

**COUNTY OF MONROE  
OFFICE OF THE SHERIFF  
ROCHESTER, NEW YORK**

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| <b>GENERAL ORDER<br/>MULTI-BUREAU</b>                                   | <b>DATE OF ISSUE<br/>June 26, 2026</b> | <b>EFFECTIVE DATE<br/>June 26, 2026</b>    | <b>NO.<br/>018-26</b>      |
| <b>Subject: General Order<br/><br/>Sick Leave and Injury Procedures</b> |                                        | <b>Distribution<br/><br/>All Personnel</b> | <b>Amends</b>              |
| <b>REFERENCE: NYSLEAP 4.1, 40.2</b>                                     |                                        |                                            | <b>RESCINDS<br/>018-26</b> |

**Purpose:** To establish sick leave and injured procedures in order to ensure that all employees who are injured or become ill while on/off duty receive necessary medical attention and to provide guidelines for the proper utilization of the Sheriff's Medical Provider.

**Policy:** Employees of the Monroe County Sheriff's Office (MCSO) will utilize sick leave when suffering from an illness or injury that would prevent the performance of duty, or illness or injury in the immediate family. They will not feign sickness, injury, or deceive or attempt to deceive any physician, surgeon, superior officer or other competent authority concerning their physical condition or that of an immediate family member.

**Definitions:** **Sheriff's Medical Provider** – The medical provider under contract with the Monroe County Sheriff's Office (MCSO).

**Extended Sick Leave Status** – The status conveyed upon any employee who is absent from duty in excess of three (3) or more consecutive work days due to an on or off-duty illness, injury or other qualifying medical absence as specified by the employee's collective bargaining agreement. See also Section IX.

**Immediate family**-shall include relatives and members of an employee's household as defined by the employee's respective collective bargaining agreement.

**Catastrophic Injury** shall mean a physical injury or illness that is regarded as extreme or particularly serious, has a considerable impact on the victim of the injury or illness and needs a considerable amount of medical treatment. Catastrophic injuries may not always be permanent, but take months or years to heal.

**I. General Provisions**

- A. Sick leave constitutes absence from duty or employment for reasons of illness or injury, dental, optical or medical appointments (which should, to the extent possible, be scheduled off-duty), quarantine regulations and serious illness in the immediate family requiring care and attention by the employee, as certified by a physician. This will include times when a physician certifies that because of the employee's exposure to contagious disease, their presence at their place of duty jeopardizes the health of others.
- B. Any employee reporting an illness/injury is required to contact both Central Records and the on duty immediate supervisor.

- C. Employees will remain home during their regularly scheduled hours of work and are not to leave their residence or place of confinement during such hours except:
1. When authorized by an on-duty supervisor.
  2. To obtain professional medical treatment and/or physical therapy prescribed in writing by the employees' physician for recovery treatment. A copy of same must be submitted to the employee's immediate supervisor prior to commencing such therapy.
  3. When the employee's disability is an on-duty physical injury.
  - \* 4. To obtain necessary prescription, over-the-counter medication or other essential medical supplies, including for a dependent.
  - \* 5. To attend to essential childcare responsibilities, including arranging for or completing the pick-up or drop-off of a child to or from school, daycare, or other regular childcare provider, or responding to an urgent childcare need.
  - \* 6. To obtain essential household necessities where no reasonable alternative is available.
  - \* 7. To provide necessary care to an ill or dependent family member.
  - \* 8. All such departures in 1 through 7 must be limited in duration and directly related to one of the above stated purposes. Supervisors may require reasonable documentation where appropriate.
  - \* Note: There is no exception to attend events, including without limitation sporting events, weddings or other recreational activities.

## **II. On-Duty Illness**

- A. Employees becoming ill during their tour-of-duty will immediately notify their supervisor of such illness. The supervisor will consult with the employee to determine whether immediate medical attention is required.
- B. In the event that the sick employee is excused from duty, the supervisor shall reflect the accurate amount of partial sick time in the time book.
- C. If the employee is unable to report for their next scheduled tour of duty, the ill employee will follow the normal provisions for reporting illness off-duty, as specified in this order.

## **III. Off-Duty Illness**

- A. Employees becoming ill while off-duty and who are unable to report for their next scheduled tour of duty will, either personally or by a representative, report their illness and unavailability each day they will be absent from work to the Central Records Unit, at least one hour prior to the start of their tour of duty. In addition, the employee or their representative shall contact the employees on duty immediate supervisor each day they will be absent due to the illness.
- B. Employees whose illness extends three (3) or more consecutive working days may be required to provide medical clearance confirming fitness for duty prior to resuming duties.
  1. Medical Clearance may be satisfied by either:

- a. Evaluation by the Sheriff's Medical Provider, or
  - b. Evaluation at an RRH facility when the Sheriff's Medical Provider is unavailable.
- 2. Referral to the Sheriff's Medical Provider is required when:
  - a. The employee's duties pose a health or safety risk to themselves or others if they return to work before being medically cleared from an un-resolved condition, or
  - b. Objective concerns exist related to the employee's ability to safely perform job functions, or
  - c. An employee's supervisor has reasonable doubt as to the validity of the employee's absence.
- C. Failure to be seen by the Sheriff's Medical Provider, when required, or to be certified as ill by the employee's physician when requested, shall be construed to mean the employee was absent without authorization and hence, subject to disciplinary action and loss of pay.

#### **IV. On-Duty Injuries**

##### **A. On duty Injuries-Normal Business Hours**

- 1. Request a supervisor to respond to the scene of the injury.
- 2. Any employee injured in the line-of-duty including minor injuries to the extent that medical attention is required, during normal business hours, will immediately seek medical attention from the Sheriff's Medical Provider regardless of whether the employee has seen a private physician.
- 3. If the on-duty injury requires medical attention from a doctor or hospital, the employee must request a written statement (i.e. discharge paperwork) from the attending physician indicating the date of the visit, the nature of the injury, duty status etc. These documents shall be forwarded to the Health and Safety Nurse within 24 hours of receipt.
- 4. Even if clearance was given from a doctor or hospital the Sheriff's Medical Provider will make the final clearance determination. The Health and Safety Nurse will assist in scheduling an appointment with the Sheriff's Medical Provider, if necessary.
- 5. Complete and submit a MB-004 Report of Employee Injury through the chain-of-command and Health and Safety Nurse within 24 hours. Submit all details of the injury, along with any other pertinent reports of the incident in the narrative portion of MB-004 Report of Employee Injury. If additional space is needed, the employee should continue the narrative on an MB 003-Intra-Departmental Correspondence. All witnesses to the incident are to be listed on the MB-004 Report of Employee Injury.

Note: If the employee is unable to complete the MB-004 Report of Employee Injury, their immediate supervisor will complete the report on behalf of the employee and forward a copy of the completed MB-004 Report of Employee Injury to the employee for review.

B. On duty Injuries Occurring Off-Hours, Weekends or Holidays

1. Request a supervisor to respond to the scene of the injury.
2. Any employee injured in the line of duty including minor injuries to the extent that medical attention is required off hours, weekends or holidays shall be seen for treatment at a Rochester Regional Emergency Department (RGH), an RRH affiliate or Unity only. Upon receiving treatment and assessment in the Emergency Department, the member MUST request a written return to work status update. If the provider (specifically limited to MD, Nurse Practitioner, or Physician's Assistant) determines the member can return to full-duty, the provider will indicate that on the discharge paperwork and After Visit Summary (AVS) form and the member can then return to full duty. The clearance will be considered official, and the member can return to work.

Note: In the event of a significant or trauma injury, a member can be treated at any hospital.

3. The employee must contact the Health and Safety Nurse to coordinate with the Sheriff's Medical Provider as to whether the employee will need to physically be evaluated by the Sheriff's Medical Provider. Even if clearance was given from a doctor or hospital the Sheriff's Medical Provider will make the final clearance determination. The Health and Safety Nurse will schedule the appointment, if necessary and advise the employee's supervisor who will notify the employee.
4. In the alternative, the emergency room provider may determine that the member should be out of work or on limited duty capacity. The Health and Safety Nurse will arrange an appointment for the member with the Sheriff's Medical Provider and advise the employee's supervisor who shall notify the employee.

Note: If the provider does not indicate a duty status at the time of discharge, the member or their supervisor should ask the provider to determine the member's work status based upon the injury and the members job functions.

5. Complete and submit a **MB-004 Report of Employee Injury** through the chain-of-command and Health and Safety Nurse within 24 hours. Submit all details of the injury, along with any other pertinent reports of the incident in the narrative portion of MB-004 Report of Employee Injury. If additional space is needed, the employee should continue the narrative on an MB 003-Intra-Departmental Correspondence. All witnesses to the incident are to be listed on the MB-004 Report of Employee Injury.

C. The Health and Safety Nurse must be notified of any on-duty related injuries/illness, surgeries, medical testing such as MRI's or any other significant testing procedures. The Worker's Compensation Board mandates this information and the claim may be unnecessarily delayed if the information is not provided in a timely manner.

D. The injured employee's immediate supervisor will:

1. Promptly respond to the scene and thoroughly investigate the circumstances of the injury, dispatch a technician to the scene, interview the employee and (if applicable) witnesses, and prepare a MB-003 Intra-Departmental Correspondence documenting the investigative findings pertaining to the injury; special attention shall be given to the specific nature of the injuries and how they were incurred. Additionally, a synopsis of all witnesses' statements shall be included in the MB-003 Intra-Departmental Correspondence.

2. Email a MB-004 Report of Employee Injury if the employee is unable to complete the report due to the injury and/or hospitalization. Supervisors submitting an MB-004 on behalf of the employee should note their initials next to the employee's printed name on the signature line. The supervisor will forward a copy of the completed MB-004 Report of Employee Injury to the employee for review and forward through the chain of command. All reports should be submitted within 24 hours.
3. If the injury occurred off hours, email a synopsis of the injury to the Sheriff's Medical Provider, the Health and Safety Nurse, the Zone or Section Captain and Bureau Major. Include the Employee Injury Report, where the member was treated, the After Visit Summary (AVS) from the hospital and if the provider cleared the member to return to full duty or not.
4. Advise the employee of any appointments scheduled by the Health and Safety Nurse.

E. The injured employee's appropriate command officer will:

1. Email a copy of MB-004 Report of Employee Injury through the chain of command to the Health and Safety Nurse within twenty-four (24) hours of the injury. The applicable Bureau Chief and or designee will review the MB-004 Employee Injury Report and determine if 207C is applicable. The Bureau Chief or designee will send the entire report package to the Health and Safety Nurse. The MB-004 Report of Employee Injury will become part of the employee's medical file in the Undersheriff's Office.
2. Appropriately Code the Injured Employee's Time Cards:

- a. The appropriate command officer or supervisor (when authorized), should code the time card with the regular sick day code for any time lost following the actual injury, pending approval of the use of GML 207-c coded time by the Undersheriff's Office.

Note: For civilian employees the first five (5) days following an on-duty injury are to be coded 1701 in SAP (Please refer to CSEA CBA Article 15).

Note: If lost time occurs, the commanding officer may submit an official request for 207C for the injured employee through the chain of command.

- b. Prior Injuries - Where an employee claims that a previous on-duty injury has been re-aggravated or requires additional treatment, section IV A, B and C will be followed. If the re-aggravated injury results in loss of time from work, the employee must fully complete a new MB-004 Report of Employee Injury stating the injury is a "re-aggravation". MB-004 must be forwarded through the chain-of-command to the Health and Safety Nurse. The supervisor shall code the time card with the regular sick day code for any time lost following the injury, pending the approval of the use of GML 207-c coded time by the Undersheriff's Office.
3. Notify the injured employee's family when necessary

V. Off-Duty Injuries

- A. Employees injured while off-duty and who are unable to report for their next scheduled tour of duty will, either personally or by a representative, report their injury and unavailability each day they will be absent from work to the Central Records Unit, at least one hour prior to the start of their tour of duty. In addition, the employee or their representative shall contact the employee's on-duty immediate supervisor each day they will be absent due to the injury.

- B. Injured employees will submit a **MB-004 Report of Employee Injury** to their supervisor no later than their next regularly scheduled shift. This report is to include details relating to the nature of the injury, how it was incurred and the anticipated date of return to duty. These reports will be forwarded according to current directives. If additional space is needed for the narrative, it shall be continued on an MB-003 Intra-departmental Correspondence. These reports will be forwarded through the chain of command and will become part of the employee's medical file in the Undersheriff's Office.

Note: If the employee is unable, their immediate supervisor shall be responsible for completing or facilitating the completion of the MB-004 Report of Employee Injury. The supervisor will forward a copy of the completed MB-004 Report of Employee Injury to the employee for review.

- \* C. The injured employee's immediate supervisor will notify the Sheriff's Health and Safety Nurse as soon as possible via email or telephone call of the employee's injury. The Health and Safety Nurse will coordinate with the employee and set up an appointment with the Sheriff's Medical Provider to determine full duty, limited duty and/or no duty. The date and time of any examination shall be communicated to the employee and their supervisor by the Health and Safety Nurse.
- D. No employee shall be permitted to return to duty after being absent from work due to an off-duty injury without being cleared by the Sheriff's Medical Provider.

#### VI. **Catastrophic Injuries On-duty**

Employees suffering a catastrophic injury on duty

##### A. Immediate Supervisor Responsibilities

1. Immediately respond to scene and assume Incident Command until properly relieved.
2. Arrange for an MCSO member to escort the injured employee to the hospital and remain with the injured employee as necessary.
3. Notify Chain of Command and request injured employee's emergency contact information be retrieved from personnel file.
4. Make arrangements to secure employees' equipment (ie. Weapon, gunbelt etc.)
5. Complete and submit a MB-004 Report of Employee Injury, and any other required reports, on behalf of the injured employee and submit through chain of command to Undersheriff's Office.

##### B. Command Officer Responsibilities

1. Ensure notification to Office of Communication.
2. Ensure family is notified and arrange transportation to hospital or other designated location.

Note: In the event the injured member is unable to notify immediate family themselves, notification to family should be made by the highest-ranking command officer available.



3. Notify MCSO Wellness Team.
  4. Create a follow-up plan to ensure regular contact is maintained with employee and/or family to ensure necessary resources are made available (transportation to and from doctor appointments, arrangements to transport from hospital and discharge from hospital, VIP detail upon release, ensure housing is accessible based on injury and medical needs).
- C. Office of Communication Responsibilities
1. Respond to scene or other appropriate location as directed by the Incident Commander.
  2. Manage release of information to social media and news media outlets.
  3. Draft appropriate press materials.
- D. In the event that a catastrophic injury results in the death of a member, refer to MBGO 092 **Line of Duty Deaths**.

## **VII. Catastrophic Injuries or Illness Off-Duty**

- A. Immediate Supervisor Responsibilities
1. Respond to scene as necessary and practical.
  2. Make arrangements to immediately attempt to notify family members if necessary, and arrange transportation to hospital or other designated location if applicable.
  3. Make arrangements to secure employees' equipment (ie. weapon, gun belt etc.), if applicable.
  4. Notify Chain of Command
  5. Designate an employee to remain with the injured employee and/or family.
  6. Notify MCSO Wellness Team
  7. Establish liaison with lead investigative agency if other than MCSO, if applicable.
  8. Complete and submit a MB-004 Report of Employee Injury, and any other required reports, on behalf of the member and submit through chain of command to Undersheriff's Office
- B. Command Responsibility

Create a follow-up plan to ensure regular contact is maintained with member and/or family to ensure necessary resources are made available.

## **VIII. Maternity/Paternity Leave Status**

- A. Maternity
1. Females in need of a status change during pregnancy shall report to the Sheriff's medical provider and may be placed on limited duty.

2. Pregnant female employees may use sick leave for the disability period as determined by her attending physician. The employee shall provide the Health and Safety Nurse with a medical statement indicating the period of time the employee will be disabled. If this disability period extends for more than three (3) consecutive working days, then refer to Family Medical Leave Act (MBGO 90).
3. If the employee has exhausted all accumulated leave time, she may request, through the Sheriff or their designee, half-pay sick leave in accordance with her respective collective bargaining unit's agreement for any remaining period of disability.
4. A leave of absence without pay may be requested through the Sheriff in accordance with the respective collective bargaining unit's agreement.
5. At the conclusion of the employee's maternity leave the employee is required to return to the Sheriff's Medical Provider to be cleared for full duty.

B. Paternity

1. Paid parental leave is available to be used for up to four weeks and is available to be used within the first twelve months of a birth or adoption. Refer to **MBGO 090 FMLA** and **MBGO 048 Leave Time** for complete rules and appropriate use.
2. Employees may be entitled to use leave credits to provide medical care for their spouse or mother of their baby and/or for the birth of their child. Leave requests for this purpose will be administered in accordance with the provisions of the Family and Medical Leave Act. In these instances, the employee may use leave credits in accordance with the provisions of their collective bargaining agreement.

**IX. Extended Sick Leave Status**

If an employee is absent from duty in excess of three (3) or more consecutive work days due to on or off-duty illness or injury is deemed to be on extended sick leave status.

A. It will be the responsibility of the employee to:

1. Notify their supervisor when extended sick leave is anticipated.  
  
Note: Employees will continue to call Central Records and their on-duty immediate supervisor daily, until officially marked as extended leave.
2. An employee absent from duty for more than seven (7) calendar days, will report to their immediate supervisor, at least via telephone, every week until the employee returns to duty, or is instructed otherwise by the Sheriff's Medical Provider.
3. Employees on extended sick leave in excess of three (3) or more consecutive working days shall be required to notify their supervisor of any instance in which they will not be reachable for one full day or longer at their residence and where they will be during such absence unless hospitalized.
4. An employee that takes a vacation while on sick leave must utilize vacation time.

B. It will be the responsibility of the immediate supervisor to:

1. Notify Central Records regarding the extended sick leave status of the employee.



2. Notify the employee that they are on extended sick leave and are no longer required to call Central Records or their supervisor on a daily basis.
3. Notify the respective bureau head in writing of all necessary information concerning the extended sick leave status.
4. Provide FMLA forms to the employee with instructions to complete and return the forms to the Health and Safety Nurse in accordance with **MBGO-090 Family Medical Leave Act**.
5. Ensure the employee is initiating frequent contact with supervisor, via telephone or in person. Document such contacts and inquiries regarding their condition and status at least weekly.

#### **X. Returning to Duty**

- A. The Sheriff's Medical Provider will make the final return to duty determination before the employee returns to work. Contact the health and safety nurse to schedule an appointment.
- B. Employees shall fully cooperate with the Sheriff's Medical Provider regarding examinations and evaluations and will provide medical information as deemed necessary by the physician.
- C. Any employee who has reported an illness or injury, on or off-duty, will report for limited duty as may be available and as authorized by the Sheriff's Medical Provider.
- D. Employees who have been absent on extended sick leave will notify their commanding officer or supervisor in advance of returning to duty.

#### **XI. Duties of Commanding Officers/Supervisors**

- A. Commanding officers or supervisors will ensure that subordinates who are injured or who become ill on-duty receive immediate medical attention as may be required.
- B. Commanding officers and supervisors will maintain accurate records of sick leave for every employee under their command and are responsible for notifying the appropriate bureau chief of any employee exceeding the use of accrued sick leave credits. The appropriate Bureau Chief who will in turn notify the Sheriff or Undersheriff of any employee exceeding the use of accrued sick leave credits.
- C. Commanding officers and supervisors will review all sick records and be alert to suspected cases of excessive absenteeism or abuses of sick leave. If in their judgement there is an abuse, they may immediately order the employee to the Sheriff's Medical Provider.
- D. Commanding Officers and supervisors, or their designees may contact employees at any time while they are on sick leave status. In the event of a prolonged illness, the employee will make contacts to the supervisor, no less than once each week. When it is known that an employee will be absent for an extended period of time, the Sheriff or Undersheriff may waive such contacts. However, such a waiver will not relieve the supervisor or commanding officer of notifying the appropriate Bureau Chief, who will in turn notify the Sheriff or Undersheriff of an employee exceeding the accumulated sick leave credits.
- E. Oncoming shift supervisors will contact Central Records prior to roll call to ascertain if any of their employees have called in sick or injured.

- F. All incidents of sick time will be noted in the employee's incident file for purposes of annual performance evaluations as well as for documentation of potential early warning intervention. FMLA approved frequencies shall be noted as such.

**XII. Duties of Health and Wellness Team**

- A. MCSO Health & Wellness clinicians will follow-up with employees who are out due to catastrophic injury or illness to provide support, see what is needed, and continue the connection.
- B. MCSO Health & Wellness clinicians will also follow-up and support the families of employees of catastrophic injuries. Attending to the needs of the family of the agency employee seriously injured, and advise the family about support services available to them.

**XIII. Duties of Central Records Personnel**

When notified of an employee illness or injury, personnel will document the reason for absence as one of the following: sick, family, maternity, on the job injury, or off-duty injury. Personnel will also document the name of the employee, and the time the call was received (MB-118 All-Bureau Weekly Sick List)

**XIV. Duties of the Sheriff's Medical Provider**

- A. The Sheriff's Medical Provider will assume responsibility for the medical treatment of any employee injured or becoming ill in the line of duty, who presents themselves for treatment. It is the employee's responsibility to comply with instructions from the Sheriff's Medical Provider regarding prescribed treatment.
- B. The Sheriff's Medical Provider will, on request of the Sheriff or other authorized designee, review the records of employees who have a history of repeated illness to determine if the employees are fit to continue performing their duties.
- C. The Sheriff's Medical Provider will certify the fitness of an employee to return to either full duty, limited duty or no duty as soon as it is determined that the employee is capable of returning to duty.

**XV. Sick Leave Credits**

- A. Sick leave is accrued and posted in accordance with the appropriate collective bargaining agreement.
- B. In the event an employee has used all of their accrued sick leave, credits may be deducted from their compensatory time or vacation time, subject to the approval of their commanding officer or supervisor.
- C. Half-pay sick leave is available in accordance with the appropriate collective bargaining agreement.
- D. Sick leave for medical/dental appointments that have been scheduled with the supervisor at least forty-eight (48) hours in advance shall not be counted for the first sixteen (16) hours of such sick leave in the prior 12 months rolling calendar year (refer to MBGO 027 Attendance, Tardiness and Absenteeism).

**XVI. American with Disabilities Act (ADA) Compliance**

- A. The ADA requires medical records and information about an employee must be maintained in a confidential, secure manner, and kept separate from the regular personnel files. Access should be restricted to supervisors and medical staff who handle, access, or manage medical records or information for current and former employees.

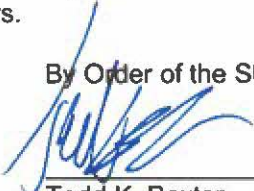
Note: Medical information shall not be maintained in an employee's SIDL file.

- B. All medical records, including information regarding disability status, medical conditions, medications, or treatment plans, must be kept confidential.
- C. Supervisors and medical staff are allowed to access medical information when necessary to ensure that reasonable accommodations are provided. Supervisors should refrain from requesting medical information unless an employee is seeking an accommodation or there is a need to assess the employee's ability to perform essential job functions.
- D. When medical records and information are submitted by an employee (e.g., doctor's notes, requests for accommodation, FMLA requests), it must be directed to the Health and Safety Nurse.
- E. In the event of an emergency, first aid and safety personnel may be informed of an employee's medical information to provide emergency treatment.

**XVII. Miscellaneous Provisions**

- A. Employee's requesting services of the Sheriff's Medical Provider for illness or injury, that is not job-related, will be responsible for any charges incurred.
- B. Failure to comply with the preceding requirements of this order may relieve MCSO and the County of Monroe of any responsibility relating to such matters.

By Order of the Sheriff

  
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Todd K. Baxter