

**ORANGE COUNTY SHERIFF'S DEPARTMENT**  
**Santa Ana, California**



**TO:** All OCEA Represented Department Employees  
**FROM:** Undersheriff John Scott   
**DATE:** January 6, 2010  
**RE:** Pending Layoffs

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As I'm sure you are all aware, the County has notified OCEA of the proposed layoffs and reductions that are to take place within the Orange County Sheriff's Department over the next several weeks. Although we are in the process of meeting and conferring with OCEA regarding the impacts of the proposed cuts; it has come to our attention that the union may be planning a series of unauthorized absences by OCSD employees represented by their bargaining unit. These planned unauthorized absences appear to be in connection with the proposed layoffs and are not sanctioned or condoned by the department.

I want to be very clear that the Sheriff's Department respects the right of members of bargaining units to participate in activities that support their association; however, an intermittent unauthorized absence from your normal duty assignment may not be a legally protected job action and participation in an illegal job action could subject you to discipline. Further, any employee contemplating the use of their sick leave or annual leave as compensation for an unauthorized absence is hereby reminded of the following MOU provision:

Article IV of the Memorandum of Understanding, Paragraph D. 2. Employees may be required to furnish a certificate issued by a licensed physician or registered nurse or other satisfactory evidence of illness, injury, medical condition or medical or dental office calls when the agency/department has notified the employee in advance of such a requirement or when the employee has been under the care of a physician.

We should never lose sight of the serious business that we are entrusted by the citizenry to carry out and that each and every member of this Department plays a role in the safe execution of those duties. Therefore, in order to maintain security and safety for all our employees we must take the following step:

Effective immediately and until further notice, any claim for sick/annual leave must be verified by a certificate from either a licensed physician or registered nurse stating that you are ill or injured, the nature of the illness or injury, the date of the medical attention, a medical statement of ability/inability to perform the duties of your position on the date(s) of absence, and the length of time for which you will remain unable to perform your duties.

To those employees who have a legitimate reason for taking sick leave, I apologize for any inconvenience this requirement may cause you. It is not our desire to prevent you from appropriately utilizing your sick leave however I must take action to ensure that sick leave is utilized as intended.

Any questions regarding your employment status should be directed to your appropriate OCEA labor representative.