

**National Council of SSA Field Operations Locals
AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO**

Representing Over 28,000 Social Security Employees Working In Over 1,300 Field Offices and
36 Teleservice Centers Across the Nation, Puerto Rico and Pacific Islands



Don't Be Fooled By Management: A Few Reminders About Sick Leave!

Recently, AFGE has become aware that many Social Security offices have a "policy" which requires employees to obtain a note from their doctor when they called in sick the day before or after a holiday.

This is a clear violation of the National Agreement and management can not establish policies which contradict or supersede the National Agreement.

There are only two contractual situations that allow management to request a medical certificate from an employee:

- **The request for sick leave exceeds three (3) consecutive workdays;**
- **The employee has been placed on sick leave restriction.**

Management *may* request a medical certificate when sick leave requests exceed three consecutive workdays, but this is discretionary. In some cases, that three-day threshold has been raised. This happened last year because of the swine flu outbreak.

Sick leave restriction occurs when there is a clear pattern of abuse (for example, an employee calls in sick every Monday).

Simply requesting sick leave the day before or after a holiday **does not constitute a pattern of abuse.**

Requesting annual leave in August and then asking for sick leave the day before or after a holiday **does not constitute a pattern of abuse.**

Requesting annual leave in August **and** then threatening to call in sick if the annual leave is denied, **and** requesting sick leave the day before or after a holiday, **may constitute a pattern of abuse.**

If your office has a policy that contradicts the National Agreement, please contact your AFGE Representative as soon as possible. As we are entering into another leave period filled with holidays, we want to make every effort to resolve these issues.

Provisions for sick leave are contained in Article 31, Section 4. (<http://eis.ba.ssa.gov/olmer/Contracts/1996/a31.htm>)

Remember, you only have rights if you use them!

