

TEMPORARY/SUBSTITUTE PERSONNEL

Paid Sick Leave

Any temporary or substitute employee who, on or after July 1, 2015, works for 30 or more days within a year from the beginning of employment is entitled/qualified to paid sick leave. Once qualified, temporary or substitute employee will be entitled to 24 hours or 3 days paid sick leave. For every fiscal year thereafter, qualified temporary or substitute employees shall be provided no less than 24 hours or 3 days of paid sick leave. Unused sick leave shall not carry over to the following year of employment. (Labor Code 246). A temporary or substitute employee may use paid sick days beginning on the 90th day of employment.

A temporary or substitute employee may use sick leave for absences due to: (Labor Code 246.5)

1. The diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member.
2. For an employee who is a victim of domestic violence, sexual assault, or stalking.

In order to request sick leave, the employee must have been previously scheduled to work at the designated time. Employees who do not accept a substitute assignment due to an illness or prescheduled medical appointment are not eligible for sick leave.

No employee shall be denied the right to use sick days and the district shall not in any manner discriminate or retaliate against any employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249. The Superintendent or designee shall display a poster containing required information, provide notice to eligible employees of their sick leave rights, keep records of employees' use of sick leave for three years, and comply with other requirements specified in Labor Code 245-249 and in AR 4161.1/4361.1 - Personal Illness/Injury Leave.

Legal Reference:
LABOR CODE

245-249 Healthy Workplaces, Healthy Families Act of 2014

Management Resources:
WEB SITES
CSBA: <http://www.csba.org>

Policy Adopted 9/09/2015