



CLOSED CASE SUMMARY

ISSUED DATE: AUGUST 5, 2020

FROM: DIRECTOR ANDREW MYERBERG
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2020OPA-0411

Allegations of Misconduct & Director's Findings

Named Employee #1

Allegation(s):		Director's Findings
# 1	4.040 - Sick Leave 2. Employee Use of Sick Leave is Regulated by City Personnel Rules and Collective Bargaining Agreements	Not Sustained (Unfounded)

This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

An anonymous Complainant alleged that the Named Employee abused sick time to avoid working at protests.

ADMINISTRATIVE NOTE:

This case was designated as an Expedited Investigation. This means that OPA, with the review and approval of the Office of Inspector General for Public Safety, believed that it could reach and issue recommended findings based solely on its intake investigation.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

4.040 - Sick Leave 2. Employee Use of Sick Leave is Regulated by City Personnel Rules and Collective Bargaining Agreements

OPA received an anonymous complaint in which it was alleged that Named Employee #1 (NE#1) was abusing sick time in an attempt to avoid working during recent protests. OPA accordingly commenced this investigation.

OPA reviewed NE#1's timesheet and determined that she took five hours of sick leave on June 1, 2020. This was during the period of time when protests were ongoing. OPA further obtained a medical release form from NE#1's direct supervisor, which that supervisor signed. The form authorized medical leave for NE#1.

SPD Policy 4.040-POL-2 governs the use of sick leave by Department employees. As a general matter, the policy prohibits employees from abusing such leave.



Here, OPA concludes that the evidence contradicts the assertion that NE#1 abused her sick time. To the contrary, she only sought five hours of medical leave and she received approval from her supervisor to take that leave. As such, OPA recommends that this allegation be Not Sustained – Unfounded.

Recommended Finding: **Not Sustained (Unfounded)**