

## Sick Time\*

“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.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district. The district shall allow an eligible employee to access up to 40 hours of paid sick time per year.

### **Represented Employees:**

Paid sick time of 40 hours shall be front-loaded for all fulltime represented licensed, fulltime represented classified, and part-time represented employees working 4.5 or more hours per day. Employees hired after November 1 will accrue sick time at the rate of one hour of paid sick time for every 30 hours worked.

Part-time represented employees working *less* than 4.5 hours per day will accrue paid sick time at the rate of one hour of paid sick time for every 30 hours worked.

### **Non-Represented Employees:**

Paid sick time of 40 hours shall be front-loaded for all fulltime non-represented employees and part-time non-represented employees working 4.5 or more hours per day.

Part-time non-represented employees working *less* than 4.5 hours per day, substitutes, stipend employees (i.e. mentor), and at-will employees will accrue paid sick time at the rate of one hour for every 30 hours worked.

The employee may carry up to 40 hours of unused sick time from one year to the subsequent year. An employee is limited to using no more than 40 hours of sick time in a year.

Sick time shall be taken as follows:

- 15 minutes increments for all full or part-time licensed, full or part-time classified, full or part-time non-represented employees
- 1 hour increments for coaches and other stipend staff, classified substitutes and at-will employees
- 4 hour increments for certified substitutes

Sick time may be used for the employee's family member's<sup>1</sup> mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive care, or for reasons consistent with the Family Medical Leave Act (FMLA) or OFLA. Sick time may also be used in the event of a public health emergency.

The use of sick time may not lead to, or result in, an adverse employment action against the employee.

The district reserves the right after five consecutive days of absence, to require proof of personal illness or injury from an employee, including a medical examination by a physician chosen and paid for by the district. An employee refusing to submit to such an examination or to provide other evidence as required by the district, shall be subject to appropriate disciplinary action, up to and including dismissal.

When the reason for sick time is consistent with FMLA/OFLA leave, the sick time and the FMLA/OFLA leave may run concurrently. When the reason for sick time is consistent with the sick leave per ORS332.507 the sick time and sick leave will run concurrently.

If the reason for sick time is a foreseeable absence, the district may require the employee to provide advance notice of their intention to use sick time as soon as is practical. When the employee uses sick time for a foreseeable absence, the employee shall take reasonable effort to schedule the sick time in a manner that does not unduly disrupt the operations of the district (e.g., grading deadlines, in-service training, mandatory meetings).

If the reason for sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district as soon as practicable.

The district shall establish a standard process to track the eligibility for sick time of a substitute. Substitutes must complete a written request to use paid sick time within five day of their absence.

END OF POLICY

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**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.

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<sup>1</sup>"Family member" is defined by the Oregon Family Leave Act (OFLA).