

Washington Sick Leave for Nonexempt Employees

Non-exempt employees not covered by Policy 5401 who are not afforded paid sick leave under a collective bargaining agreement or other employee agreement shall be provided paid sick leave in accordance with state law (RCW 49.46.200 through 210 and WAC 296-128-600 through 700) as summarized below. State law will control if inconsistent with the summary.

Authorized Uses

Paid sick leave may be used for the following purposes:

- The employee's mental or physical illness, injury or health condition, including medical diagnosis, care, or treatment, or the employee's need for preventive medical care;
- To allow the employee to care for a family member with a mental or physical illness, injury or health condition, including medical diagnosis, care, or treatment, or to care for a family member who needs preventive medical care;
- Closure by order of a public official for any health-related reason of the employee's work location or the employee's child's school/place of care; or
- If the employee or the employee's family member is a victim of domestic violence, in accordance with state law, chapter 49.76 RCW.

Family member is defined as a child (including biological, adopted, foster, step, in loco parentis, de facto, or legal guardian), parent (including biological, adoptive, de facto, or foster parent stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child), spouse, registered domestic partner, grandparent, grandchild, sibling.

Beginning on the 90th calendar day after commencement of the employee's employment with the district, sick leave can be used when the employee needs to be absent for any of the above reasons from an assignment for which the employee was scheduled to work. Employees are allowed to use paid sick leave in increments of 15 minutes. Employees using sick leave will be compensated at the rate of pay associated with the assignment(s) from which the employee is absent. Paid sick leave hours will not count towards the calculation of overtime.

If an absence is foreseeable, the employee must provide notice to his/her supervisor at least ten days in advance. If the absence is unforeseeable, the employee must contact his/her supervisor as soon as possible before the employee's scheduled start time. For absences that exceed three days, the district may require verification that the employee's use of sick leave is for an authorized purpose. Such verification must be provided within ten calendar days following the first day of the absence.

Accrual of Sick Leave

Sick leave begins to accrue at the start of employment. New employees will be provided with an Employee Sick Leave Notification at the start of employment containing information about authorized uses for sick leave, eligibility for use, the sick leave accrual year, carryover of sick leave, and information about retaliation. Upon hire, sick leave may be transferred from another school district in accordance with RCW 28A.400.300(2).

Effective January 1, 2018, employees accrue sick leave at a rate of one (1) hour for every 40 hours worked. At the end of the sick leave accrual year (September 1 – August 31) any unused sick leave of 40 hours or less will carry over to the following year. The maximum amount of carryover from one school year to the next is 40 hours. Employees will not be allowed to cash out any balance of sick leave either

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on an annual basis or upon separation from employment; however, if an employee leaves employment with the district and is rehired within 12 months of separation, any accrued, unused sick leave up to 40 hours will be reinstated to the employee's sick leave balance. Unused sick leave accrued under this policy will remain credited to the employee if the employee is hired into a regular contracted position within the district.

Notification

Employees will be notified of their accrued sick leave hours, sick leave hours used, and current sick leave hours available for use through Skyward Employee Access.

Prohibition of Retaliation

There will be no retaliation against an employee for lawful exercise of his/her paid sick leave rights. If an employee believes he/she is being retaliated against for such use, the employee should report the concern to the Business Manager.