

Operational Policy and Procedure

PAID SICK LEAVE PART-TIME EMPLOYEES (Effective 01/01/24)

Purpose:

The purpose of this policy is to define the terms and conditions of leave accrual for part-time employees.

Definitions:

Part-time Employee: A part-time employee is any employee hired as a part-time, seasonal, or temporary employee, including student employees and retired annuitants, and whose employment is not otherwise covered by a collective bargaining agreement or employee handbook which provides a sick leave accrual and use benefit that meets or exceeds the provisions of this policy.

Policy:

Eligibility: In order to be eligible for paid sick leave, a part-time employee must have been employed or is anticipated to be employed for at least 30 calendar days during the fiscal year.

Accrual: Paid sick leave is accrued at the rate of five (5) days (40 hours) per fiscal year and is allotted in full at the time of hire, subject to meeting the eligibility requirement stated above. Unused sick leave may be carried over from fiscal year to fiscal year; however, the maximum accrual of sick leave available for use at any time shall not exceed ten (10) days (80 hours). An employee's sick leave shall cease accrual upon reaching the maximum accrual and shall not accrue additional sick leave the following fiscal year until the leave balance falls below the maximum accrual limit.

Acceptable Use: Eligible employees may use accrued sick leave beginning with the first date of hire for the following purposes:

- Diagnosis, treatment, or care of an existing health condition of, or preventive care for, an employee.
- Diagnosis, treatment, or care of an existing health condition of, or preventive care for, an employee's immediate family member.
 - Immediate family includes parent, child, spouse, domestic partner (registered or by affidavit of the employee on file with the district), parent-in-law, sibling, grandchild, grandparent or designated person.
- An employee who is a victim of domestic violence, sexual assault, or stalking, as described by California Labor Code sections 230(c) and 230.1(a).

Verification: a supervisor may request verification of the absence in instances of suspected abuse, or whenever a pattern of absences or an extended absence occurs. Extended absence is any absence of 3 or more consecutive days. In addition, certification of the employee's ability to return to work may be required in any instance where assurance is needed to certify that the employee's return does not pose a health or safety risk to the employee or others in the workplace.

Break in Service: any employee who leaves employment with the district and returns to active employment status within one year (12 months) shall have their previously accrued but unused leave balances reinstated, provided such balances are still available and have not otherwise

been paid out or converted to service credit under the provisions of a covered state retirement system allowance. Part-time employees shall be eligible to accrue additional days upon rehire, in accordance with the provisions of this policy.

Donation of Sick Leave: sick leave accrual for part-time employees does not allow for the transfer from or acceptance of transferred sick leave to a part-time employee.

Transfer of Sick Leave: A part-time employee who accepts an appointment to a classified, academic, or administrator position shall have their accrued but unused sick leave transferred to their new appointment.

Established May 2015

Updated March 2024

References

AB 1522 – Healthy Workplaces, Health Families Act of 2014 ((AB 1522, operative January 1, 2015, as amended in AB 304 operative July 13, 2015, SB 3, operative April 4, 2016 and in SB 616 operative January 1, 2024)

Labor Code section 230(c)

Labor Code section 230.1(a)

Labor Code section 2810.5

Labor Code section 245 et seq.

Education Code 88191

Education Code 87781