




POLICY AND PROCEDURE

Subject: Paid Sick Leave (Non-Benefited Employees)	Index: Human Resources Number:
Effective Date: January 1, 2024	Prepared By: Finance & Administrative Services
Supersedes:	Approved By: 

1.0 PURPOSE:

The purpose of this policy is to establish guidelines to provide non-benefited employees with paid sick leave in compliance with California law.

2.0 ORGANIZATIONS AFFECTED:

All non-benefited employees.

3.0 REFERENCES:

Healthy Workplaces, Healthy Families Act of 2014
California Labor Code 245-249

4.0 POLICY:

4.1 Entitlement to Paid Sick Leave

- 4.1.1 The City will use the "up-front" method to provide eligible employees with forty (40) hours of paid sick leave annually at the beginning of each calendar year.
- 4.1.2 Eligible employees include all non benefited employees in hourly part-time classifications; eligible employees must satisfy an initial 90-day employment period before using any paid sick leave.
- 4.1.2 Initial hires have twenty-four (24) hours of paid sick leave available for use by the 120th calendar day of employment and forty (40) hours available for use by the 200th calendar day of employment.
- 4.1.3 Paid sick leave does not carry-over to the following calendar year due to the City's use of the "up-front" method.

4.2 Usage of Paid Sick Leave

- 4.2.1 Employees can use paid sick leave for the diagnosis, care, or treatment of an existing health condition, or preventative care for themselves or a family member, or designated person, or, for specified purposes if they are victims of domestic violence, sexual assault or stalking.
- 4.2.2 Employees can use up to one-half of their available annual paid sick leave entitlement to attend to the illness of a family members as entitled by California law.
- 4.2.3 Employees are allowed to use paid sick leave beginning on the 90th day of employment with the City.
- 4.2.4 A minimum of two (2) hours shall be charged for each use of paid sick leave.
- 4.2.5 Employees using paid sick leave will be paid their base hourly rate for their scheduled position.
- 4.2.6 If an employee covered by this policy uses paid sick leave for a purpose not specified within the policy, the City may separate the employee from employment without advance notice or right of appeal and shall not be required to show cause.
- 4.2.7 Unused paid sick leave is not paid out upon separation from employment.
- 4.2.8 If an employee separates and is rehired within one (1) year from separation, front-loaded and unused paid sick leave, up to a maximum of 40 hours, will be reinstated. An employee who worked at least 90 days in the initial employment with the City may immediately use reinstated paid sick leave. An employee who had not worked 90 days in the initial employment with the City must work the remaining amount of the 90 day-qualifying period to be able to use front-loaded paid sick leave.
- 4.2.9 If an eligible employee has a status change to a benefited position, the balance of available paid sick leave will not carry over for use in the new position unless otherwise recommended by the appointing authority and approved by the Personnel Officer.

5.0 **DEFINITIONS:**

- 5.1 Designated person: person identified at the time the employee requests paid sick leave in order to provide care, limited to one designated person per 12-month period.

- 5.2 Family members: includes the employee's child of any age or dependency status, parent, parent-in-law, spouse, registered domestic partner, grandparent, grandchild, or sibling.
- 5.3 Preventive care: medical care including annual physicals or flu shots.
- 5.4 Up Front Method: administrative process allocating the full amount of paid sick leave for the twelve-month period to the employee leave bank at the beginning of the period.

6.0 PROCEDURE:

- 6.1 To request to use paid sick leave if the need for leave is foreseeable (i.e., scheduled doctor's appointment), an employee must give the immediate supervisor or department designee, reasonable advance written or oral notice. If the need for paid sick leave is not foreseeable, (i.e., illness or medical emergency) the employee shall provide written or oral notice of the need for the leave as soon as practicable.
- 6.2 If the employee is required to be absent on paid sick leave for more than one day, the employee must keep the immediate supervisor or department designee informed each day as to the date the employee expects to return to work and the purpose of the leave. Failure to request paid sick leave as required by this policy without good reason, may result in the employee being treated as absent without leave.
- 6.3 Medical certification is generally not required from a healthcare provider for the use of paid sick leave. However, the City may require the employee to provide a physician's certification to support any absence that involves the illness of the employee or family member if the City has information indicating that the employee is not requesting paid sick leave for a valid purpose or suspects that there is an abuse of leave by the employee.