

### **Advanced Sick Leave**

Advanced sick leave is designed to accommodate an employee who uses all available sick leave and then requests advance sick leave for a medical reason. When management considers a request for advance sick leave it bears the obligation to be both reasonable and timely in making a determination ELM 513.5 –

[http://about.usps.com/manuals/elm/html/elmc5\\_003.htm](http://about.usps.com/manuals/elm/html/elmc5_003.htm)

#### **Things to Avoid:**

1. Not having a factually-based good reason for denying an employee's request for advanced sick leave. Such as:
  - a. Denying the request because it is believed the employee will not return to work but having no evidence to support that belief. Without evidence, you should have reasonable expectation that the employee will be able to return to duty and work at least long enough to repay the advanced sick leave.
  - b. Denying the request because the employee has been absent extensively. Using the reasoning that the employee has been absent extensively may not be upheld if the vast majority of absences are for documented medical reasons.
  - c. Denying the request because the employee abuses his/her sick leave. You must have evidence to show that the employee was counseled or disciplined for failure to maintain regular attendance.
  - d. Granting one employee advanced sick leave when a similarly situated employee was denied advance sick leave. This is considered disparate treatment.
  - e. Denying a request because the employee has insufficient annual and sick leave hours. This reasoning defeats the purpose of allowing advanced sick leave. Employees with sufficient sick leave hours do not submit requests for advanced sick leave.

#### **Things to Consider:**

1. Make sure that the application for advanced sick leave is supported by medical documentation.
2. Documented abuse of sick leave may be sufficient reason to deny a request for advanced sick leave. The evidence of abuse must show that steps have been taken by management to correct the situation – i.e., counseling, discipline.
3. Sick leave may be advanced in cases of serious disability and ailment if there is reason to believe the employee will return to duty.