DEPARTMENT OF CORRECTIONS

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Policy Number: 103.280
Title: Sick Leave Management
Effective Date: 11xx/6xx/26xx

PURPOSE: To provide supervisors and managers with guidelines for management of sick leave use by employees, and to ensure compliance with state laws; the Department of Corrections (DOC) has adopted the State of Minnesota, Minnesota Management and Budget (MMB), HR/LR Policy #1337 Sick LeaveHR/LR Policy #1337 Sick Leave as currently in effect.

APPLICABILITY: All employees

DEFINITIONS:

~~None~~

Appropriate use of sick leave – sick leave use authorized pursuant to state law, reasons permitted by HR/LR Policy #1337 Sick Leave HR/LR Policy#1337HR/LR Policy #1337 Sick Leave HR/LR Policy#1337 or those permitted by the applicable collective bargaining agreement or compensation plan such as Family Medical Leave Act-qualifying time, bereavement leave, safety leave, worker's compensation, or sick leave used in conjunction with the birth or adoption of a child.

Family Medical Leave Act (FMLA)-qualified leave – leave that is taken for a reason that has been formally or provisionally approved by human resources (HR) as meeting FMLA requirements. Leave that is first provisionally approved for FMLA, but later determined not approved, is not FMLA-qualified leave. For reference to the policy, see HR/LR Policy #1409 – Family Medical Leave Act (FMLA)HR/LR Policy #1409 – Family Medical Leave Act (FMLA).

Minnesota Paid Leave (MPL) protected leave – leave taken for any day for which the Minnesota Department of Employment and Economic Development (DEED) MPL program has determined that the employee is eligible for benefits or leave under Minn. Stat. 268B; or any day for which the employee meets the eligibility criteria under Minn. Stat. 268B.06, subd. 1(a)) (2 & 3), or the employee has applied for benefits in good faith under Minn. Stat. 268B. For reference to the policy, see HR/LR Policy #1450 – Minnesota Paid Leave (MPL)HR/LR Policy #1450 – Minnesota Paid Leave (MPL).

Sick leave abuse – the use of sick leave by an employee for a purpose other than those authorized by the applicable collective bargaining agreement, compensation plan, policy, or law. Where a supervisor has reason to believe that abuse of sick leave has occurred or is occurring, supervisors shall notify hHuman RresourcesHR.

Unauthorized leave – non-FMLA-qualified or non-MPL-qualified time off work for sick leave reasons that cannot be compensated as the employee has no available sick leave balances and is ineligible or not approved for some other form of paid leave.

PROCEDURES:

A. Employees must use sick leave consistent with ~~HR/LR Policy #1337 Sick Leave~~HR/LR Policy #1337 Sick Leave, and as applicable in the collective bargaining agreements or plans.

1. Employees may use sick leave for:

a) The employee's own mental or physical illness, injury, or other health condition as defined by ~~HR/LR Policy #1337 Sick Leave~~HR/LR Policy #1337 Sick Leave;

b) The care of a family member with a mental or physical illness, injury, or other health condition as defined by ~~HR/LR Policy #1337 Sick Leave~~HR/LR Policy #1337 Sick Leave;

c) Domestic abuse, sexual assault, or stalking of the employee or the employee's family member, as defined by ~~HR/LR Policy #1337 Sick Leave~~HR/LR Policy #1337 Sick Leave;

d) Closure of the employee's assigned work location due to weather or other public emergencies~~y~~, and the employee is unable to work or telework, or an employee is needed to care for a family member whose school or place of care has been closed due to weather or other public emergency~~y~~ies.

B. Employees must accurately document sick leave use on their time sheets.

C. Employees must notify their supervisor, or supervisor's designee, when requesting sick leave. If the leave is foreseeable, employees must provide advance notice up to seven days when possible. For unforeseeable use of sick leave, notice must be provided upon the employee's knowledge of need to use sick leave and/or ~~prior to~~before the start of the workday/shift.

D. Employees are responsible for managing and monitoring their sick leave balances.

DOC employees must also use the "DOC Daily Call-in Notification" and the "Guidance for DOC Policy 103.280 – Sick Leave Management,~~DOC Sick Leave Management Processes~~" documents available on the DOC human resources ~~iShare~~SharePoint website and attached~~hyperlinked~~ below.~~attached belowsite (attached below).~~

~~DOC employees must also use the "DOC Daily Call in Notification" and the "DOC Sick Leave Management Processes" documents available on the DOC human resources iShare site (links below).~~

~~See Minnesota Management and Budget, HR/LR Policy #1337 Sick Leave.~~

~~DOC employees must also use the "DOC Daily Call in Notification" and the "DOC Sick Leave Management Processes" documents available on the DOC human resources iShare site (links below).~~

~~A.~~E.

INTERNAL CONTROLS:

A. As applicable, supervisors use a sick leave tracking system that is available for review by the employee and supervisor/manager.

~~A. B.~~

~~B. Documentation of supervisory conferences areis retained in the supervisory file according to applicable retention schedules.~~

~~C. Documentation of a requirement to provide doctor's slips for future sick absences is retained by HR the employee's medical file.~~

Training is retained in the agency-approved electronic training management system.

STATE CORRECTIONAL FACILITY SECURITY AUDIT STANDARDS: None

REFERENCES: Minn. Stat. 241.01 ~~-~~Corrections; Department; Facilities~~,~~
Minn. Stat. 43A.1815 Vacation Donation to Sick Leave Account~~,~~
Minn. Stat. 181.9445-181.9448 Earned Sick and Safe Time
29 USC § 2601 ~~-~~ Federal Family Medical Leave Act (FMLA)
MMB HR/LR Policy #1337, "Sick Leave"
Collective Bargaining Agreements
Policy 104.450, "Payroll, Leave, and Overtime Requests"
Policy 103.219, "Employee Misconduct Investigation and Discipline"
Policy 103.035, "Tardiness and Failure to Report ~~for~~to Work
Policy 103.270, "Family and Medical Leave Act"
Policy 103.240, "Return to Work Process"

~~DOC Daily Call-in Notification~~
~~DOC Sick Leave Management Processes~~

REPLACES: Policy 103.280, "Sick Leave Management," ~~10/2/18~~01/01/2024.
All facility policies, memos, or other communications, whether verbal, written, or transmitted by electronic means, regarding this topic.

ATTACHMENTS: DOC Daily Call-in Notification (103.280A)
Guidance for DOC Policy 103.280 – Sick Leave Management (103.280B~~C~~)
~~DOC Daily Call-in- Notification (on HR iShare site)~~

~~DOC Sick Leave Management Processes (on HR iShare site)~~

APPROVAL:
Commissioner of Corrections
~~Deputy Commissioner, Chief of Staff~~

~~Deputy Commissioner, Client Services and Supports~~
~~Deputy Assistant Commissioner, Teaching and Learning~~
~~Assistant Commissioner, Agency Services and Supports~~
~~Assistant Commissioner, Facilities~~
~~Assistant Commissioner, Facilities~~
~~Assistant Commissioner, Community Services and Reentry~~
~~Assistant Commissioner, Health, Recovery, and Programming~~