

South Coast Education Service District

Code: GCBDD/GDBDD

Adopted: 5/9/17

Sick Time (SB 454) and Sick Leave (ORS 332.507)

“Employee” means an individual who is employed by the district and who is paid on an hourly, stipend or salary basis, and for whom withholding is required under Oregon Revised Statute (ORS) 316.162-316.221. The definition does not include volunteers or independent contractors.

All employees qualify to begin earning and/or accruing sick time and/or sick leave on the first day of employment with the district.

A district employing 10 or more employees shall allow an eligible employee to access up to 40 hours of paid sick time and/or sick leave per year. The district will award sick time and/or leave according to applicable Collective Bargaining Agreements and the employment categories listed below:

Employees: Sick leave at South Coast ESD will follow the current Collective Bargaining Agreements in regards to sick leave allotment.

When appropriate, sick leave shall be counted concurrently with Family Medical Leave Act leave. Sick leave earned will be pro-rated according to FTE. Days to be earned are to be credited at the beginning of each year. Sick leave may be used for the employee’s illness/injury or the illness/injury of a member of the immediate family. Immediate family as defined in the current Collective Bargaining Agreement. Sick leave earned and not used by an employee shall be accumulated according to public law. Days taken but not earned must be repaid. District may require illness proof after five (5) days absence from a caregiver licensed by the state board of medical examiners. Other Leaves of Absence are defined and procedure addressed in the Collective Bargaining Agreement and Employee Handbook.

Substitutes/Temporary: Sick time for variable hour (non-FTE) employees, such as substitutes, shall accrue paid sick time at the rate of at least one hour for every 30 hours the employee works or .033 hours per hour worked, with accrual processed at the end of each pay period. Said leave is available to use from the first day of employment of that calendar year (July 1-June 30).. Up to 40 hours of accrued sick time may be carried over to the subsequent year, with a maximum accrual of no more than 80 hours and a usage limit of 40 hours per year. Unused sick time is forfeited upon inactivation status but will be reinstated if the employee returns to district employment within 180 days of inactivation status, and days previously worked will be credited toward the 60-day eligibility period for its use. Unused sick time is not transferrable to other school districts and is not reportable to PERS as long as the employee remains active in the system.

Sick time and/or leave shall be recorded in the current time and attendance system in a minimum of quarter hour increments except when a licensed substitute is required, in which case sick leave must be taken in increments of four hours. When an employee is going to be absent from work, he/she should follow department procedures which can include informing the department secretary and/or administrator before the start of the normal work-day, and enter a leave request in the time and attendance system.

When the reason for sick time is consistent with FMLA/OFLA leave, the sick time and the FMLA/OFLA leave will run concurrently (*see policies GCBDA/GDBDA*)

Nothing in this policy impacts the district's sick leave obligation under Oregon Revised Statute (ORS) 332.507. When the reason for sick time is consistent with ORS 332.507, the sick time and leave pursuant to ORS 332.507 will run concurrently.

END OF POLICY

Legal Reference(s):

[ORS 332.507](#)
[ORS 342.545](#)

[ORS 342.610](#)
[ORS 659A.150 to -659A.186](#)

SB 454 (2015)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2006).

Americans with Disabilities Act Amendments Act of 2008.

Cross Reference(s):

ACA - Americans with Disabilities Act
GBDA - Mother Friendly Workplace
GCBDA/GDBDA - Family Medical Leave