



## LEAVE AND BENEFITS

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### **I. Purpose**

The purpose of this Written Directive is to establish the policies and procedures for leave and benefits.

### **II. Policy**

It shall be the policy of the University of Maryland, Baltimore Police Force (UMBPF) that all personnel benefits provided for the member in this Written Directive are adequately monitored and regulated. All members will be afforded the opportunity to use these benefits when appropriate and necessary and when in the best interest of the member and the UMBPF.

### **III. Annual, Personal and Holiday Leave Programs**

#### **A. Annual Leave**

1. Annual leave is available to the extent earned provided that the responsible supervisor approves the date(s) for the leave.
2. Annual leave may be used immediately upon accumulation and may be used in fifteen (15) minute increments.
  - a. Use of annual leave must be approved by a supervisor.
  - b. Annual leave is earned at the rates listed below.
  - c. Sworn bargaining unit members may not take annual leave during the first six (6) months of employment (see Appendix 4.7.2).
3. Regular full time Non Exempt Staff earn annual leave on a biweekly basis according to the following schedule:

- a. Hire Date through completion of 1st year: 11 days (88 Hours)
- b. 2nd year through the completion of the 2nd year: 12 days (96 Hours)
- c. 3rd year through completion of the 3rd year: 13 days (104 Hours)
- d. 4th year through completion of the 4th year: 14 days (112 Hours)
- e. 5th year through completion of the 10th year: 15 days (120 Hours)
- f. 11th year through completion of the 20th year: 20 days (160 Hours)
- g. 21st year and thereafter: 25 days (200 Hours)

B. Vacation Selection

1. The “Prime Time” vacation selection process will be based on seniority. Senior supervisors and members will have the opportunity to select “first” for up to a two-week (14 consecutive days) time period that they will be on vacation.
2. Each member will be allowed to select one up to 14 consecutive day prime time period by submitting a written request containing the first choice and two alternative choices. The alternative choices will be used if the first choice cannot be granted because of a more senior officer selecting the same time period.
3. Approval for Prime Time vacation leave is based on staffing needs. For sworn members, the number of officers exceeding each shift’s minimum manpower requirement determines the number of officers that can be on vacation during any two-week period. Prime Time vacation is submitted for approval through the chain of command and approved by the Bureau Commander.
4. The type of leave utilized for Prime Time vacation may be any available leave other than sick leave. Prime Time vacation is often requested and approved well in advance of the actual leave dates. Therefore, members may submit for Prime Time vacation (only) using anticipated accumulated leave. Leave must be available at the time the Prime Time vacation is taken or the vacation may be cancelled by the agency in part or in whole.

C. Leave in General

1. Members are permitted to take leave in smaller allotments, manpower permitting.
2. All requests for scheduled leave shall be submitted by members to the appropriate supervisor at least forty-eight (48) hours prior to the date of the leave day(s) requested. The UMBPF shall provide a response to the member within twenty-four (24) hours or seventy-two (72) hours if the request is made on weekends. Requests for leave shall not be unreasonably denied. If denied, an explanation of the denial shall be provided to the member.

3. Members covered by the AFSCME MOU should note that requests for scheduled leave shall be submitted to the appropriate supervisor at least forty-eight (48) hours prior to the date of the leave.
4. The UMBPF shall provide a response to the member within twenty-four (24) hours or seventy-two (72) hours if the request is made on weekends. Requests for leave shall not be unreasonably denied. If denied, an explanation of the denial shall be provided to the member. Additional information is provided in the AFSCME MOU.
5. Members are eligible to receive three days (24 hours) of personal leave each calendar year. Use of Personal leave is subject to the approval of a supervisor and may be used in fifteen (15) minute increments.
6. Requests for leave includes annual, personal, holiday, sick, sick for doctor's appointment, military, family leave, furlough days, etc.
7. Members will not request leave or take leave that they have not accrued or earned without approval from the Chief of Police or designee. Members will be responsible for keeping records of their leave balances to ensure that leave requested and taken is leave that has been previously earned. Members, who take leave and their leave balance for that particular leave is insufficient to cover the leave taken, may be subject to adverse administrative action.

D. Holiday Leave Program

1. Police, security officers and communications operators may schedule their holidays from 30 days before and up to 30 days after the date the holiday is earned, when manpower permits. However, holidays must be taken in the current calendar year.
2. The UMBPF retains the right to require a member to perform duties on a holiday. The holidays for the UMBPF are:
  - a. New Year's Day - January 1
  - b. Martin Luther King's Birthday - third Monday in January
  - c. Lincoln's Birthday - February 12
  - d. Washington's Birthday - third Monday in February
  - e. Maryland Day - March 25
  - f. Good Friday - Friday before Easter
  - g. Memorial Day - last Monday in May

- h. Independence Day - July 4
- i. Labor Day - First Monday in September
- j. Columbus Day - Second Tuesday in October
- k. Election Day - first Tuesday in November (even number years only)
- l. Veteran's Day - November 11
- m. Thanksgiving Day - 4<sup>th</sup> Thursday in November
- n. Thanksgiving Day Break – the day after Thanksgiving
- o. Christmas Day - December 25

#### **IV. Sick Leave**

##### **A. Basic Sick Leave Program**

1. Sick leave can be accumulated without limitations. It is an extremely valuable privilege primarily intended to provide continuous salary income when members are physically unable to work.
2. The rate of earning is 4.615 hours per pay period (4 hours and 37 minutes, based on an 80 hour pay period), starting with the first day of service, or a total of 15 working days per year.
3. In order to verify that the member's use of sick leave is in accordance with policy and to assure medical attention for a member or to prevent the abuse of sick leave usage, the UMBPF may require a member to submit verification of the reason for the use of accrued sick leave. The use of advanced or extended sick leave must be requested by the user and is approved by UMB Human Resource Services.

##### **B. Verification of Illness for Absences of five (5) or more Consecutive Days**

The UMBPF may require a member to provide an original certificate of illness or disability in cases where an absence is for five (5) or more consecutive workdays. The certificate required by this section shall be signed by a certified medical provider as defined below.

##### **C. Verification of Illness for Absences less than five (5) Consecutive Days**

The UMBPF may require a member to submit an original certificate of illness or disability for absences less than five (5) consecutive days when a member has a pattern within a twelve (12) month period of maintaining a zero (0) or near zero (0) sick leave balance without documentation of the need for such relatively high utilization, where a member has unusual absence patterns such as Monday/Friday, or the day before and/or the day after a holiday, where a member has five (5) or more occurrences of undocumented sick leave usage within a twelve

(12) month period or where a member has three (3) or more occurrences of undocumented sick leave usage for two (2) or more consecutive days in a twelve (12) month period.

D. Procedures for Certification Requirement

1. Prior to imposing a requirement on a member for documentation of sick leave use the UMBPF shall counsel the member that future undocumented absences may trigger a requirement for certification of future occurrences of sick leave.
2. If the member has another undocumented absence after such counseling, the UMBPF and the UMB Human Resource Services, may put the member on written notice that they must certify all sick leave usage for the next six (6) months if the undocumented absence is accumulated in accordance with this section.
3. At the conclusion of the six (6) months, the certification requirement will be rescinded provided the member has complied with the certification requirement and is in compliance. If the member has not complied with the certification requirement and is not in compliance, the requirement shall be extended for six (6) months from the date of the lack of compliance with the requirement. Failure of the member to provide certification as described in this section may subject the member to disciplinary action.

E. Verification/Definition

1. Verification may include a written statement from the medical provider indicating the member is required to be absent from work due to illness, the duration of absence from work, prognosis of member's ability to return to work, title and original signature of an accredited, licensed or certified medical provider and any other information necessary to verify that the member's use of sick leave is appropriate.
2. Such information does not need to include information about the specific illness or health condition of the member.

F. Medical Verification

1. Medical verification as outlined in this Section may be obtained from an accredited Christian Sciences practitioner, or from the following licensed or certified medical providers:
  - a. Physician
  - b. Physical Therapist
  - c. Clinical Psychologist
  - d. Dentist
  - e. Oral Surgeon

- f. Chiropractor
  - g. Podiatrist
  - h. Certified Nurse Practitioner
  - i. Certified Nurse-Midwife
  - j. Licensed Certified Social Worker-Clinical
  - k. Optometrist
2. Member's returning from extended medical leave shall notify the UMBPF forty-eight (48) hours prior to returning to allow for staffing adjustments.
  3. Members on FMLA Leave are not subject to provide the above required documentation.
  4. The UMBPF may require a doctor's return to duty slip at any time. The UMBPF may also require a physical examination at any time to determine the physical ability of a member to continue employment.
  5. Upon retirement, an additional month of service credit is provided for each 22 days of unused sick leave.
  6. Sick leave used because of a death in the member's family is subject to the following provisions:
    - a. For the death of a close relative, the member shall be granted the use of up to five (5) days of accrued sick leave. If the death of a close relative requires a member to travel and stay away from home overnight on out of state travel, the member shall be granted the use up to a maximum of seven (7) days of accrued sick leave for this purpose.
    - b. Close relative as used in this section of this policy shall mean a spouse, child, stepchild, mother, father (or someone who took the place of a parent), grandparent, grandchild, son-in-law, daughter-in-law, brother, sister, brother-in-law, or sister-in-law of the member or spouse. Sick leave for any other relative of the member or spouse who permanently resides in the household of the member shall also be available.
    - c. The member shall be granted the use of accrued sick leave not to exceed one (1) workday, or three (3) workdays if overnight, out of state travel is required for the death of the aunt, uncle, niece, or nephew of the member or spouse.

- d. If the member requires additional time, reasonable efforts shall be made to arrange the work schedule so that the member may take annual or personal leave for this purpose.

G. Feigning Illness

1. Any UMBPF member reported to be simulating or feigning illness or disability shall be charged with conduct unbecoming.
2. The Chief of Police shall ensure that the sick leave records of all members are properly monitored and that the appropriate reporting action has been taken.
3. Letters of counseling, reprimands, and disciplinary suspensions for excessive absenteeism, documentation of the investigation of subordinates who appear to be feigning sickness or medical evaluation for any member who uses sick leave for the purpose of evading duty should be included in the official record.
4. Disciplinary action shall be required for any member found to be abusing sick leave.

H. Absentee Monitoring and Annual Evaluation

1. Excessive absenteeism will be monitored and will be noted on the member's annual evaluation.
2. A member with an excessive absentee record may be referred at any time to the Office of Human Resource Services so that a medical investigation can be conducted.
3. Excessive absenteeism will be recorded for monitoring and annual evaluation purposes for each occasion of uninterrupted (uninterrupted by a return to duty) sick leave.
4. The following exceptions apply:
  - a. Absence due to the death of someone in the member's immediate family.
  - b. Absence as a result of a disabling work-related injury/accident.
  - c. Absence for scheduled visits to a physician, dentist, hospital or clinic (written verification of the visit may be required).
  - d. Absence for illness of two hours or less in a given work day provided the absence does not extend beyond that work day.
  - e. Absence for approved sick leave in accordance with the provisions of the UMBPF policy on adoption leave.

## I. Fitness for Duty Evaluations

1. A member can be referred to the EAP for a fitness for duty evaluation when:
  - a. Returning to duty after a long recuperative period due to illness or injury.
  - b. Referred by a supervisor who through observation has recognized medical, physical or emotional issues with the member.
2. Supervisors who formally refer subordinates to the EAP will send a written request through the chain of command to the Support Services Commander or designee who will coordinate the request with the EAP scheduling service. The written request shall be on an EAP Supervisory Referral Form (see Appendix 4.6.1) and shall be completed in its entirety.
3. If EAP is not an option and with the approval of a Bureau Commander or higher authority, any agency member may be referred to a certified mental health professional for evaluation. The supervisor is required to provide written documentation to support the referral.

## V. FMLA

### A. Sick Leave for Childbirth

1. Payment of sick leave resulting from temporary disability of a member who is pregnant is provided. Absences due to illness connected with such pregnancy shall be treated under existing policies concerning paid sick leave.
2. The UMBPF recognizes that childbirth is an important event and one that requires adjustment to a new situation. Therefore, operations permitting, the Chief of Police may permit a member-father to use his earned sick leave or available personal leave in the period immediately following the birth of a child. Staffing requirements and responsibilities are factors to be considered in accommodating the member-father in the use of available leave.

### B. Extended Sick Leave

1. Extended Sick Leave means a member is in the sick leave category for a period exceeding 15 consecutive working days.
2. Non-sworn member must surrender possession of the following items:
  - a. UMB Access Card.
  - b. All UMBPF issued keys.



3. Sworn members will retain all equipment and be issued a blue medical identification card.

C. Adoption Leave

1. Earned sick leave up to a maximum of thirty (30) days may be used for the purpose of adoption leave. Adoption leave is available in connection with a formal adoption and it cannot be used in other cases including legal guardianship or foster care.
2. Adoption leave may be authorized only if the member is the person having primary responsibility for furnishing the care and nurture of the adoptee. (See USM VII-7.50, Policy on Family and Medical Leave for Non-Exempt and Exempt Staff Members)

**VI. Administrative Leave and Benefits**

A. Administrative Leave

1. Leave without Pay
  - a. Any member may request a full or partial leave of absence without pay up to a maximum of a two-year (24 months) period.
  - b. Granting of the request shall not disrupt or interfere with the normal operations or work schedules of the UMBPF.
  - c. A member on approved leave of absence shall surrender all UMBPF issued equipment until such time as they are returned to full duty.
2. Military Leave
  - a. A member who is a member of the organized militia (e.g., the National Guard or federal armed forces services unit) shall be entitled to leave of absence for military training for a period of not more than 15 working days annually without loss of pay or charges against any leave.
  - b. Members in this status will submit a copy of military training days and/or military orders to their immediate supervisor. The supervisor will forward a copy of the orders through the chain of command.
  - c. Members who are activated for military duty and will be absent for an extended period of time shall refer to **WD 4.5, Extended Military Leave** for required actions and documentation.

B. Benefits

1. Retirement allowance is generally calculated based upon two factors:

- a. Years of accumulated retirement credit.
  - b. The average final salary at the time of retirement.
2. Each retirement plan has a different service retirement formula. To determine which formula applies, the member shall contact a retirement counselor at the State Retirement and Pension System of Maryland.
  3. Defined benefits of the retirement/pension programs are provided for members of the UMBPF and are designed to guarantee members an income upon retirement. The income is intended to help the member provide for themselves and their dependents or if the member dies after retirement, this money is available to provide benefits to their survivors. Additional information regarding retirement programs is available through the UMB Human Resource Services
  4. UMBPF members in the Law Enforcement Officer Pension System (LEOPS) may retire after 25 years of eligibility service or at age 50. There is no mandatory retirement age for members. Police officers hired after July 1, 2000 are automatically enrolled into LEOPS. Police officers hired prior to July 1, 2000 had an option to remain in the Maryland State Retirement and Pension System or to participate in LEOPS. A member's retirement allowance is generally calculated based upon two factors:
    - a. Years of accumulated retirement credit.
    - b. The average final salary at the time of retirement.
  5. All UMBPF members are covered by Social Security. Taxes for this purpose are deducted from a member's salary in accordance with current legislation. Social Security retirement benefits are in addition to those of the State Retirement System.

## **VII. Member Support Services**

### **A. Program Services**

1. Information about benefits provided to members is coordinated through the Human Resource Services (HRS) Benefits Office. New hire orientations provide eligible members a general overview of the benefits sponsored by the University System of Maryland (USM) and the State of Maryland Health Benefits. The member orientation agenda consists of member relations, public safety, HR Service Center and member benefits information.
2. The UMB Employee Assistance Program (EAP) is a confidential assessment, referral and information service designed to provide help with any kind of personal problem that may be affecting the member's life and/or job performance. Problems referred to the EAP may include stress, depression, anxiety, grief, marital and family counseling, career planning, financial problems, parenting issues, drug or alcohol dependence and job loss or job

change. Early voluntary use of this program can assist the member in resolving difficulties and regaining control of their personal and/or work life situations.

3. Services made available to the member are also made available to family members.

B. Procedures

1. Any member who wishes to use EAP services may call and schedule an appointment. An “informal” referral can also be made by a supervisor in response to a member’s request or when the supervisor feels that it would benefit a member. There are no procedures to follow in making an informal referral. In cases of informal referral, or in cases where the member initiates contact with the EAP, all information relating to the contact is confidential.
2. When a member’s work performance or behavior indicates a need for assistance by the EAP, a supervisor may consider making a formal referral. A referral to the EAP is considered “formal” only when the following steps are followed.
  - a. Confront the member with the situation giving rise to the referral. Discuss the reasons for suggesting EAP and strongly encourage the member to seek assistance. The supervisor should indicate that a referral will be made on their behalf.
  - b. If the member agrees to seek assistance through a formal referral, the supervisor should contact the EAP in the presence of the member.
  - c. The supervisor will be asked to complete and submit the Supervisor’s Referral Form prior to the member’s counseling session as outlined in **Section IV, I, 2** of this directive.
3. A formal Referral shall also be made using the Supervisor’s Referral Form when a member’s actions require a supervisor to refer the member to the EAP without consent. Actions that may require this formal referral include:
  - a. Performance Problems;
  - b. Absenteeism;
  - c. Initiative;
  - d. Interpersonal Problems;
  - e. Disruptive Behavior;
  - f. Appearance;
  - g. Attitude;



2. The Chief of Police can direct members to attend Traumatic Counseling if it is in the best interest of the UMBPF. This could include a crisis management counselor, a peer support member/counselor, or a certified mental health professional.

## **VIII. Insurance**

### **A. Health Insurance**

1. Group hospitalization insurance is available to UMBPF members on a voluntary basis. Eligibility for participation in the plan appears in the contract between the carrier of the insurance and the State of Maryland. Details regarding eligibility and premiums paid by members can be obtained from UMB Human Resource Services (HRS).
2. Members in an approved leave without pay status may retain their membership in the Health Insurance Program by contacting the UMB Human Resource Services to make arrangements for direct billing.

### **B. Disability and Death Benefits**

1. If a member dies in active service, the Member Retirement System shall pay a lump sum to the designated beneficiary or estate of the member which consists of the member's contributions with interest and, if the member had one or more years of creditable service, or dies in the course of the actual performance of duty, an additional amount equal to 100% of the member's annual salary being paid at the date of the death.
2. Disability benefits may be payable in connection with worker's compensation claims for those injuries whether permanent or not if they are deemed as work-related by the Workers Compensation Commission. The Public Safety Officer's Benefits (PSOB) Act provides a \$100,000 benefit to eligible survivors of police officers whose deaths are the direct and proximate result of a traumatic injury sustained in the line of duty. The act also provides the same benefit to police officers who have been permanently and totally disabled as the direct result of a catastrophic personal injury sustained in the line of duty that permanently prevents the officer from performing any gainful work.

### **C. Workmen's Compensation (On Duty/Line of Duty Injury)**

1. UMBPF members are covered under Workmen's Compensation Insurance for injuries sustained in the line of duty. Compensation is based on the nature of the injury. Injured members are entitled to receive their regular pay to the extent of their earned leave. If a member is unable to return to active duty before earned sick leave is exhausted, the member is entitled to receive Workmen's Compensation Insurance. At all times members are entitled to receive benefits as may be awarded by the Workmen's Compensation Commission through the insurer, the Injured Workers Fund.

2. This workmen's compensation insurance protects the member against all medical and related costs incurred as the result of an accident or occupational hazard while the member is being paid to perform services for the University. It does not cover unpaid volunteers or injuries incurred on the way to and/or from work or injuries incurred when off duty and/or actively engaged in secondary employment.
3. Members who sustain injuries during the performance of their duties shall receive accident leave pay. The University of Maryland, Baltimore policy regarding accident leave payments limits payment for accident leave to 2/3 of the member's normal salary. Accident leave payments are exempt from federal income and state income tax withholdings and if the accident leave exceeds six (6) months, FICA as well.

D. Liability Protection Program

1. The University of Maryland Baltimore maintains a liability program to protect Police Officers for acts or omissions directly related to their law enforcement function. This liability protection does not extend to:
  - a. Willful acts to cause injury or damage, or to those actions that the officer knew, or reasonably should have known, were in conflict with federal and state laws, local ordinances and the established policies of the UMBPF;
  - b. Acts conducted outside of the officer's law enforcement authority; and
  - c. Acts caused by the officer when they are actively engaged in secondary employment.
2. The University of Maryland, Baltimore is a self-insured entity and provides property and liability insurance for University vehicles. Moreover, the University's automotive fleet coverage protects the drivers of UMBPF vehicles, subject to the terms of the applicable policy (ies), when they are involved in accidents while performing official duties. Officers are prohibited from the use of their personal vehicles (unless authorized) during the performance of their official duties.

E. Notification of Suit or Claims

Any member who receives any form of actual or impending legal suit or claim shall, as rapidly as possible, explain the circumstances through the chain of command to the Chief of Police.

F. Financial Liability

No member shall imply or accept financial liability for loss or damage on behalf of the University. Any inquiries concerning financial liability will be referred to the Chief of Police.

**IX. Clothing, Equipment, Educational Programs, Conditions of Work, Health and Fitness**

A. Clothing and Equipment

The UMBPF provides every uniformed member with uniforms and equipment in order to effectively perform their law enforcement and civilian function. Further information on this subject can be found in **WD 10.1, Uniforms, Insignias, and Equipment**.

B. Educational Program

1. The UMBPF affords every member the opportunity to obtain a college education. Members desiring to enroll in regular university courses must be a full-time permanent member and must meet the prescribed academic standards required for admission to the university.
2. A member will not be permitted to enroll for a total of more than 8 credits hours at any time in a combination of tuition waiver programs at the University of Maryland, Baltimore and reimbursement of tuition fees at another 2 or 4-year college or university. Further information may be found in **Appendix 4.6.1, USM Policy VII - 4.10 - Policy On Tuition Remission and Tuition Reimbursement For Regular and Retired Nonexempt and Exempt Staff and Faculty Employees Of The University System Of Maryland**, and on the UMB HRS website under Benefits.
3. Members may register for classes offered by the University of Maryland System with tuition fees waived. All other fees and charges shall be paid by the member.
4. Members shall attend UMBPF approved training programs and/or sponsored programs during regular duty hours. The UMBPF will pay the costs of tuition, textbooks and reference materials related to the attendance of sponsored training programs.

C. Conditions of Work

1. As part of the member selection process, sworn applicants will undergo a thorough medical examination. Other classes of members may be required to undergo an examination as well. Further information is available in **WD 4.1, Employee Selection Process – Sworn** and **WD 4.1A, Employee Selection Process – Non-Sworn**.
2. The examining physician will conduct the medical examination including such laboratory analysis as deemed appropriate. The physician will report the results of the examination in written form including any recommendations deemed appropriate. The UMBPF and the individual will receive a copy of this document.
3. Cost Factors
  - a. Physical and psychological examinations that may be required by the UMBPF are offered at no cost to the applicant.

- b. In the event a member selects a personal physician or psychologist or both, the member will pay the fee and the results of the evaluation will be subject to confirmation by a physician(s) or psychologist(s) selected by the UMBPF.

D. General Health and Physical Fitness

1. UMBPF members will maintain a satisfactory level of general health. Physical fitness on the part of members should be maintained so that work can be performed efficiently, without personnel shortages caused by excessive use of sick leave, worker's compensation claims or other health related problems. The functions performed by sworn members require a level of physical fitness not demanded by many other occupations.
2. Physical fitness relates to the physical ability to perform assigned duties. It is established by each member meeting clearly defined medical standards prior to entry into security and police service as determined by a thorough medical examination.
3. Agency members may voluntarily and at their own expense participate in fitness and wellness programs available to UMB staff and to Maryland State employees. Programs available through UMB are the HRS Launch Your Live Program and the fitness center managed by URecFit. Additionally, the agency has a workout room available to agency members only. Also available to State of Maryland employees and their families is the Maryland State Wellness Program. These fitness and wellness programs support healthy and positive lifestyle changes that may include:
  - a. A trained program coordinator;
  - b. An individual health screening and fitness assessment;
  - c. Individual education and goal setting; and
  - d. Ongoing support and evaluation.

E. Changes in Physical Health

Any negative changes in a member's health may be of concern as it relates to the performance of the member's duties. These changes may occur at any time and must be reported to his/her immediate supervisor. Medical problems that involve the inability to perform certain movements or that may interfere with duty performance must be reported to the Chief of Police.



**Written Directive System Impact**

Upon approval and publication, this edition of WD 4.6 supersedes all previous editions.

Alice K. Cary, MS  
Chief of Police for Police and Public Safety

CALEA Standard (s): 22.1.2; 22.1.3; 22.1.4; 22.1.7; 22.2.1 22.3.1; 33.8.4