

Louisville Metro Police Department

<h2>Standard Operating Procedures</h2>	SOP Number: 2.2
	Effective Date: 01/02/04 Prv. Rev. Date: 12/23/19 Revised Date: 12/26/25
	Accreditation Standards: KACP: 4.6, 10.2
Chapter: Personnel	
Subject: Leaves of Absence	

2.2 LEAVES OF ABSENCE

2.2.1 OVERVIEW

In general, a leave of absence is defined as an extended period in which a Louisville Metro Police Department (LMPD) member is approved to take time-off from work. A leave of absence may be paid or unpaid, depending on the type of leave. For information regarding what types of leaves are available to each member, contact Police Human Resources (HR) (refer to Louisville Metro Government (LMG) Personnel Policies 140.01-150.13).

It is the policy of the LMPD that when a member is off of work for five (5) or more consecutive working days for any reason other than approved Family Medical Leave Act (FMLA), vacation, workers' compensation, or suspension, the member will submit a leave of absence request, in memorandum form, through the appropriate chain of command, to the Chief of Police, or their designee (KACP 10.2c-d).

Leaves of absence in excess of 14 continuous calendar days, with the exception of approved annual leaves and jury duty, will result in the limitation of police powers. Members on military leave may retain their police powers under certain circumstances (refer to SOP 2.2.10).

2.2.2 DEFINITIONS

Extended Sick Leave (KACP 10.2c): Approved time-off from work, due to sickness or injury, for five (5) or more consecutive working days, for members who are not otherwise eligible for FMLA leave or Metro Medical Leave (refer to LMG Personnel Policy 150.04).

Family Medical Leave Act (FMLA) (KACP 10.2c): Under the FMLA, members who have been employed for at least twelve 12 months (whether consecutive or not) by the date the leave is to begin and have worked for at least 1,250 hours within the previous 12-month period may take up to 12 weeks of leave, during a 12-month period, for one (1) or more of the following reasons (refer to LMG Personnel Policy 105.03):

- The birth of a child and to care for a newborn child of the member;
- The placement of a minor-age child with the member for adoption or foster care;
- To care for the member's spouse, minor-age child, adult child who is disabled and incapable of self-care due to that disability, or parent of the member with a serious health condition;
- As a result of a serious health condition that makes the member unable to perform the essential functions of their position;
- Up to 12 weeks of leave for certain qualifying exigencies arising out of a covered military member's active-duty status, or notification of an impending call or order to active-duty status, in support of a contingency operation; and
- Up to 26 weeks of leave in a single 12-month period to care for a covered service member recovering from a serious injury or illness incurred in the line-of-duty, while on active-duty, when the departmental member is the spouse, child, parent, or next-of-kin of the service member.

Jury Duty: When an LMPD member has been summoned for jury duty and therefore must be absent from work (refer to LMG Personnel Policies 150.06(1) – 150.06(5)).

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2.2.2 DEFINITIONS (CONTINUED)

Military Leave: Military monthly and/or annual training, including military activation orders.

Parental Leave: Leave taken by a member who is bringing a new child (or children) into their home due to birth or adoption (not including adoption by a stepparent).

Sick Leave (KACP 10.2c): Leave accrued by a member to be used when they are unable to perform their duties as a result of:

- Personal illness or injury of the member;
- The member's pregnancy or pregnancy-related complications;
- Illness or injury of a member's family member, or domestic partner, which requires the presence of the member; or
- For medical appointments.

2.2.3 SICK LEAVE (NON-FMLA) (KACP 10.2c)

In order to receive paid sick leave for an injury or illness, members will contact their immediate supervisor or competent authority designated by their division/section/unit commander, at least one (1) hour before the beginning of their shift. This requirement may be waived in emergency situations, which will be documented as soon as possible to the member's commanding officer or their immediate supervisor.

Supervisors are required to make the appropriate changes in TeleStaff as soon as practical to accurately reflect the members absence from work. It is the responsibility of the member following an absence from work to ensure their shift schedule is accurately reflected in TeleStaff. TeleStaff can be accessed, via the LMPD Intranet, or at any time via the Internet at <http://Louisvilleky.okta.com> by using the member's Okta authentication login credentials.

When a member has been absent from work due to an injury or illness, the member will notify their immediate supervisor of the date that they will be returning to work. This information will be relayed to their appropriate division/section/unit commander by the end of the supervisor's tour of duty.

A member who is requesting paid sick leave in excess of two (2) or three (3) consecutive workdays (pursuant to the member's applicable collective bargaining agreement (CBA)) to care for a qualifying member will forward the request, through the appropriate chain of command, to the Chief of Police, or their designee. This request should include:

- A memorandum indicating the relationship to the family member and an explanation stating why the member is the only person available to provide care; and
- A written statement from the treating physician explaining the medical necessity requiring the member's presence.

Any officer who is on non-FMLA sick or injury leave must be reasonably accessible for court and available to the Chief's Office.

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2.2.3 SICK LEAVE (NON-FMLA) (CONTINUED)

A member who is requesting sick leave for five (5) or more consecutive workdays will complete and submit FMLA paperwork (refer to SOP 2.2.2 for information on FMLA eligibility and SOP 2.2.6 for required documentation, and LMG Personnel Policy 150.03, which applies to LMPD members).

2.2.4 SICK LEAVE (SUSPICION OF ABUSE) (KACP 10.2c)

Sick leave is not a substitute for a member's annual leave, personal days, or other similar types of leave. When a division/section/unit commander has a reasonable suspicion of sick leave abuse, they may require a statement from an appropriate healthcare provider of the member, regardless of the length of sick time used, or as otherwise allowed under applicable CBAs, if any. All medical statements must be provided to LMPD HR.

In deciding whether sick leave abuse has occurred, the LMPD may consider factors, including, but not limited to, the following:

- Consistent use of sick leave as it is accrued;
- Consistent failure to accumulate accrued sick leave;
- Failure to provide a valid medical statement from a healthcare provider, when requested;
- Absence from work, claiming the member, a family member, or a domestic partner is ill, when the employee had already requested and been denied time-off;
- A pattern of sick leave use in conjunction with scheduled days off;
- A pattern of sick leave use immediately before, or after, a holiday;
- A pattern of sick leave use during peak work times or forced overtime;
- Not following established procedures for requesting sick leave; or
- Use of sick leave for a purpose other than those described in SOP 2.2.2 (sick leave definition) (refer to LMG Personnel Policy 150.01(11)).

Abuse of sick leave will be subject to discipline, up to, and including, termination.

2.2.5 PARENTAL LEAVE

Birth or Adoption

LMPD members who are bringing a new child (or children) into their home due to birth or adoption (not including adoption by a stepparent) will be eligible to take up to 12 weeks of continuous leave during any 12-month period in order to care for their new family member. Leave will be completed within six (6) months of the birth or adoption of a child.

Members will be eligible for parental leave if they meet the FMLA requirements defined within SOP 2.2.2. In addition to the eligibility requirements, one (1) of the following must be met by the member (refer to LMG Personnel Policy 150.11(3)):

- Is the biological parent of a newly-born child.
- Is fostering a child while pending adoption.

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2.2.5 PARENTAL LEAVE (CONTINUED)

- Is the legal guardian/adoptive parent of an adopted child, who also resides in the same household as the member.

Foster Care

Members who are accepting a child in foster care into their home will be eligible to receive up to two (2) weeks of parental leave. This leave will not exceed two (2) weeks over the course of the member's time of employment with LMG (refer to LMG Personnel Policy 150.11(2)).

Parental leave will run concurrently with FMLA leave.

Notification/Documentation

Eligible members who wish to take parental leave must complete the application for FMLA leave and inform their supervisor of the intention to take parental leave no less than four (4) weeks prior to the planned start date of the leave. All parental leave will be approved by Louisville Metro HR.

Within 18 days of the commencement of parental leave, members will submit acceptable documentation of the family relationship to Police HR, consisting of a copy of the child's birth certificate or documentation from a court or agency of final adoption, or placement for foster/kinship care.

A copy of the hospital-issued commemorative birth certificate is acceptable documentation of the birth. Police and/or Metro HR reserves the right to request a copy of the child's state-issued birth certificate at any time.

In the case of adoption or foster/kinship care placement, the documentation will include the effective date of the adoption/placement.

If a member is unable to return to work at the end of their parental leave for a medical reason, the member will follow all departmental procedures regarding applicable leaves of absence, if any, and reporting an absence.

An eligible member must follow the procedures of requesting FMLA Leave outlined in SOP 2.2.6.

2.2.6 FMLA LEAVE (KACP 10.2c)

LMG Personnel Policy 150.03 (Family and Medical Leave Act (FMLA)) applies to LMPD members (refer to LMG Personnel Policy 150.03 for additional information, including, but not limited to, eligibility for FMLA requirements when requesting FMLA, continuous and intermittent FMLA, and reasons for denial of FMLA).

When LMPD members are on sick leave for more than five (5) consecutive workdays, they will complete an application for FMLA Leave, if applicable, from Police HR stating:

- Their reason for the leave; and
- Their beginning and ending dates.

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2.2.6 FMLA LEAVE (CONTINUED)

LMG may require complete and sufficient certification to support the need for leave and the member will meet deadlines for the submission of documentation.

When an FMLA leave is requested, or otherwise appears appropriate, Police HR will forward a copy of the leave application and any related documentation to Metro HR. Metro HR will notify the member whether they are eligible for FMLA and whether the request for leave is approved or denied (refer to LMG Personnel Policy 150.03).

Approved FMLA leaves run concurrent with the member's sick leave. A member who is on FMLA leave is required to use all applicable paid leave (e.g., sick, vacation, compensatory (comp) time, and personal days) before the leave is unpaid (KACP 10.2c-d).

If the leave is foreseeable, a member who is requesting an FMLA leave must give at least 30 days' notice to Police HR before the leave is to begin; otherwise, the member must give as much notice to Police HR as possible, either on the same or next business day.

If the leave is not foreseeable, the member should provide notice to Police HR as soon as practicable under the facts and circumstances for their case. In the absence of unusual circumstances, members will comply with the LMPD's usual and customary notice and procedural requirements when requesting leave.

2.2.7 METRO MEDICAL LEAVE (KACP 10.2c)

When an LMPD member has exhausted FMLA, or the member is not eligible for FMLA, and the LMPD member is medically certified as unable to return to work, or whose family member with a serious condition requires further care, then they may be eligible for medical leave. Contact must be made with Police HR on the appropriate application and required documentation to request Metro Medical Leave (refer to LMG Personnel Policy 150.04).

2.2.8 EXTENDED SICK LEAVE (KACP 10.2c)

Members are required to follow the notification process in SOP 2.2 when requesting extended sick leave. When LMPD members are on extended sick leave, they are required to report their status, in writing, to Police HR every eight (8) weeks, including a medical certification from their treating physician of their diagnosis, and prognosis, and the medical necessity for the continued leave. For this requirement, members may utilize the Return to Duty Physician's Certification form (LMPD #15-0015). The failure to meet the status guidelines could result in termination of the use of extended sick leave, upon approval by the Chief of Police, or their designee.

Approval is contingent upon several factors, including, but not limited to, the member's circumstances, the provider's prognosis regarding the member's ability to return to full duty with or without reasonable accommodation(s), and LMG's ability to accommodate a member who may not be able to return to full duty.

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2.2.9 JURY DUTY

The LMPD's policies regarding jury duty are governed by LMG Personnel Policies 150.06(1) – 150.06(5), which provide the following:

- Paid at regular rate for actual time required for service as a juror and may additionally be compensated by the courts for jury duty.
- If necessary, work schedules may be altered to a Monday through Friday day shift assignment while on jury duty. The member's commanding officer will coordinate with the division commander regarding shift assignments while on jury duty,
- If released from jury duty for all, or part, of the workday, the LMPD member will report to their day shift assignment or be considered absent without leave (AWOL). When members are dismissed from jury duty, they are required to report to their supervisor, who will update the department's timekeeping system with the appropriate leave codes.
- LMPD members may utilize appropriate leave time when they are excused from jury duty. Members will follow the appropriate process to request and receive approval for leave time.

If a member does not report to work or has not received approval to utilize appropriate leave time when excused from jury duty, they are considered AWOL and are also subject to discipline, up to, and including, termination.

2.2.10 MILITARY TRAINING AND MILITARY LEAVE

The LMPD adheres to all federal, state, and local laws regarding military leave. For monthly drills, upon the request of the member, off-days will be arranged to allow for weekend drills, whenever possible.

Annual Training

Employees who are members of the National Guard, Military Reserve, or any of the Armed Services of the United States will be granted a leave of absence, not to exceed 21 workdays, to complete their regular annual training. Any unused military leave expires two (2) years after it has been accrued.

Members will provide copies of all annual training orders to their commanding officer and to Police HR within five (5) business days of the receipt of the orders. Members are responsible for notifying their commanding officer and Police HR when their orders are updated or extended.

The department calculates annual training days consistent with the yearly military training calendar, which runs from October 1 through September 30.

Regularly-scheduled off-days will not be counted as part of the annual allotment of paid military leave.

Training in excess of the annual allotment will be taken as off-days without pay, personal days, vacation days, or a combination thereof (KACP 10.2d).

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2.2.10 MILITARY TRAINING AND MILITARY LEAVE (CONTINUED)

Notification of Extended Military Leave

Military leave of absence for members entering the Armed Forces of the United States, Military Reservist, or National Guard members ordered to active duty will comply with guidelines outlined by the Louisville Metro Police Merit Board or the Louisville Metro Civil Service Board.

Members who are required to report to active military duty will:

- Submit a memorandum, through the appropriate chain of command, to the Chief of Police and Police HR notifying them as soon as the member is aware of the specific dates, and no less than a minimum of five (5) working days in advance, of the scheduled leave;
- Attach a copy of the member's military orders to the notification memorandum;
- Report to Police HR with a copy of the military orders to complete the required paperwork;
- Report to their division commander to turn in their assigned vehicle, departmentally-issued weapons, magazines, radio, departmental identification (ID) card, and badge; and
- Be served by their division commander with the Notification of Limitation of Police Powers form (LMPD #11-0008).

Short-Term Military Active Duty/Training

Members who are called to short-term military active duty/training for no more than 120 days, and who will be stationed at a location within driving distance of Louisville Metro, may be allowed to retain their vehicle, departmentally-issued weapon(s), and police powers, if approved by the Chief of Police. The member will submit a notification of military leave, along with a request to keep their vehicle, departmentally-issued weapon(s), and police powers, in a memorandum, through the appropriate chain of command, to the Chief of Police, or their designee, along with a copy of the member's military orders. If the request is approved by the Chief of Police, or their designee, the member's police powers will not be limited, and the member may retain their vehicle and departmentally issued weapon(s). The use of the departmentally-issued vehicle will be in accordance with SOP 4.14.

While the member is off-duty from their military hours, they may take part in police actions in the same manner as those members who are off-duty from the LMPD. If the member is injured while participating in an off-duty police action, LMPD policy applies (refer to SOP 2.7). Military leave may be paid or unpaid depending on whether the member has used all of their military leave and accrued vacation/personal/union hours (refer to SOP 2.2.12 for procedures for returning to duty) (KACP 10.2d).

Military Reinstatement Time Requirements

If the member's length of military service is less than, or equal to, 30 days, the member must report to duty no later than the next full calendar workday, allowing time for safe travel home and eight (8) hours of rest.

If the member's length of military service is more than 30 days but less than, or equal to, 180 days, the member must report to duty no later than 14 calendar days after the completion of their current military tour.

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2.2.10 MILITARY TRAINING AND MILITARY LEAVE (CONTINUED)

If the member's length of military service is more than 180 days, the member must report to duty no later than 90 calendar days after the completion of their current military tour.

2.2.11 UNPAID LEAVE – SWORN OFFICERS

If an officer is requesting unpaid leave, they will submit a memorandum to the Chief of Police detailing the reason for the leave, to include the dates the requested leave is to start and end. Upon the approval of the leave by the Chief of Police, Police HR will complete a Notification of Limitation of Police Powers form (LMPD #11-0008) and forward it to the appropriate division/section/unit commander to be served. All of the departmentally-issued property/equipment, including the member's badge, departmental ID, assigned vehicle, weapon(s), and Conducted Electrical Weapon (CEW), if assigned, will be turned in to the appropriate division/section/unit commander. Their division/section/unit commander will hold the property or return it to the appropriate location (e.g., Firearms Training Center (FTC), Evidence and Property Unit (EPU), etc.) to be held until the member's return to duty.

Should the Chief of Police deny a request for a leave of absence without pay, the matter will be referred to the Louisville Metro Police Merit Board (refer to Police Merit Board Rules and Regulations 11.1).

2.2.12 LEAVES OF ABSENCE RETURN TO DUTY (PARENTAL, FMLA, METRO MEDICAL, EXTENDED SICK, UNPAID LEAVE, OR MILITARY) (KACP 10.2c)

A member who is returning to duty after an unpaid leave of absence, for any reason, must notify Police HR at least one (1) week in advance of returning to duty. This allows the member to be placed back on the payroll immediately upon returning to work.

LMPD members who are returning from continuous FMLA leave or other medical leave of absence for their own serious health condition must provide the following to Police HR:

- At least a two (2) business days' notice of the intent to return to work; and
- A written statement from the member's treating healthcare provider indicating the release to return to work, listing any restrictions on normal duties. For this requirement, members may utilize the Return to Duty Physician's Certification form (LMPD #15-0015).

An officer who is returning to duty following any type of leave, during which their police powers were limited or removed, will notify their commanding officer and Police HR upon their return to duty. Police HR will notify the Training Division that an officer is returning from a leave of absence. Upon confirmation that any required training has been completed, Police HR will prepare and send the Notification of Restoration of Police Powers form (LMPD #03-02-0151) to the Chief of Police, or their designee, for review and a signature. Police HR will notify the officer's division commander of the date the officer will be returning to work and will provide the officer with a copy of the signed Notification of Restoration of Police Powers form.

The division commander is responsible for returning the officer's departmentally-issued property/equipment upon their return to duty.

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2.2.12 LEAVES OF ABSENCE RETURN TO DUTY (PARENTAL, FMLA, METRO MEDICAL, EXTENDED SICK, UNPAID LEAVE, OR MILITARY) (CONTINUED)

If an officer's leave occurs during either spring or fall firearms qualifications, the officer suffers an injury to the primary shooting arm or support arm (e.g., hand, wrist, elbow, shoulder, etc.), the officer suffers an injury to the legs, or the officer suffers a brain injury, then the officer will be required to pass firearms qualifications with the officer's Class A pistol and any other firearms carried while on-duty, prior to returning to duty (refer to SOP 4.13).

Prior to returning to duty, members will acknowledge that they have read and understood all policies, General Orders, Special Orders, and General Memorandums found in their PowerDMS Document Management System inbox. If members do not have computer access, they will acknowledge that they have read and understood all outstanding policies, General Orders, Special Orders, and General Memorandums by signing the appropriate accountability roster (KACP 4.6d).

Upon returning to duty after a leave of absence, the member's direct supervisor will contact the Training Division, via email, at impdtraining@louisvilleky.gov, and copy the member, to inquire about the scheduling of any required missed and/or future training.