



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE: JANUARY 7, 2026	CHAPTER: 1 - Administrative	PAGE: 1 of 6	NUMBER: 1.05.04
SUBJECT: SICK LEAVE REVIEW			
CHIEF: <i>Dorothy A. Todd, Chief</i>			

This General Police Order has been revised in its entirety

PURPOSE: To eliminate sick leave abuse, increase workforce availability, and establish corrective action protocols when sick leave abuse occurs.

POLICY: **It is the policy of the Cleveland Division of Police** to monitor sick leave on a quarterly basis; members abusing sick leave may be subject to progressive corrective action.

DEFINITIONS:

Immediate Family Member - the spouse, mother, father, mother-in-law, father-in-law, child, grandparent, grandchild, brother, sister. The definition of “immediate family member” is different for the Family Medical Leave Act (FMLA).

Sick Leave Abuse - the use of sick leave for any purpose other than actual sickness, injury, medical and health care appointments, confinement by reason of a contagious disease, confinement due to pregnancy and childbearing, or health care needs of a member’s immediate family.

I. General Guidelines

- A. Sick leave allows the Division to accommodate personnel who cannot report to work due to:
 - 1. An actual illness or injury;
 - 2. Confinement by reason of a contagious disease;
 - 3. Confinement due to pregnancy and childbearing;
 - 4. Visit to a doctor, dentist, or other appointment for medical or health care;
 - 5. Health care needs of an immediate family member.
- B. For purposes of this directive, sick leave includes all types of leave that involve the use of sick hours, including Family Medical Leave Act (FMLA), Non-FMLA Medical Leave of Absence, medical and health care appointments, Hazardous Duty Injuries (HDI), Duty Related Injuries (DRI), other off-duty injuries.

II. Sick Leave Abuse Types

- A. Single instance of sick leave abuse
 - 1. A single instance of sick leave abuse requires supervisor observation and may include:

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- a. Use of sick leave to obtain time off work unrelated to the accommodations listed in section I.A.
 - b. Use of sick leave to avoid mandatory overtime, difficult or undesirable duties, or inclement weather.
 - c. Use of sick leave after being denied time off (e.g., compensatory time off, personal holiday, etc.).
 - d. Failure to provide acceptable medical documentation following use of sick leave while on any step of sick leave abuse.
 - e. Engaging in strenuous physical activity or any secondary employment while off on sick leave.
 - f. Engaging in any secondary employment while out on HDI status.
2. The supervisor shall conduct an investigation at the time of the first suspicion or as assigned by a superior officer.
- a. The investigation shall not be delayed until the quarterly review.
 - b. If the investigation results in a corrective action recommendation against the member, the hours under investigation shall not count toward the sick leave threshold for a quarterly review.
- B. Undocumented Sick Leave
- 1. Members assigned to 8 or 10 hour shifts shall not utilize more than 40 hours of undocumented sick leave in a quarter.
 - 2. Members assigned to 12 hour shifts shall not utilize more than 48 hours of undocumented sick leave in a quarter.
- C. Pattern of Sick Leave Abuse
- 1. A pattern of sick leave abuse may be established by a review of sick leave use and may include any of the following instances that occur repetitively or in combination:
 - a. Use of sick leave on Fridays, Saturdays, Sundays, days that precede or follow scheduled vacation days, holidays, personal holidays, furloughs, or compensatory time.
 - b. Any other pattern of sick leave use indicating abuse.

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- c. For members assigned to 12 hour shifts, use of sick leave adjacent to a scheduled vacation day shall not be the sole basis for determining a pattern of sick leave abuse.
2. The member's calendar in the Division's scheduling software shall be used to determine a pattern of abuse.

III. Quarterly Review

A. Commanders shall ensure:

1. That a sick leave review is conducted for all members assigned to 8 or 10 hour shifts who have used more than 40 hours of sick leave for the quarter under review, and for all members assigned to 12 hour shifts who have used more than 48 hours of sick leave during the same period.
 - a. Absences with acceptable medical documentation for leave involving the use of sick hours due to FMLA, Non-FMLA, HDI, and DRI **shall not** be counted as part of the sick leave threshold or as a pattern of abuse.
 - b. All other uses of sick leave shall be counted as part of the threshold and/or considered as a pattern of sick leave abuse.
 - c. A member may not conduct a quarterly review of a member of the same rank; the next higher ranking supervisor (or members acting in a higher capacity) in the member's chain of command shall complete the quarterly review.
2. That all members on sick leave abuse be reviewed quarterly, regardless of hours used, to ensure compliance with the conditions of their sick abuse.
 - a. If the member is in compliance, no sick review entry is required.
 - b. If the member is not in compliance, a sick review entry is required.
3. Ensure a quarterly review is performed and forwarded to their Deputy Chief no later than 40 days after the end of each quarter.
 - a. First Quarter; January 1 - March 31.
 - b. Second Quarter; April 1 - June 30.
 - c. Third Quarter; July 1 - September 30.
 - d. Fourth Quarter; October 1 - December 31.

B. Deputy Chiefs shall examine the quarterly review and recommendations for corrective action shall be forwarded to the Chief's Office.

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IV. Supervisor Investigation

- A. The Timekeeping Unit shall supply each commander with the following no later than seven (7) days after the close of the pay period that ends the quarter:
 - 1. A list of members under their command who require a sick leave review.
 - 2. A list of members under their command who were on sick abuse during the quarter of review, as well as the effective dates.
 - 3. A scheduling software report for each member to include the date sick leave was taken, type of sick leave used, and whether documentation was provided for the sick leave.
- B. Supervisors shall notify the member in writing that they have exceeded the threshold of sick time within the quarter of review, and inform the member that they are subject to progressive corrective action.
 - 1. The member may provide acceptable documentation from a medical or health care provider.
 - 2. If the member under review has more than the allowed threshold hours for their assigned shift, they may submit a Form-1 explaining the use of sick leave or the supervisor may require a Form-1; the Form-1 shall be included in the sick review entry.
- C. Supervisors shall complete a sick review via the Division's tracking software for all members requiring a sick review and include the following:
 - 1. The member's scheduling software calendar for the quarter being reviewed, ensuring "show denied codes" is selected prior to printing.
 - 2. The member's scheduling software sick leave report.
 - 3. Any Form-1(s) submitted by the member.
 - 4. Any acceptable documentation by the member (if applicable).
 - 5. Whether the member exhibited a pattern of abuse and a notation of their findings along with corrective action recommendations, if applicable.
- D. Supervisors shall forward the sick review through their chain of command via the tracking software.
- E. HIPAA does not apply to sick leave investigations.

V. Corrective Action

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- A. All recommendations for corrective action for sick leave abuse whether discovered through a single instance, or through the quarterly review, are subject to the corrective action process.
 - 1. Corrective action is progressive and is as follows:
 - a. Step 1 results in a letter of first warning requiring the member to provide acceptable documentation to their supervisor before returning to duty for any sick leave taken in a 12 month period. Further abuse while in Step 1 will elevate you to Step 2.
 - b. Step 2 results in a letter of second warning continuing the requirement for documentation and revoking permission to engage in secondary employment for 12 months. Further abuse while in Step 2 will elevate you to Step 3.
 - c. Step 3 results in a five day suspension as well as continued conditions of Step 2 for 12 months. Further abuse while in Step 3 will elevate you to Step 4.
 - d. Step 4 results suspension or possible termination.
 - 2. Medical documentation will not be accepted at any administrative hearings.
- B. Failure to provide acceptable documentation while under any of the step disciplines shall be considered a single instance of sick abuse and shall be subject to the formal corrective action process.
- C. Supervisors shall ensure that members that are on any step of sick abuse provide documentation prior to returning to work (Refer to GPO 1.05.03 Sick Leave).
- D. Members who work secondary employment while on sick leave shall be subject to corrective action and criminal charges as applicable.
- E. Supervisors who fail to take the corrective action required by this directive may be subject to corrective action.
- F. The Chief or designee has the final authority in determining whether or not the member exhibited a pattern of abuse.

VI. Internal Affairs Unit

- A. The Timekeeping Unit shall supply the Internal Affairs Unit (IAU) with a list of all members in the Division who require a sick leave review.
- B. The IAU shall ensure all members requiring a sick review have a corresponding tracking software entry.

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- C. The IAU shall perform periodic compliance audits regarding sick leave entries that note documentation was provided. These audits shall ensure that:
1. Documentation was provided
 2. The documentation provided qualifies under the requirements set in GPO 1.05.03 Sick Leave.
 3. The documentation was forwarded and retained under the requirements set in GPO 1.05.03 Sick Leave.

THIS ORDER SUPERSEDES ANY PREVIOUSLY ISSUED DIRECTIVE OR POLICY FOR THIS SUBJECT AND WILL REMAIN EFFECTIVE UNTIL RESCINDED OR SUPERSEDED.