



HOWARD COUNTY SHERIFF'S OFFICE  
**GENERAL ORDER ADM-25**  
**LEAVE & OVERTIME**  
EFFECTIVE AUGUST 9, 2017

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This General Order contains the following numbered sections:

- I. POLICY
- II. LEAVE
- III. PAID OVERTIME
- IV. COMPENSATORY TIME
- V. COMPENSATION FOR COURT APPEARANCES
- VI. CANCELLATIONS

I. **POLICY**

The Howard County Sheriff's Office (HCSO) shall provide appropriate programs and controls for the management and use of leave and overtime.

II. **LEAVE**

**All leave will be earned, scheduled, and used in accordance with the requirements and guidelines set forth in the Howard County Employee Manual and/or any applicable negotiated bargaining agreements.**

A. The following types of leave are provided and specifically defined and regulated by the Howard County Employee Manual and/or any applicable negotiated bargaining agreements:

- 1. Disability Leave
- 2. Annual Leave
- 3. Personal Leave
- 4. Holiday Leave
- 5. Leave of Absence Without Pay
- 6. Jury Leave
- 7. Official Leave
- 8. Military Leave
- 9. Bereavement Leave
- 10. Worker's Compensation Leave
- 11. Family/Medical Leave (FMLA)
- 12. Liberal Leave
- 13. Compensatory Leave

B. Disability Leave

- 1. Except in emergencies, notification of disability leave use, that would prohibit a member from being at work will be accomplished as early as possible, but not less than one (1) hour prior to the time the member is scheduled to report for duty, assignment, or detail. If the member's supervisor cannot be reached, he shall notify someone within his direct Chain of Command.
- 2. Civilian employees will notify their supervisors of illness or injury that would prohibit them from being at work. If a supervisor cannot be reached, the employee shall notify the Duty Officer.

3. The employee requesting disability leave is responsible for ensuring that all notifications are made to appropriate personnel when the employee is scheduled for an assignment other than his normal duty assignment (i.e. District Court, Training Sessions). The employee is also responsible for obtaining the name of the person to whom notification is made to ensure accountability at a later date, if necessary.
4. All disability leave use must be documented on the appropriate HCSO form by the employee receiving the notification of request for leave.
5. Deputies on disability leave are considered to be on temporary non-duty status.
  - a. Deputies maintain their law enforcement powers, but are not allowed to work either within the HCSO or with any secondary employment agency.
  - b. Members on disability leave or light duty status may not use any HCSO physical fitness facility unless specifically authorized, in writing, by their medical practitioner and supervisor.
6. Employees using more than three (3) consecutive workdays of disability leave must submit a written certification from a physician or other licensed medical practitioner upon their return to work. The certificate must confirm the dates of treatment, the anticipated duration, and the employee's inability to report to work or perform the employee's duties and responsibilities for the duration of his/her absence from duty.
7. If more than three (3) consecutive workdays of disability leave are used by the employee to care for a sick child or spouse, the procedures identified for written certification in the above section should be followed.
8. If disability leave abuse is suspected, the employee may be notified that a doctor's certificate will be required for future absences of less than three (3) days.
9. An employee who has submitted notice of intent to resign may be required to submit a doctor's certificate for all disability leave used during the notice period.
10. The Sheriff, or his designee, may require, at no expense to the employee, a second opinion as to any serious health condition that results in the employee missing five or more consecutive days of work, consistent with the provisions of the FMLA.
11. An employee who has prior knowledge of a need for disability leave (i.e. pre-scheduled treatment, dental procedure, operation, etc.) will inform his/her supervisor in advance so that changes to work schedules may be requested and approved as appropriate.
12. If an employee does not have any remaining disability leave, s/he should request, in writing, approval from the Sheriff to use personal leave, compensatory time, and/or annual leave if s/he needs to take leave for disability. A request is not a guarantee of approval.

C. Annual Leave

1. Annual leave will be granted based upon available leave and staffing needs in accordance with the guidelines of the Howard County Employee Manual and the provisions afforded by any applicable negotiated bargaining agreement.
2. All annual leave requests must be submitted at least forty-eight (48) hours in advance of requested leave.

3. Supervisors will approve leave requests in accordance with existing staffing requirements within their organizational component. Supervisors may approve exceptions where a demonstrated hardship is proven. If granted, the Supervisor must ensure the organizational component is suitably staffed.

D. Personal Leave

1. The use of personal leave requires prior approval by the employee or member's immediate supervisor.
2. Personal leave may not be carried over from one calendar year to the next.
3. Personal leave NOT taken by December 31<sup>st</sup> is forfeited.

E. Holiday Leave

Personnel will be entitled to paid holidays as identified in the Howard County Employee Manual and any applicable negotiated bargaining agreement.

F. Leave of Absence Without Pay

Except for non-duty related disabilities, the Howard County Personnel Officer may grant requests for leave of absence without pay for a period not to exceed one year under such terms and conditions as are set forth in the Howard County Employee Manual.

G. Official Leave

1. The Sheriff or Chief Deputy may grant official leave with pay to allow employees to attend professional meetings, technical conferences, and short-term courses (outside the County) on subjects related to official duties, or for other purposes.
2. In the event of an incident leading to an Internal Affairs Division investigation, an employee may be placed on official administrative leave, with or without pay, temporarily if it is determined to be in the best interest of the public, the employee, or the HCSO.
3. Personnel requesting attendance at a meeting, function, or training covered by official leave should submit their request at least thirty (30) days prior to the actual event.
4. The Sheriff will issue a Personnel Order, upon verification of the proper authorization.
5. When the final approval is received, the Sheriff's Office will distribute a copy of the Personnel Order to all affected personnel.

G. Bereavement Leave

1. In accordance with any applicable bargaining agreements and the Howard County Employee Manual, the personnel member's immediate supervisor will grant an employee bereavement leave for a maximum of three (3) consecutive workdays following the death of an employee's spouse, son, daughter, mother, father, brother, sister, parents-in-law, step-parents, grandparents or grandchild.
2. A maximum of one (1) day will be granted upon the death of the employee's brother-in-law or sister-in-law.
3. An extra two (2) days may be granted if the funeral is outside the state of Maryland.

H. Family and Medical Leave (FMLA)

1. All civilian and sworn employees are entitled to the provisions of the Family and Medical Leave Act (FMLA) as identified in the Howard County Employee Manual.
2. Supervisors may not sign FMLA leave slips until officially authorized by the Howard County Office of Human Resources.
3. All of the provisions and limitations identified for disability leave within this General Order shall apply to any member on FMLA (regardless of the actual type of leave used).

I. Liberal Leave

1. All uniform and sworn HCSO personnel, including security officers, are to report for duty without exception.
2. Civilian employees will be entitled to liberal leave as identified in the Howard County Employee Manual.
3. The Sheriff, or his designee, will publish and periodically update a list of essential/emergency civilian employees, to include all personnel designated as providing an essential service.

J. Compensatory Leave

1. Compensatory leave will be granted based upon available leave and staffing needs in accordance with the guidelines of the Howard County Employee Manual and the provisions afforded by any applicable negotiated bargaining agreement.
2. All compensatory leave requests must be submitted at least forty-eight (48) hours in advance of requested leave.
3. Supervisors will approve leave requests in accordance with existing staffing requirements within their organizational component. Supervisors may approve exceptions where a demonstrated hardship is proven. If granted, the Supervisor must ensure the organizational component is suitably staffed.

**III. PAID OVERTIME**

- A. All necessary overtime will be paid. Overtime is authorized for deputies and civilian employees.
- B. Paid overtime will be authorized for deputies who are summoned to court while on annual leave, only if the summons was received **AFTER** leave was approved. The same is true of deputies that are asked to work during their annual leave time due to low staffing levels.
- C. Personnel requesting paid overtime will complete and submit the appropriate HCSO form on the same day that the overtime is earned, when possible. If extenuating circumstances exist, the overtime form may be submitted no later than the next business day.
- D. Overtime forms must be signed by a supervisor or commander directly related to the assignment or detail and at least one rank above that of the requesting officer.

**IV. COMPENSATORY TIME**

- A. Compensatory time will be earned, used, and managed as specifically defined and regulated by the Howard County Employee Manual and/or any applicable negotiated bargaining agreement.

- B. Employees approved for overtime assignment may elect to earn compensatory time.
- C. Employees requesting compensatory time will complete and submit the appropriate HCSO form either on the same day as the compensatory time is earned or by the next shift.

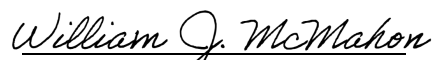
**V. COMPENSATION FOR COURT APPEARANCES**

- A. Compensation for court appearances will be in accordance with the Howard County Employee Manual and any applicable negotiated collective bargaining agreements.
- B. Compensation for job-related appearances in civil cases will be in accordance with the following guidelines:
  - 1. Any HCSO member receiving a summons to appear in court regarding a job-related civil case will notify his supervisor no later than the first workday after receiving the summons.
  - 2. If it appears that the civil proceeding may involve a significant number of days in court, the supervisor should attempt to adjust the member's work schedule to accommodate this need.
  - 3. Unless a schedule change has occurred, members will submit an overtime/compensatory time slip in a similar manner as for criminal court cases.
  - 4. This does not apply to civil cases that have no connection to work-related incidents.
  - 5. Members are not to be privately reimbursed by a party to a job-related civil proceeding.
- C. The HCSO does not provide compensation to former employees for court appearances. However, lateral officers hired by the HCSO may be compensated for court appearances related to prior law enforcement employment, as authorized by their respective supervisor.

**VII. CANCELLATION**

This General Order cancels and replaces General Order ADM-25, Leave & Overtime, dated January 18, 2010.

Authority:

  
William J. McMahon  
Sheriff