



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
ENFORCEMENT AND
COMPLIANCE ASSURANCE

MEMORANDUM

DATE: March 3, 2010

SUBJECT: Obligations of CID Supervisors in Approving Sick Leave

FROM: Ella R. Barnes, Director *Ella R. Barnes*
Criminal Investigation Division
Office of Criminal Enforcement, Forensics and Training

TO: All CID Supervisors

The purpose of this memorandum is to ensure that all CID supervisors are meeting their obligations to grant sick leave only when the need for sick leave is supported by administratively acceptable evidence. As good business practice, we must be as consistent as possible in evaluating requests for sick leave. No supervisors should be signing sick leave requests without at least obtaining enough information from the employee him/herself (self-certification) to determine whether the request, on its face, falls within one of the appropriate categories for sick leave. Each request should be assessed on a case-by-case basis, and you must use your discretion to determine how much information is reasonable and necessary to fulfill your responsibility to obtain administratively acceptable evidence of an entitlement to sick leave.

For example, an employee needs to tell you that she is going to a doctor's appointment rather than simply requesting a sick day in advance; however, you usually would not need to ask what the doctor's appointment is about unless the duration of the leave requested seems unreasonable or there is some other reason to suspect the veracity of the representation (like the employee has been taking significant amounts of sick leave). A whole day's leave for a doctor's appointment seems on its face to be unreasonable, and you should obtain further information from the employee. You may ask the employee why s/he needs to take a full day for the appointment. Perhaps the employee has two appointments, one in the morning and one in the afternoon, with travel time for both. Perhaps s/he will have a retinal exam or some other procedure which

leaves him/her incapacitated for the rest of the day. To help the consistency of practices across the organization, and be certain that we are applying the proper legal standards, you should consult with our employment attorney whenever an issue with sick leave arises.