



GENERAL ORDER

Time Off

Purpose and Scope

This order provides guidelines pertaining to an employee's time off from work. To the extent there are any inconsistencies between this order and existing memorandum of understanding (MOU) or any local, State, or Federal law, the provisions of the MOU or law shall prevail.

Affected Personnel

All employees

Effective Date

November 10, 2016

I. Vacation, Holiday in Lieu (HIL), Compensatory Time Off (CTO)

A. Guidelines for Approving Time Off

1. Employees who have accrued time will be given a fair and reasonable opportunity to use the time.
2. The same standard for approving time off will apply to all employees in a division.
3. A proper level of staffing to ensure safety, security, and adequate service levels shall be maintained.

B. Requesting Time Off

1. Employees must have the appropriate accrued leave balances available to request time off.¹
2. Requests shall be submitted in writing to the employee's immediate supervisor or designee prior to the requested time off.
3. Requests should be made with reasonable advance notice to the Department to best ensure appropriate consideration of the request.

II. Sick Leave

A. Paid sick leave time is earned by all County employees:

1. Permanent employees earn a sick leave benefit as detailed in their MOU, or if unrepresented, as detailed by Sacramento County Personnel Ordinance.²

¹ Unless otherwise guaranteed by law or MOU (e.g., Family and Medical Leave Act).

² Sacramento County Code 2.78.745

2. Temporary County employees earn a sick leave benefit in accordance with State law.³
- B. Sick leave may be used for personal absences when:
1. Incapacitated or quarantined due to illness or injury;
 2. For examination or treatment by a doctor or dentist;
 3. To donate blood, organs, or bone marrow; and
 4. Certain absences resulting from domestic violence, sexual assault or stalking.
- C. Sick leave may be used for family purposes for:
1. Providing personal care for an eligible family member who is incapacitated due to illness or injury;
 2. Transportation of an eligible family member to and from a local hospital for medical treatment or operation, including childbirth;
 3. Attendance, at any location, during serious medical treatment or operation involving an eligible family member, including childbirth; and
 4. Certain absences resulting from domestic violence, sexual assault or stalking.
- D. "Eligible family members" for the use of family sick leave time are defined by the employee's MOU, County personal ordinance⁴, or State Law⁵.
- E. Employees shall notify their supervisor or manager as soon as they are aware they will not be able to report to work. Contact shall be made in a manner specified by division procedures, or if an employee is on "controlled leave⁶," in the manner specified by the controlled leave document.
- F. When the necessity for leave is foreseeable, such as an expected birth or planned medical treatment, the employee should, whenever possible, provide the department with no less than 30-days' notice of the intent to take leave.
- G. The department may require reasonable substantiation of the need for and use of sick leave.
- H. Inappropriate use of sick leave may result in discipline, controlled leave, and/or denial of sick-leave time.

³ Labor Code § 246

⁴ Sacramento County Code 2.78.750.D.1

⁵ Labor Code § 245.5 (c)

⁶ A corrective action that may be imposed if the employee's attendance record indicates a pattern of abusing leave privileges, a pattern of frequent absenteeism, or when unusual circumstances warrant such substantiation.

III. Family and Medical Leave Act (FMLA) / California Family Rights Act (CFRA)

- A. Eligible employees may be entitled to up to 12 weeks off work, either paid or unpaid, in a 12 month period for their own or an eligible family member's serious health condition, a new child in the home, or for military exigency.
- B. An eligible employee may be entitled to up to 26 weeks off work for military caregiver leave.
- C. For details and procedures on the application of FMLA/CFRA, please refer to [County Personnel Policy and Procedure L-9](#).

IV. Leave without Pay / Leave of Absence

- A. Unless otherwise authorized by law or MOU, all leave without pay or leaves of absence must be approved by the Chief Probation Officer.
- B. Appropriate leave balances must be exhausted prior to leave without pay or a leave of absence unless the employee is participating in a State wage replacement program.
- C. The amount of unpaid leave authorized is discretionary based on the needs of the department and employee. The maximum duration of an unpaid leave is one year. Exceptions must be approved by the Chief Probation Officer and are authorized only in unusual circumstances.

V. Family Death Leave

- A. Permanent employees may be authorized family death leave with pay, when needed, due to the death of a relative. Please refer to the applicable Personnel Ordinance⁷ or labor agreement for details of eligibility.
- B. Family death leave is limited to 40 hours for any one death. Part-time employees will have their leave entitlement prorated based on their regular work week. If more than forty (40) hours of time off are necessary, the additional time off must be approved and the employee will need to use his/her available leave balances, i.e. vacation, CTO, HIL.
- C. The employee may be required to provide documentation of eligibility of the need for the leave. Appropriate documentation would include, but is not limited to, an obituary, death certificate, or memorial card.

VI. Pregnancy Disability Leave

Pregnancy Disability Leave (PDL) is state law that is enforced by the Department of Fair Employment and Housing. The department must allow an employee who is actually disabled due to pregnancy, childbirth, or a related medical condition to take a leave and/or provide reasonable accommodations. Please refer to [County Personnel Policy and Procedure L-10](#) for details and procedures.

⁷ Sacramento County Code 2.78.770

VII. Parental Leave

- A. The Parental Leave Program is in place to facilitate parental bonding and family adjustment, care for the child, and to provide time for employees to locate suitable long-term child care arrangements for newborn or eligible newly placed children.
- B. Additional time off may be taken using vacation, HIL, CTO, or unpaid leave if the employee is eligible for FMLA and/or CFRA. If the employee is not eligible or has exhausted all eligible FMLA/CFRA hours, further time off may be approved at the discretion of the department.
- C. For additional details and procedures please refer to [County Personnel Policy and Procedure L-7](#).

VIII. Sacramento County Poll Worker Program

- A. Employees may receive paid time off in order to serve as a Sacramento County poll worker during elections.⁸
- B. The Chief Probation Officer has the sole discretion to grant or deny a Probation Department employee's request for participation based on the needs of the department.
- C. Requirements for participation:
 - 1. The employee is a U.S. Citizen at least 18 years old and registered to vote;
 - 2. The employee has successfully applied for and has been selected and found qualified by the Sacramento County Registrar of Voters to serve as a volunteer poll worker;
 - 3. The employee has made a request in writing to the Chief Probation Officer for an absence from County employment as is necessary to attend and complete Poll Worker Training as directed by the Registrar and an absence for the employee's entire regularly scheduled work day on election day to serve as a volunteer poll worker in Sacramento County; and
 - 4. On the day of the election the employee has fully executed his/her responsibilities as a poll worker and reported to his/her assigned polling place at the designated time, performed all duties appointed by the County elections official and as required by applicable state and federal elections laws, and remained on duty until the poll was properly closed and secured and until released by the County elections official.
 - 5. The employee must serve as a poll worker in Sacramento County.
- D. Any regular County employee who qualifies and is approved for the "County Employees as Volunteer Poll Workers Program" will receive his or her regular pay while on paid leave from County employment for one regularly scheduled work day that falls on the day of the election and for such leave time prior to the election as is necessary, including travel, to attend the required Poll Worker Training during the employee's work hours. No overtime or compensatory time shall be earned or accumulated during such paid leave.

⁸ Sacramento County Code 2.78.777

IX. Miscellaneous Leaves

A. Sacramento County allows time off for other miscellaneous reasons as detailed in County Personnel Policies and Procedures or County Code. For details, applicability, and which, if any, leave balances are required, please refer to [the appropriate County Policy](#) and/or Department of Personnel Services representative.

1. Jury Duty (County Policy L-1)
2. Time Off to Attend Commission, Committee, and Board Meetings (L-4)
3. Time Off to Attend Retirement Planning Program (L-7)
4. Workers' Compensation ([Sacramento County Workers' Compensation Information and Guidelines](#))

B. Sacramento County allows time off for other miscellaneous reasons due to State or Federal law. For details, applicability, and which, if any, leave balances are required, please refer to [County Personnel Policy and Procedure L-2](#) and/or a Department of Personnel Services representative. These leave times include:

1. Military Spouse Leave;
2. School Activities Time Off;
3. School Visits Because of Suspended Child Leave;
4. Victims of Crime Leave;
5. Victims of Domestic Violence and/or Sexual Assault Leave;
6. Volunteer Firefighters, Reserve Police Officers, and Emergency Rescue Personnel Leave;
7. Voting (if the employee's work schedule will prevent the employee from voting on his/her own time); and
8. Witness Testimony Leave.

References

Labor Code
Government Code
Sacramento County Personnel Policy and Procedures
Sacramento County Code

Amends/Replaces

Time-Off Policy
Employee Jury Duty (9/13/2005)
County Employee Poll Workers Program (6/2005)

Authorized By _____



Lee Seale, Chief Probation Officer

Date _____

10/4/16