



PROCEDURES MANUAL

SUBJECT: Leaves of Absence – Sick Leave

NUMBER:

902.01

APPROVED:

Richard A. Braun

FIRE CHIEF

TYPE: Sick Leave

EFFECTIVE DATE: 3/2017

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REVISED DATE: 3/2017

902.01.1 GENERAL POLICY

1. Provide procedures for use and management of sick leave.

902.01.2 USING SICK LEAVE

1. When a member is scheduled to report for duty and cannot report due to illness or injury, the member shall leave a message on the SWP Hotline (352-3319) **and** notify the Company Officer not later than 0615 hours for their scheduled tour of duty. (The member must speak to the officer) If a member calls after 0615, they shall submit a F-47 their next scheduled tour of duty explaining the reason for violating this procedure through channels.

(Refer to General Order #2)

Note: Members who call off sick with pay must also comply with the current Labor Management Agreement.

2. Sickness or injury of a member caused by outside employment shall not be chargeable to Sick Leave with Pay.

Note: If an injury caused the SWP leave, the member needs to inform the officer where and how the injury occurred and whether or not it occurred at or resulted from outside employment.

3. Forty (40) hour members shall call their immediate supervisor as designated by the Bureau Assistant Chief.
4. When a member becomes ill or injured and cannot report for duty, the member shall seek appropriate medical attention.
5. No member in suppression shall return to duty following a sick or injury leave of less than 72 hours without notifying their Company Officer **and** leaving a message on the SWP Hotline (352-3319). The Company Officer and the Hotline must be notified/recorded 14 hours (1700 hr) prior to their scheduled tour of duty. Attempts to return to duty after 1700 hr will require the member to submit a Chief's Report (F-47) to explain why this deadline could not be met.

Members who are on SWP leave and feel better during the tour in which the leave was granted may contact their District Chief to attempt to return to duty. It will be the



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Operations Bureau Chief / Duty Chief's decision whether to allow the request based on the nature of the illness/injury and previous requests.

902.01.3 MULTIPLE TOUR SICK LEAVE WITH PAY LEAVE

1. Members using SWP leave for three consecutive tours shall contact their Company Officer and notify them of their condition and their primary caretaker's prognosis.
2. Members using SWP leave for an extended period must submit a Form 30 to the Assistant Chief of Human Resources or his designee every 30 days. The Form 30 must be filled out by the member's treating physician and will be used to update the department on the member's status and realistic prognosis for return to full firefighting duty.
3. Any SWP leave that extends for 3 tours or greater, or is deemed by the Labor Management Agreement to be a serious injury/illness, shall require the member to submit a note from their treating physician, prior to their return to full fire fighting duty. The note must be personally presented to the Assistant Chief of Human Resources, or his designee and must state that the member is **FIT FOR FULL FIREFIGHTING DUTY**. If the Assistant Chief of Human Resources or his designee has questions or concerns about returning a member to full duty status because of the nature or seriousness of the injury or illness, then the return to duty determination can be deferred to the EHS Physician and the member will be subject to EHS requirements for return to duty clearance. Refer to the current Labor Management Agreement for additional information.

902.01.4 SICK LEAVE ABUSE

1. Sick leave is to be used only when members are too sick or injured for duty. Abuse of sick leave will result in loss of pay and possible disciplinary action.
2. Anytime a member is suspected of abusing sick leave, or is using an inappropriate amount of sick leave, it shall be the responsibility of the member's immediate supervisor, District Chief or Division Chief to investigate. Supervisors shall monitor the sick leave of all members under their command. The CFDWEB contains multiple ways to check and verify the sick time used by members.

If sick leave patterns or usage indicate that a member may be abusing sick leave, that issue shall be addressed and the member may be required to provide a physician's



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statement confirming his/her illness and may be required to get a “fitness for duty” evaluation through appropriate outside health services contractor or EHS. Disciplinary action may also be warranted.

3. Members who do not produce the physician’s verification of illness as specified in the current Labor Management Agreement shall result in the leave reverting to Leave without Pay (LWOP).

Any costs incurred by the member for obtaining a physician’s verification shall be the member’s obligation.

The CFDWEB database counts all SWP, SWP-F and SWOP incidents in the past twelve months.

Each supervisor shall monitor SWP, SWP-F and SWOP leaves and shall conduct a conference with the member to reduce any potential for SWP abuse.

Each supervisor shall document the frequency of SWP occurrences on the employee’s Annual Form 21 Performance Report on Line 2 “Attendance”. Refer to City Of Cincinnati Fire Division Performance Appraisal Evaluation Manual for guidelines for potential ratings for the number of SWP incidences (IE 4 SWPs- Marginal, 5 SWPs- Inadequate).

The ultimate responsibility for knowing their SWP usage lies solely with the member.

Physician’s verifications of illness or injury must comply with the current Labor/Management Agreement.

Supervisors may request, through the Human Resources Assistant Chief or his designee that members with attendance problems be given a complete fitness for duty evaluation by EHS to determine if there is any underlying medical reason for their poor attendance.

SWP-M, SWP-A, and SWP-D shall not be considered an instance toward the Physician’s verification of illness or injury requirement. Refer to the current Labor Management Agreement regarding SWP instances for the purposes of care or rehabilitation while on Limited Duty and the member should use the Limited Duty SWP Code, LDSWP, for these instances.



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Nothing herein is intended to deny any member the right to SWP benefits. However, all members must accept the responsibility to use the benefits only when justified and under the procedures which are currently in effect.

Member's who suffer from a chronic illness may request that all leaves associated with the illness be considered as one incident. This request shall be submitted on a Chief's Report (F-47) and forwarded through channels to the Human Resource Division for determination. Chronic or long term illnesses or injuries may qualify for FMLA benefits.

902.01.5 ON DUTY ILLNESS

1. When a member becomes ill while on duty and cannot function to full capacity, the District Chief shall be notified and the member relieved from duty.
2. Members relieved from duty due to non-work related issues must also comply with the current Labor Management Agreement.

902.01.6 MATERNITY LEAVE

1. Members who are pregnant and feel they are not capable of performing their full range of duties must report to the Fire Training Center with the note from their physician for a limited duty assignment.

When the member obtains medical confirmation that they are no longer able to work on limited duty, the actual maternity leave will start. The member shall be carried SWP-M in compliance with contract language.

Any member reporting for restoration to duty from maternity leave must provide the appropriate physician's verification, and report to the Assistant Chief of Human Resources or his designee for clearance to full fire fighting duty.

Once the uniform does not properly fit, the pregnant member is expected to provide maternity slacks consistent in color with the "Class A" Dress Uniform. Actual duty assignments will be governed by the Training Bureau.

2. If a supervisor believes a pregnant member cannot perform her full range of duties, they can request through the Human Resource Division that the member be seen by EHS.



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902.01.7 LEAVE AS A RESULT OF STRESS

1. Any absence as the result of stress that precludes a member from performing their duties, whether personal or work related, will be carried as SWP and must comply with the department's current stress leave policies.
 - Per State of Ohio statute (ORC 4123. 01) and City policies, stress leaves are not generally eligible for IWP.
2. Member must notify their immediate supervisor and their District Chief that they will be using SWP for stress.
3. Member must contact the Public Employee Assistance Program (PEAP) the day of their leave or the next business day that they are going off SWP for stress.
 - Members that fail to contact PEAP will be carried Leave Without Pay for that day and any subsequent days until PEAP is contacted.
 - Members will be required to sign a release of information form for PEAP.
 - Members that fail to sign the required release form or fail to dutifully attend their scheduled appointments at PEAP will be carried as Leave Without Pay.
4. The immediate supervisor is to obtain the reason the member is using SWP for stress and report their findings to the District Chief.
 - Members must provide reason for stress leave on a F-47 Chief's Report prior to leaving quarters. Members that fail to provide the required reasoning for the stress leave will be carried Leave Without Pay.
5. The District Chief shall notify the Human Resources District Chief (SO-1) and the Internal Investigation Section (IIS) Captain that the member is going off SWP stress and the circumstances of the leave.
6. IIS will generate a referral form for PEAP. The referral form will be forwarded to PEAP.
7. Once it is determined by PEAP that continued appointments are no longer necessary:
 - The member must notify their officer and District Chief of their expected return to duty (RTD) date the day that they are released by PEAP. The District Chief will notify the Human Resources District Chief (SO1) and IIS of the member's RTD date.
 - PEAP will notify IIS that the member has been released for the stress issue.