

### 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. The District’s “sick time year” is from July1 through June 30.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district. Employees are eligible to begin using sick time on after the ninetieth (90<sup>th</sup>) calendar day of employment.

A district employing 10 or more employees shall allow an eligible employee to access up to 40 hours of paid sick time per year. For employees paid at an hourly wage, paid sick time shall accrue at the rate of at least one hour of paid sick time for every 30 hours the employee works, or 1-1/3 hours for every 40 hours the employee works. Hourly paid employees include the following classifications: classified bargaining unit members, classified substitutes, students, coaches, other temporary workers and non-bargaining unit teachers. For salaried employees, paid sick time of 40 hours shall be front-loaded to an employee at the beginning of each year. Sick time shall be accrued based on hours worked for salaried employees working less than full-time. Salaried employees include the following: certified bargaining unit members, administration, and confidential employees. During the 2015-2016 school year, salaried employees will accrue sick time based on hours worked.

The employee may carry up to 40 hours of unused sick time from one year to the subsequent year. <sup>1</sup>An employee is limited to using no more than 40 hours of sick time in a year.

Sick time shall be taken as follows:

Hourly increments	classified bargaining unit members, classified substitutes, students, coaches, other temporary workers and non-bargaining unit teachers
4.5 or 9 hours’ increments	certified bargaining unit members, administration and confidential employees, certified substitutes

Sick time may be used for the employee’s or a family member’s<sup>2</sup> mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or

<sup>1</sup>If the district chooses to limit the accrual or usage, the district must choose language in the bracketed sentence and keep this sentence in policy.

<sup>2</sup>“Family member” is defined by the Oregon Family Leave Act (OFLA).

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 three 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.

The district shall broaden its definition of sick leave so as to match the legal definition of sick time. Thus sick leave and sick time shall 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 within three (3) days of the requested sick time, or as soon as practicable. 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, inservice 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 at least 12 hours in advance or as soon as practicable.

The district shall establish a standard process to track the eligibility for sick time of a substitute.

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.