



ADMINISTRATIVE PROCEDURE

<p>SUBJECT: SICK LEAVE POLICY</p>	<p align="center">Number <u>VII-3</u></p>	<p>Effective Date: Issued: <u>01/21/1992</u> Revised: <u>09/30/1994</u> Revised: <u>11/15/2000</u> Revised: <u>02/07/2018</u> Revised: <u>12/07/2020</u></p>	<p align="right">Page 1 of 3</p>
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PURPOSE:

To provide clear procedures for the consistent and warranted utilization of sick leave in compliance with legal mandates, memoranda of understanding, and employment agreements.

POLICY:

All employees are expected to utilize sick leave in accordance with stated policies and procedures.

The District provides paid sick leave to all employees. Sick leave accrual, payouts, and other provisions for employees covered by a memorandum of understanding or an employment agreement are detailed in those contractual documents.

Sick leave for temporary employees is as follows: At time of hire, temporary employees will be credited with a lump sum of 24 hours; eligible to take sick leave on or after their 90th calendar day of employment; and in one-half or whole-hour increments. Accrued, unused time under this policy for temporary employees will not carryover each year. Temporary employees will be credited with a new lump sum of 24 hours of paid sick leave each calendar year. Temporary employees are not eligible for payouts at time of employee separation, however if a temporary employee is separated from District employment and rehired to District employment within one year of the date of separation, the employee's accrual amount at time of separation will be reinstated.

Sick leave for all employees is as follows: Upon the oral or written request of an employee, leave under this policy for all employees may be used for:

- a) the diagnosis, care, or treatment of an existing health condition for the employee or an eligible family member; or for preventative care for the employee or an eligible family member; or
- b) for the employee who is a victim of domestic violence, sexual assault, or stalking, to take time off from work to obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief; or to obtain various services available to victims of domestic violence or sexual assault.

Eligible family members under this policy for all employees includes: children (biological, adopted, foster, step, legal ward or child to whom the employee stands in loco parentis, regardless of age or

dependency status); spouse or registered domestic partner; grandparents; grandchildren; siblings; parents (biological, adoptive, foster, step, legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child); or parents of the employee's spouse or registered domestic partner.

Employees requesting time off under this policy should provide as much advanced notice to their supervisor or designee as practicable and employees who take three or more days of leave may be required to provide appropriate documentation to Human Resources and Risk Division.

Leave under this policy may run concurrently with leave taken under other applicable policies as well as under local, state, or federal regulations, including but not limited to leave taken pursuant to the California Family Rights Act (CFRA), the Family Medical Leave Act (FMLA), and California's Kin Care Leave law.

Employees utilizing sick leave for themselves will code their timecard with Payroll Code 3057. Employees utilizing sick leave for an eligible family member will code their timecard with Payroll Code 3067 up to 48 hours in a calendar year for full-time regular status employees (up to one-half of their annual accrual for all other employees) and thereafter will use Payroll Code 3057. (These Payroll Codes are applicable in situations other than when utilizing CFRA, FMLA, or another leave status, which have separate Payroll Codes and will be coded in coordination with staff from the Human Resources and Risk Division and with the Finance Department – Payroll.)

Further, it is the policy of the District that:

1. Sick leave is to be used honestly, without abuse, and only when warranted, consistent with memoranda of understanding, employment agreements, and in compliance with this policy.
2. Managers and Supervisors should review as warranted, sick leave usage for patterns such as repeated use that frame around weekends or holidays.
3. Managers and supervisors shall communicate sick leave usage standards and expectations to employees.
4. Managers and supervisors shall monitor employee sick leave use and take corrective action to prevent abuse.

RESPONSIBILITY:

1. It is the responsibility of all employees to use their sick leave responsibly, honestly, and ethically. When requesting sick leave, employees are required to identify to the supervisor or designee, if the leave is for the employee or for a family member.
 - a) If the leave is for the employee, it is sufficient to advise the supervisor or designee that the employee is taking sick leave for oneself (Payroll Code 3057). Employees are not required and

are encouraged not to disclose medical condition, diagnosis, or any other HIPAA (Health Insurance Portability and Accountability Act) protected information.

- b) If the leave is for a family member, the employee must advise accordingly and also disclose the family relationship of the family member to the supervisor or designee so the supervisor can determine if the family member meets the definition of an eligible family member and can approve and ensure the employee's timecard is coded accurately (Payroll Code 3067 up to one-half of the employee's annual sick leave accrual, and thereafter to Payroll Code 3057). Once again, the employee is not required, and encouraged not to disclose, HIPAA protected information regarding the family member.
2. It is the responsibility of all supervisors to comply with the provisions of this policy equitably and consistently. Supervisors are also responsible to confer with Human Resources and Risk Division staff when sick leave abuse is suspected or when an employee has exceeded his/her sick leave accrual and has a need for additional sick leave.

It is the responsibility of all supervisors to take corrective action as soon as sick leave abuse is suspected. Supervisors shall verbally communicate sick leave usage standards and expectations with the employee, then immediately follow-up with a counseling memo sent to the employee. The counseling memo shall be placed in the employee's supervisory file. This requirement does not preclude a supervisor from requesting that an employee provide a physician note prior to returning to work if he/she has solid business justification where sick leave abuse is suspected.

Further, supervisors are expected to confer with Human Resources and Risk Division staff prior to noting unfavorable comments pertaining to sick leave use in an employee's performance evaluation. This is not intended to compromise supervisory discretion; rather to ensure consistency throughout the District.

3. It is the responsibility of the Finance Department to provide employees with sick leave accrual and usage details on their paycheck stubs, and provide periodic sick leave utilization reports to supervisors and managers. It is the responsibility of the Human Resources and Risk Division to provide training and counsel to supervisors regarding effective and compliant sick leave monitoring.

Violations of this policy such as dishonesty, insubordination, or not following the stated provisions are subject to disciplinary action, up to and including termination.

APPROVED:



Stephen J. Welch
General Manager