



Charles County Department of Emergency Services STANDARD OPERATING PROCEDURES

Section 101 - Human Resources

Human Resources - 101.00		PAGE: 1 OF 5
S.O.P. # 101.07	EMS Division Leave Policy	
EFFECTIVE: July 6, 2021	Authorized: Lori Cherry, Acting Chief <i>LAC</i>	
REVISED: November, 2022	Authorized: Michelle Lilly, Director <i>MLL</i>	

101.07.01 Purpose

To establish procedures for Emergency Medical Services personnel to request for leave.

101.07.02 General

For a comprehensive overview of the County's policy on Leave, please refer to Chapter 17 of the *Charles County Personnel Policies and Procedure Manual*. This SOP is a departmental supplement to the Charles County Personnel & Procedure Manual.

101.07.03 Policy

Per the Charles County Personnel Policy & Procedure Manual, leave therefore referred to as "time off", is an authorized absence during regularly scheduled work hours that is preapproved by the proper authority. Time off requests may be authorized with or without pay in accordance with the work requirements of the County and the available leave an employee has accrued.

1. For time off requests utilizing annual leave, personal time off, administrative leave:
 - a. Time off requests will be granted on a first come first served basis.
 - b. Time off requests will be accepted as far out as six (6) months in advance and no less



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Charles County Department of Emergency Services STANDARD OPERATING PROCEDURES

than one (1) week in advance.

- c. A total of four, ALS or BLS providers, may be granted leave for the same calendar day. This is inclusive of all minimum staffing and flex personnel. Vacant assignments and employees who are off for Worker's Compensation, FMLA qualifying absences, or training will not be included among this daily maximum limit.
- d. Once the shift(s) referenced on the time off request have been filled per the *EMS Open Shift Scheduling Policy, SOP 101.11*, the time off request may not be rescinded except for the following reasons:
 - i. The employee requested time off for training and the training was rescheduled or canceled,
 - ii. The employee requested time off for a medical appointment or procedure and it was rescheduled or canceled.
 - iii. The employee requested time off for court and the court date was cancelled or rescheduled.
 - iv. Assigned employee awarded the shift through callback per *EMS Division Open Shift Policy, SOP 101.11* or personnel that filled the shift with an open shift trade agrees to relinquish shift.
 - v. FLEX personnel may be unassigned at the discretion of the Scheduling Officer.
- e. Operations may deny leave based on the overall mandatory minimum staffing levels in the County.
- f. Employees assigned to a rotational schedule may not request more than four (4) consecutive shifts off in a row.

2. For time off requests utilizing compensatory time:

- a. An employee utilizing comp time must find their own coverage in the following situations:
 - i. Time off requests submitted with less than seventy-two (72) hours prior to the date requested.
 - ii. If the daily maximum of allotted leave has been reached.
- b. Operations shall deny time-off if the overall mandatory minimum staffing as per *Minimum Staffing Standards for EMS, SOP 100.35* has not been satisfied.

3. For time off utilizing sick leave:

- a. Personnel may only utilize accrued sick leave in the following instances:
 - i. The employee is incapacitated by sickness or injury; or must visit a medical doctor or dentist for medical diagnosis or treatment.
 - ii. The employee must provide for the necessary medical care and attendance of the employee's spouse, child or parent as defined in Chapter 18 of the Charles County Personnel Policy & Procedure Manual
 - iii. The employee has a condition that qualifies for Sick and Safe Leave under the MD Healthy Working Families Act of 2018.
- b. The use of sick leave due to a lack of childcare is prohibited.
- c. An employee may only utilize the accrued sick leave at the time of the absence, an





Charles County Department of Emergency Services STANDARD OPERATING PROCEDURES

employee is not permitted the use of sick leave not already accrued.

- d. In the event an employee has insufficient accrued sick leave in their leave account, the hours the employee is absent will be charged to accrued administrative leave, personal time off, and compensatory time if available. If the employee has no accrued leave as aforementioned, the hours absent will be counted as unexcused leave without pay.
- e. In accordance with the Charles County Personnel Policy & Procedure Manual, a physician's note or Duty Status Form shall be requested for the following incidences:
 - i. An employee who calls out sick four (4) or more times in a twelve (12) month calendar year shall be required to submit a physician's note or duty status form for all future call outs due to illness/injury.
 - ii. Planned or unplanned medical absences greater than two (2) consecutive scheduled or elected shifts.
 - iii. The Department Director may request that leave for absences of more than two (2) consecutive shifts or beyond two (2) twenty-four-hour shifts in a month be accompanied by a Duty Status Form.
 - iv. A supervisor may require that an employee provide a Duty Status Form or a physician's note for lesser periods of absence when the circumstances warrant such action. Such circumstances may include, but are not limited to, frequent absences in excess of two (2) shifts per month, or recurring absences preceding or following weekends and holidays.
- f. An employee who calls out sick for two (2) or more elected over-time shifts within a single thirty (30) day period shall be operationally restricted from additional overtime activities for a period of fourteen (14) days. Overtime activities are inclusive of all collateral duty assignments.
- g. An employee who calls out sick for two (2) or more elected shift trades within a ninety (90) day period shall be placed on a (90) day restriction.

4. **For emergent, non-sick leave:**

- a. It is recognized that employees may face unanticipated events that do not qualify for sick leave which may prevent them from reporting to work. Furthermore, due to the unexpected nature of these events, it is unreasonable to require that the employee find their own coverage.
- b. The employee must provide a reason for being unable to report to work. Acceptable reasons may include but not be limited to threats to personal health and safety, threats to home and shelter, unanticipated loss of childcare, and unexpected loss of transportation. The Operations Captain will be responsible for approving emergent, non-sick leave.
- c. Employees will be required to report to work if the reporting supervisor does not consider the request to be emergent in nature. Employees failing to report to work in such instances will be considered an unexcused absence and considered on unexcused leave without pay and may be subject to disciplinary action.
- d. Employees with approved emergent, non-sick leave may use any form of leave that they have available with the exception of annual and sick leave.
- e. Approved leave may be limited in scope and employees may be expected to report to work once the emergent condition has resolved.
- f. Documentation of the event may be requested by the reporting supervisor if appropriate.





Charles County Department of Emergency Services STANDARD OPERATING PROCEDURES

5. For time off requests for approved training and administrative (i.e., meetings) hours for:
 - a. Per SOP 102.05.04, employees are responsible for submitting a time off request or shift trade for approved training hours that conflict with a scheduled shift.
 - b. If time off request for approved training or administrative duty is submitted less than two weeks prior to the start of the class, or administrative event, and the shift remains unfilled after the callback, the employee becomes responsible for either finding coverage for the shift or will be required to work the shift.
 - c. Time off requests for approved training must be entered by the employee; but will not be approved until the training has been approved by the Training Officer or their designee.
 - d. Approved training hours worked may be substituted for employees on Platoon E if performed within the same week.
6. Due to difficulty in covering vacancies on holidays, time off requests for major holidays will only be accepted if suitable coverage has already been secured. Major holidays have been identified as:
 - a. New Year's Day
 - b. Independence Day
 - c. Thanksgiving Day
 - d. Christmas Day

101.07.04 Procedures

1. Sick / Non-Sick Call Out:

- a. The employee must notify the on-duty Operational Leadership via telephone immediately upon realization that they are unable to report for duty as scheduled.
- b. The employee must state the type of leave they are requesting (i.e. Sick, Not-Sick).
- c. The Operations Captain is responsible for documenting the type of leave requested and justification.
- d. Upon his/her return to work, the employee must provide all documentation related to the call out if warranted.

2. Planned Leave:

- a. Employees requesting time off must submit a Time Off Request via the approved scheduling software.
- b. Employees who submit leave within the prescribed timeline should expect feedback within two (2) weeks after submittal. However, they should not consider their requested time off approved until they receive notification of approval via the approved scheduling software, and their personal schedule reflects the requested time off.

101.07.05 Shift Trades

1. Shift trades are permissible so long as:
 - a. They are performed within a ninety (90) day period,



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Charles County Department of Emergency Services STANDARD OPERATING PROCEDURES

- b. They do not result in overtime,
- c. All shift trades are hour for hour and with an equally certified provider.
- d. They are approved by the Scheduling Officer or Operational Leadership.
- e. The hours comply with SOP 400.08, Fitness for Duty.
- f. A shift trade cannot be performed on an employee's last scheduled shift prior to their official date of resignation.

- 2. Employees will not be permitted to perform a shift trade with another shift trade.
- 3. Personnel may not perform shift trades with awarded overtime shifts.

101.07.05.01 Shift Trade Procedures

- 1. Shift trades are to be submitted via the approved scheduling software.
- 2. All shift trades must be approved prior to the swap occurring. Once the shift trade is approved in the scheduling software, it is final unless both employees agree to cancel it. Cancellations must be approved by the Operations Captain.
- 3. Should an employee be unable to fulfill their half of the swap, they must follow the procedures in SOP 101.02, Call Out Policy. The shift will then be filled in accordance with SOP 101.11, EMS Division Open Shift Scheduling.
- 4. Submission of a shift trade less than forty-eight (48) hours away requires the employee to notify the Scheduling Officer, or the on duty MDO, if either shift of the swap will occur prior to the Scheduling Officer's regular office hours.
- 5. Shift trades may be performed with part time employees as long as the shift trade is completed in its entirety within the same pay period.

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SOP 101.07 EMS Division Leave Policy

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