chief Officer.
 - b. If a LHCP note will not be provided, the member shall state the general reason for reporting off sick (i.e. illness or injury). If able, the member will also provide a projection as to when they will return to duty.
 - c. The station officers shall determine if requested leave falls within the 40 hours of FSSL in the calendar year. If it does, the leave may not be counted as an occurrence under the absence control policy. If it does not, the leave may be counted as an occurrence under the absence control policy.
3. For a one (1) day or day-by-day type of illness, when the member is unable to project how many days they will be off, the member shall call the station or section to which they are assigned daily to report their status as soon as practical, but no later than 90 minutes prior to the start of the shift.
4. For an illness/injury that will require fewer than five (5) consecutive work days off, the member shall project the date of return and shall be expected to report for duty on this date without any further calls required. (See Section 2: C for other requirements for returning to duty.)

EXCEPTION: Should the member need to extend the time-off initially projected,
Section 3: A of this S.O.P. shall be utilized for reporting the same.

5. For long term illness/injury when a member will be off duty for five (5) consecutive work days or more, it shall be the member's responsibility to contact the OIC of the station or section to which they are assigned, each first day of the tour by 0900 hours for a progress report on the illness/injury. Initial contact shall be via a verbal conversation. Texts shall not be accepted as initial contact being made. The OIC shall inform the respective Chief Officer via a Form 368. Note: for a long term illness/injury, one Form 368 at the beginning of the tour shall suffice as notification for the entire tour. Members should familiarize themselves with provisions of the Family and Medical Leave Act (FMLA) and should consider submitting an application for long term or chronic conditions that may require use of sick leave on a recurring basis. Members

will receive a FMLA packet of information and application when off on sick leave for five (5) or more consecutive work days. Members may elect to request a FMLA Packet directly from the Office of Human Resources (OHR), however, they will still be required to notify their Chief Officer so a payroll preparer sheet can be generated for the packet.

6. Members are responsible to adhere to the approved FMLA stipulations as stated on the FMLA approval letter received from OHR. Officers are responsible for informing Fire-FMLA and the member's corresponding Chief Officer if after reviewing the FMLA approval letter, they are no longer meeting these stipulations. Should the member exceed the stipulations on the FMLA approval letter, they will be considered non-compliant and will be responsible to provide additional medical documentation to OHR to become compliant.

B. Sick Occurrences

1. An occurrence is defined as one or more consecutive hours of scheduled work missed due to the use of sick leave (i.e. Sick/Sick pending, Sick Family/ Sick Family pending).
2. The forty (40) hours of FSSL will not count as an occurrence under the absence control policy. After the forty (40) hours of FSSL have been used by a member, any subsequent sick leave usage shall count as an occurrence (excluding FMLA leave).
3. Total occurrences are calculated with or without a LHCP's note.
4. The Form 368 is utilized to document any member's absence, including absences that do not qualify as a sick occurrences.

C. Returning to Duty

1. Members will be required to provide a LHCP's note (or other form of verification for non-medical usage) for the use of FSSL for more than two consecutive scheduled shifts. If the verification is not provided to the supervisor by the member within ten (10) days after member returns to work, the leave marking will be changed to Sick Pending, the member will be charged with an occurrence under the absence control policy, and any future FSSL request may be denied.
2. Members are permitted a maximum of two (2) occurrences of sick leave per year without a LHCP note (up to two [2] days or less). Any other sick occurrences within a one (1) year period after the first occurrence will require the following:

NOTE: The year will begin January 1st. . The member's supervisor shall monitor the member's sick leave use and sick leave availability and may take measures to ensure proper and judicious use of sick leave. Sick Family leave during the 12 month is considered an occurrence and is calculated in the same manner as a regular occurrence.

- a. Additional sick leave use without a LHCP note: On the third occurrence without a note, the supervisor will counsel the member, provide a copy of Personnel 02, and document it on a Form 22.

1. Members must provide a LHCP's note on each occurrence for the remainder of the calendar year.

If a note is not provided, the member will be marked Sick-No Pay.

2. The member shall call in to the station or section to which they are assigned daily and have a verbal conversation with the OIC from the location where they are convalescing at a specified time.
 3. Further disciplinary action may occur with additional sick leave use without a LHCP's note.
3. Additional sick occurrences with a LHCP's note (Total Occurrences)
- a. On the third total occurrence during any calendar year with a LHCP's note, the supervisor will discuss with the member the importance of maintaining regular attendance.
 1. The supervisor shall give the member a copy of Personnel 02 and obtain documentation of receipt. The supervisor shall discuss expectations when using sick leave.
 - b. On the fourth total occurrence during any calendar year with a LHCP's note, the supervisor will meet with the member and review the member's leave record and other pertinent facts to determine if the member is meeting the requirements of the Absence Control Policy. If appropriate the supervisor will initiate a request to place the member on a Notice of Excessive Absenteeism Due to Illness. This notices requires the member to provide his/her supervisor with a written LHCP's excuse from work for any sick leave used during the next 6-month period.
 1. The supervisor shall counsel the member and document it on a Form 22.
 - c. On the fifth total occurrence during any calendar year with a LHCP's note, the supervisor will meet with the member and review the member's leave record and other pertinent facts to determine if the member is meeting the requirements of the Absence Control Policy.
 1. The supervisor will continue with progressive discipline and document it on a Form 259.
 - a. Members must provide a LHCP's note on each occurrence for the remainder of the calendar year. If a note is not provided, the member will be marked Sick-No Pay.
 - b. The member shall call in to their Chief Officer's cell phone daily, from the location where they are convalescing, at a specified time.
 - c. Further disciplinary action may result from the use of additional sick leave.
 - d. At this point, the member's use of sick leave is deemed excessive.
 - d. On the sixth total occurrence during any calendar year with a LHCP's note, the supervisor will meet with the member and review the leave record and other pertinent facts to determine if the member is meeting the requirements of the Absence Control Policy.

1. The supervisor shall initiate charges and specifications. At a minimum, the member will be issued a Form 259.
 - a. The use of additional sick leave may result in charges and specifications that include recommendation for termination.
 - b. The member will document on the Form 259 (or Form 58 attachment) that he/she understands the seriousness of this occurrence, and identify what steps he/she is going to take to correct the issue. The member must take responsibility for mitigating his/her excessive absenteeism.
- e. On the seventh total occurrence during any calendar year with a LHCP's note, the supervisor will meet with the member and review the leave record and other pertinent facts to determine if the member is meeting the requirements of the Absence Control Policy.
 1. The supervisor will initiate the charges and specifications for dismissal in accordance with progressive disciplinary proceedings of the Rules and Regulations Governing the Fire Department and Personnel Rule 16.
4. If a uniformed member is absent because of a non-job connected illness/injury for three (3) or more consecutive work days, the member must present a LHCP's note to the OIC who will forward it to the respective Chief Officer and Fire Staffing.
 - a. The member's Chief Officer may request a LHCP's note for one or more days, or partial days, for members with extensive random absence patterns or recurring absence patterns following Personnel Rule 9. The member's OIC shall contact the respective Chief Officer to complete the Notice of Excessive Absenteeism Due To Illness, forward it to the Fire Chief for their signature, and then to the Director of OHR for approval.
 - b. If the member returns to work without a LHCP's note after any unexcused absence, he/she will be marked Sick-No Pay for that absence.
5. For any long term non-job connected illness/injury and/or treatment for any illness/injury listed below, the member will be sent a form titled "Medical Authorization to Return to Full Duty" (Appendix A). This form must be completed by the LHCP and returned to the member's immediate supervisor when returning to duty. The immediate supervisor forwards this form to their Chief Officer for processing and to be filed.
 - a. All cardiac illnesses, injuries, and surgical procedures.
 - b. All major in-patient surgical procedures (i.e., abdominal, neurological, respiratory, and vascular).
 - c. Major trauma injuries/surgical procedures.
 - d. Newly diagnosed diabetic illnesses or complications.
 - e. All forms of pulmonary insufficiency that require hospitalization or emergency room

visits.

- f. Psychiatric illnesses that require admittance to an acute care facility.
6. The member may be required to have a medical evaluation by Employee Health Services when the immediate supervisor and/or Chief Officer has reasonable concern as to whether the member can perform his/her duties due to the nature of illness or injury.

Section 4: Medical appointments for non-work related illness/injury.

- A. The member must notify the OIC of the station or section to which they are assigned, utilizing the following guidelines:
 1. Members utilizing sick leave for necessary medical, dental, or optical appointments or treatments shall notify the OIC of the station or section to which they are assigned on their next scheduled work date, following confirmation of an appointment.
 2. Notification of scheduled appointments shall not be less than twenty-four (24) hours prior to the member's scheduled appointment date and time.
- B. Immediately upon completion of an appointment, the member will return to the station or section to which they are assigned, unless their shift is completed.
- C. Upon returning from a scheduled appointment, the member is required to provide written documentation from the LHCP indicating the time and date of the appointment. This information is to be presented to the OIC of the station or section to which they are assigned upon returning to duty. The OIC generates a revised Form 368, scans the note, and emails both documents to Fire Staffing and the respective Chief Officer.
- D. Time shall be recorded in Telestaff and OLTA in quarter (1/4) hour increments with no minimum being required.

Section 5: Members Off on Sick Leave

- A. Members are required to follow restrictions on outside employment per the Rules and Regulations Governing the Fire Department.
- B. Members are required to follow the procedures as prescribed in Standard Operational Procedures (SOP) Personnel 04.

Section 6: Monitoring Sick Leave Use

- A. In order to ensure strict compliance to the policy set forth in this SOP, the Chief Officer and OIC shall review company records together, on a periodic basis, with special attention to sick leave use.
- B. Members must understand that sick leave is a paid leave benefit. Recurring patterns of sick leave use or recurring annual sick leave use may indicate the need for progressive disciplinary action. Members

using sick leave are expected to be convalescing at home. Sick leave use attached to vacation time, after a request is denied for other leave, or on weekends, holidays, or other special events may receive additional scrutiny.

- C. Sick leave cannot be used for job-connected illness or injury.
- D. Supervisors are responsible to monitor FSSL for their members.

Section 7: Maternity Leave

A. Notification to Department

1. All members must inform their supervisors of their condition by the 12th week of pregnancy.

B. Continuation of Work While Pregnant

1. A member may continue to work as long as she is physically able to perform all duties. She may use leave according to the Baltimore County Personnel Manual (Section 8) and the Family and Medical Leave Act (for provisions of FMLA that pertain to maternity, contact the Baltimore County Office of Human Resources).

C. Exception for Field Operations Personnel

1. Members who perform Field Operations activities may elect to begin a modified duty assignment as soon as their pregnancy is confirmed. Members who also serve as volunteer Fire and EMS providers shall follow the Department's modified duty guidelines.
2. The pregnant member is encouraged to share the document, "Responsibilities of Field Personnel as They Relate to Pregnancy" (Appendix B) with their LHCP to decide, together, how long they wish the member to remain in an active field position.
3. If the pregnant field member wishes to perform her regular duties during the pregnancy, she must submit medical certification, on no less than a monthly basis, that she is physically able to fully execute her responsibilities. The frequency of required certification may increase as the pregnancy advances. If the member fails to submit such certification, she will be required to either elect a modified duty assignment or take leave in accordance with B.1., above. Note: All medical certification is to be sent to Fire Staffing.

D. Use of Sick Leave for Maternity Reasons

1. Pursuant to the Baltimore County Personnel Manual, sick leave may be used during the period of child-bearing and recuperation which would prevent a member from reporting to work (normally six [6] to eight [8] weeks). Use of sick leave beyond this period must be supported with a LHCP's note stating the member's continued disability status. The member may not use sick leave to remain at home and care for the infant.
2. Pregnancy related matters, supported by a LHCP's note, qualifies the female member for disability status and is covered by the sick leave provisions of other personnel laws. Such

members can use earned and anticipated sick leave (after one [1] year service) to cover this absence, and they are eligible to receive unearned sick leave under the provisions of personnel policies and procedures.

3. A member who is temporarily disabled as a result of her pregnancy and, who is absent from work on sick leave, will retain all rights to her position, as does any member on sick leave.

E. Leave of Absence for Maternity Reasons

1. Leaves of absence for up to one year may be granted for maternity purposes and are subject to the present provisions for leaves of absence, as stated in the Personnel Manual. Leaves of absence may be requested, in writing, due to physical disability or for personal reasons related to child-bearing, even though the member is physically able to work. If she does not wish to return to work, when physically able, the member may request a leave of absence of up to one year. If a member does not use all accrued sick leave while temporarily disabled due to maternity reasons, all unused sick leave will be credited upon returning to work.

NOTE: A member does not have to use all of her earned and/or anticipated leave before going on a leave of absence.

2. The County may not fill (on a permanent basis) the position of a member on a leave of absence for maternity reasons during the period of disability, unless the member states in writing that she does not want her position held and does not plan to return to work in that particular position.

Section 8: Unearned Sick Leave

- A. Unearned sick leave may be advanced only after the member has first used all regularly accumulated sick, vacation, compensatory leave, personal leave days, accrued leave, and any other earned time. Requests for unearned sick leave are to be submitted by using the applicable form on BCNet (Request for Unearned Sick Leave).
- B. The maximum extension allowable shall be thirty (30) days. In the event of unusual circumstances causing hardship to a member, the County Administrative Officer may approve the advancement of unearned sick leave beyond the stated maximum.
- C. Upon written recommendation from the Chief of the Fire Department, the Director of OHR may grant unearned sick leave to a member at full or partial pay. Factors to be taken into account by the Chief of the Fire Department before submitting such recommendation shall be governed by the member's general record with special attention given to the abuse of sick leave. Recommendation for unearned sick leave must be accompanied by a written statement from the member's physician and, if deemed necessary, additional statements may be requested, at any time, during the period of unearned sick leave.

A letter from both the member's OIC and the respective Chief Officer (endorsed by) shall be furnished to the Assistant Chief (endorsed by) and then forwarded to the Fire Chief with recommendations for any unearned sick leave to be granted.

- D. A member who has been advanced unearned sick leave shall pay back the unearned sick leave with regularly earned sick leave after returning to duty. All unearned sick leave must be paid back before the member shall be permitted to accrue sick leave.
- E. If a member's employment is terminated while still carrying a negative sick leave balance, the unearned leave extension (up to a maximum of thirty [30] days) and any anticipated leave used must be paid back to the County either in cash, as a deduction from the final paycheck, or from the member's retirement system account.

Section 9: Credit for Unused Sick Leave at Retirement (New Pension System Only)

For conversion rate from hours to days, see the applicable Memorandum of Understanding or Personnel Manual. Any partial days will be rounded up to the next whole day if the number of hours represents greater than one-half (1/2) of a day.

Section 10: Adoption Leave

- A. When taking physical custody of a child who will be adopted, a member who is primarily responsible for the care and nurturing of the child may use up to thirty (30) days of FMLA approved earned sick leave for this purpose.
- B. In the event that both parents are employed by Baltimore County, they may designate who is to be the person primarily responsible for the care and nurturing of the child; or, they may divide the use of thirty (30) days of FMLA approved earned sick leave for the care of the adopted child between themselves.

Section 11: Sick Family Leave

- A. A member may use up to a total of five (5) days of earned sick leave per calendar year.
- B. This leave is authorized to care for immediate family members i.e. (spouse, child, legal dependent, or parent of the member).
- C. The days used are deducted from the members sick leave balance.
- D. Requests for additional Sick Family Leave must be submitted to the Fire Chief through the chain of command.
- E. Requests for additional Sick Family Leave must be accompanied with:
 - 1. An application for FMLA Leave including medical documentation.
 - 2. A detailed statement that outlines what care the employee must provide for the sick family member.
 - 3. A schedule of medical appointments.
 - 4. A Request to Use Sick Family Leave Beyond Allowed 35/40 Hours Form (Found on BCNet).

- F. Sick Family Leave is provided for:
 - 1. LHCP appointments.
 - 2. Care of ill immediate family members.
 - 3. Medical emergencies of dependents.

- G. The member is required to submit a statement to the member's supervisor stating the relationship of the ill member of the immediate family, the nature of the illness, and the necessity for assisting the ill member of the immediate family (Form 381).

- H. Extensions of Sick Family Leave may be granted by the Director of OHR upon the recommendation of the Fire Chief

APPENDIX A

Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

MEDICAL AUTHORIZATION TO RETURN TO FULL DUTY

Patient's Name: _____

C #: _____ (last four numbers)

This is to certify that the above named individual has been under my care from ___/___/___ to ___/___/___ and is found to be

capable of performing the duties described in the attached job description as of ___/___/___.
(Date) (Date)
(Date)

Signature of LHCP

Name of LHCP (Please Print)

Type of Practice

Address

Telephone Number

APPENDIX BResponsibilities of Field Personnel as they relate to Pregnancy

In hazardous occupations such as firefighting and providing Emergency Medical Services, pregnant members and their LHCPs should consider the following potential consequences of the job that may affect the mother and the fetus:

- Traumatic injury;
- Burns;
- Contact with infectious disease, both airborne and bloodborne;
- Heat exhaustion (exposure to high temperatures has been associated with fetal loss); Strain from lifting incapacitated persons;
- Inhalation of toxic fumes (carbon monoxide and hydrogen cyanide have been associated with fetal loss);
- Exposure/ contact with various hazardous materials.

These occurrences can be detrimental to any member, but are of special concern for pregnant members and their fetuses. Additionally, violent patients or trauma victims may require that a member use a high level of physical exertion in order to subdue, transport, or rescue them. Members in the mid- to advanced stages of pregnancy may not be able to maintain this level of activity.

Legally, as long as members are physically able to meet the demands of the job for which they are hired to perform, the Department is required to allow them to operate in that capacity. However, due to the potential health risks associated with Field Operations positions, it is the wish of the Department that female members working in the field immediately notify their Chief Officer through the chain-of-command, using a Form #58, of a pregnancy and accept a modified duty assignment as soon as possible.

The Department advises the member to explain to her LHCP the potential health risks that might affect her and the fetus, if she continues in her normal work capacity while pregnant. She should seek the LHCP's advice as to what work she should assume.

APPENDIX C

Actions Taken Upon Return to Duty

Description of Occurrence	SOP Reference	Action(s) Taken
1st Occurrence (with or without a note)	An occurrence is defined as one or more consecutive hours of scheduled work missed due to the use of sick leave (i.e. Sick/Sick Pending, Sick Family/ Sick Family Pending)	No Action Indicated
2nd Occurrence (with or without a note)	Members are permitted a maximum of two (2) occurrences of sick leave per year without a LHCP note (up to two [2] days or less).	No Action Indicated
3rd Occurrence (without a note)	On the third occurrence without a note, the supervisor will counsel the member, provide a copy of Personnel 02, and document it on a Form 22. Members must provide a LHCP's note on each occurrence for one (1) year.	- Member Counseled - Copy of Personnel 02 Provided - Form 22 -If no note is received, change marking to Sick No Pay
3rd Occurrence (with at least one note)	Members are permitted a maximum of two (2) occurrences of sick leave per year without a LHCP note (up to two [2] days or less). <i>In this case, the two occurrences without LHCP certification has not been exceeded.</i>	Supervisor issues a copy of Personnel 02 and obtain receipt from the employee, discuss expectations
4th Occurrence (with at least three notes)	On the fourth total occurrence during any calendar year with a LHCP's note, the supervisor will meet with the member and review the member's leave record and other pertinent facts to determine if the member is meeting the requirements of the Absence Control Policy. If appropriate the supervisor will initiate a request to place the member on a Notice of Excessive Absenteeism Due to Illness. This notices requires the member to provide his/her supervisor with a written LHCP's excuse from work for any sick leave used during the next 6-month period.	- Review leave record - Consider Excessive Absenteeism Notice - Form 22
5th Occurrence (with at least four notes)	On the fifth total occurrence during any calendar year with a LHCP's note, the supervisor will meet with the member and review the member's leave record and other pertinent facts to determine if the member is meeting the requirements of the Absence Control Policy.	- Review leave record - Form 259 - Member must provide LHCP note on each occurrence for one year or marked Sick-No Pay - Call into Chief Officer's cell phone from the location where they are convalescing, at a specified time

Description of Occurrence	SOP Reference	Action(s) Taken
6th Occurrence (with at least five notes)	On the sixth total occurrence during any calendar year with a LHCP's note, the supervisor will meet with the member and review the leave record and other pertinent facts to determine if the member is meeting the requirements of the Absence Control Policy.	<ul style="list-style-type: none"> - Charges and specifications initiated - At a minimum, the member will be issued a Form 259 - The use of additional sick leave may result in charges and specifications that include recommendation for termination - Member must document on the Form 259, or a Form 58 attached, that he/she understands the seriousness of the occurrence and identifies what steps he/she is going to take to correct the

		issue. Member must take responsibility for mitigating his/her excessive absenteeism
7th Occurrence (with at least six notes)	On the seventh total occurrence during any calendar year with a LHCP's note, the supervisor will meet with the member and review the leave record and other pertinent facts to determine if the member is meeting the requirements of the Absence Control Policy.	- Initiation of charges and specifications for dismissal in accordance with progressive disciplinary proceedings of the Fire Department Rules and Regulations and Personnel Rule 16