

Buffalo & Erie County Public Library
PERSONNEL POLICIES AND PROCEDURES MANUAL

SUBJECT: Sick Leave

CHAPTER: VII

SECTION: 2

EFFECTIVE DATE: 1/81

**REVISION DATE: 11/89, 5/90, 4/91, 7/06, 1/10, Modified for the B&ECPL effective
1/1/15, 11/15/21**

This policy is a system-wide policy for application to all libraries within the Buffalo & Erie County Public Library System.

I. STATEMENT OF POLICY

Full-time and regular part-time employees of the Buffalo & Erie County Public Library earn sick leave credits in accordance with the terms of their collective bargaining agreement or benefits package. The appropriate collective bargaining agreement or benefits package should be consulted for further information.

Within the limits of the sick leave credits they have accrued, an employee will be granted sick leave with pay when they are incapacitated or unable to perform the duties of their position by reason of personal sickness or injury, serious illness in the employee's immediate family which requires the care and attendance of the employee, quarantine regulations, medical/dental visits, or maternity.

II. GUIDELINES

A. Accrual of Sick Leave

1. The start of accrual varies by the type of appointment.
 - a. Each permanent appointee will begin to accrue sick leave credits immediately upon appointment.
 - b. Each temporary and provisional appointee who does not hold permanent status under any title will begin to accrue sick leave credits only after six (6) months of continuous service.
 - c. Temporary appointees in the AFSCME bargaining unit only who do not hold permanent status under any other title will begin to accrue sick leave credits immediately upon appointment.

2. The rate of accrual is dependent on factors such as the employee's status, type of appointment, and bargaining unit assignment. Employees should refer to their respective collective bargaining agreement or contact Human Resources.
3. Sick leave credits will be accrued only for each pay period in which the employee is on full pay status for 50% or more of the workdays in the pay period.
4. An employee's sick time accruals are noted on their bi-weekly pay stubs.
5. Employees may accrue unused sick leave up to the maximum allowed in the labor agreements or in policies designated for Managerial/Confidential and non-represented employees.
 - a. A "bank" of unused sick leave credits provides excellent insurance in the event of serious injury or extended illness of any employee. The B&ECPL does not participate in the New York State Disability Insurance Program.
 - b. In general, employees are able to accrue a maximum of 1,800 hours of sick leave.
6. When a permanent employee resigns or retires and is later reemployed or reinstated into the same position within one (1) year following resignation or within two (2) years or four (4) years of returning from a recall or preferred list, respectively, sick leave credits accumulated at the time of separation from service shall be restored.

B. Use of Sick Leave

1. Anticipated sick leave should be requested and approved in advance. Unanticipated sick leave should be approved promptly upon return to work.
2. An employee who utilizes sick leave for five (5) or more consecutive scheduled days of work must substantiate said leave, unless otherwise stated in the applicable collective bargaining agreement.
3. Charges against sick leave time for medical/dental visits (that must be made during work hours) only may be made in one (1) hour increments for all bargaining units and for Managerial/Confidential employees.
4. Sick leave shall not be granted in less than one (1) hour increments.

C. Approval of Sick Leave

1. To obtain approval and credit for the use of sick leave, the employee must complete and submit to the department head or designee one (1) copy of the Request for Leave form (PO-19).
2. A certificate or affidavit, issued by the attending physician, indicating incapacity and inability of the employee to perform their duties must be filed with Human Resources in cases of absence of five (5) or more consecutive workdays, unless otherwise stated in the applicable collective bargaining agreement. Human Resources may make further inquiries on any illness, regardless of certificate or affidavit.
3. If an employee fails to submit proof of illness to Human Resources when required to do so, the absence shall not be deductible from sick leave and shall be considered as time off without pay.
4. If, in the judgment of Human Resources or designee, the proof submitted does not justify the employee's absence, such absence shall not be deducted from sick leave and shall be considered time off without pay.
5. Charge of sick leave credit for a medical/dental appointment (if taken on other than a half or full day basis) must be reported on a Request for Leave form (PO-19), and an appointment card or a statement from the physician/dentist must be provided to Human Resources. The verification will be placed in the employee's medical file, not personnel file or payroll file.

D. Call-In Procedure

1. Each day that absence is necessary under the sick leave provisions and established practices, employees must report to their department head (or the specific designee of the department head) within 30 minutes before the start of the employee's shift, except where otherwise stated in the employee's collective bargaining agreement.
2. The daily call-in report should include, insofar as possible, the general nature of the illness or injury (or in the case of illness in immediate family, the relationship and nature of illness) and the anticipated return date.

3. It is essential that the call-in be made directly to the department head or the specific designee(s); call-in reports of absence to any other employee shall not be deemed proper notice.
4. Notification via text shall not constitute sufficient notice under this policy. Voicemail messages left on the appropriate telephone number designated for notification by the department shall be sufficient if the 30-minute notification time falls during non-working hours.
5. Information regarding employee illnesses and injuries is confidential and will only be shared with others who have a legitimate business need to know.
6. In cases of serious injury or accident, it is acceptable for a family member to report on behalf of the employee.
7. Daily call-in is required each and every day, except:
 - a. When illness is of anticipated short duration not exceeding five (5) days, employees must state, at time of initial call-in, the anticipated duration of absence. If they fail to do so, they are expected either to report to work the following workday or call in on a daily basis. Employees shall call in the day before their previously reported anticipated return date and report their present status.
 - b. When absence is the result of accident or serious illness and at the time of call-in there is no indication of duration of absence, it is expected that the employee or member of family will report more definite information secured from the attending physician regarding the apparent nature of illness or injury and anticipated return date within three (3) days after the initial call-in.
 - c. When absence is the result of accident or serious illness and the attending physician indicates that an employee cannot return to work until a specified time, the employee is expected to return on the date indicated.
 - d. When an employee calls in and reports that the attending physician has informed them that they will be unable to work indefinitely due to extended illness, the employee is expected to report a return date as soon as one is determined.
8. Upon reporting illness/injury as stated above, employees shall promptly submit to Human Resources a certificate from their attending physician indicating the nature of illness and anticipated

return date, if known. The certificate will be placed in the employee's medical file, not personnel file.

9. In the event of any change in condition or change in anticipated return date from that previously reported, a new certificate from the attending physician shall be submitted to Human Resources.

E. Return to Work

Following a sick leave due to illness or injury, employees must present a statement from their physician demonstrating ability to return to work without restrictions to Human Resources prior to their return.

F. Sick Leave During Suspension of Operations

An employee who is on paid sick leave on a day when B&ECPL operations are suspended will continue on paid sick leave; their sick leave accruals will continue to be charged during the suspension of operations.

G. Abuse Of Sick Leave Benefits

1. Abuse of sick leave privileges shall be grounds for disciplinary action, up to and including termination.
2. When an employee's absences are such that the B&ECPL has reasonable grounds to believe that an abuse of sick leave may exist, the employee will be notified in writing of such suspected abuse, and thereafter may be required, regardless of the duration of the absence, to submit a satisfactory doctor's certificate or affidavit indicating the specific nature of the disability and its duration to Human Resources before such absence may be charged against the employee's accumulated sick leave balance.
3. The unions have pledged that they will work cooperatively with the B&ECPL to reduce and prevent sick leave abuse.