

City of Calistoga

POLICY AND GUIDELINES SICK LEAVE POLICY FOR PART-TIME, TEMPORARY AND SEASONAL EMPLOYEES

Policy Authorization

Effective Date _____

Revision Dates (1) _____ (2) _____

Authorization _____
Richard Spitler, City Manager

OVERVIEW

On September 10, 2014, Governor Brown signed into law the Healthy Workplaces, Healthy Families Act of 2014 that provides three (3) days of paid sick leave for eligible employees beginning July 1, 2015.

PURPOSE

This policy effective January 1, 2015 required employers to post information about AB 1522 but the paid sick leave provisions do not go into effect until July 1, 2015. AB 1522 sets forth the conditions and purposes for which paid sick leave is to be paid. AB 1522 allows the employer to choose between two accrual methods and sets a minimum usage increment for paid sick leave that does not exceed two (2) hours.

POLICY

GENERAL POLICY: An employee who, on or after July 1, 2015, works for 30 or more days within a year, is entitled to paid sick leave. Employees, including part-time, temporary and seasonal employees, must earn at least one hour of paid leave for every 30 hours worked. Accrual begins on the first day of employment or after July 1, 2015, whichever is later.

WHO IS COVERED

This policy applies to all City Part-Time, Temporary and Seasonal Employees. An employee is not eligible to begin using any accrued paid sick leave until after 90 days of employment with the City. An employee is only allowed to use up to a maximum of 3 days or 24 hours, whichever is greater, of paid sick leave in a 12-month period. The employee can only accrue paid sick leave up to a cap of six (6) days or 48 hours, whichever is greater, ongoing. Sick leave does not accrue once the cap is reached, but

accrual begins again when accrued sick leave drops below the cap. Any unused accrued paid sick leave carries over year to year while continuously employed.

If an employee separates from City employment and is re-hired by the City within one year of the date of separation, previously accrued and unused paid sick leave hours shall be reinstated. However, if a re-hired employee had not yet worked the requisite 90 days of employment to use paid sick leave at the time of separation, the employee must still satisfy the 90 days of employment requirement collectively over the periods of employment with the City before any paid sick leave can be used.

PROCEDURES

Effective July 1, 2015, the Healthy Workplaces, Healthy Families Act of 2014 requires the City of Calistoga to provide paid sick leave to employees under the following conditions:

- An employee begins to accrue paid sick leave at the rate of one (1) hour of paid sick leave for every thirty (30) hours worked beginning on the first day of employment. An employee is not eligible to begin using any accrued paid sick leave until after 90 days of employment with the Agency.
- An employee is only allowed to use up to a maximum of 3 days or 24 hours, whichever is greater, of paid sick leave in a 12-month period.
- An employee can only accrue paid sick leave up to a cap of 6 days or 48 hours, whichever is greater, ongoing. Sick leave does not accrue once the cap is reached, but accrual begins again when accrued sick leave drops below the cap. Any unused accrued paid sick leave carries over year to year while continuously employed.
- An employee may use the first 3 days or 24 hours of accrued paid sick leave in a 12-month period for one of the following reasons:
 - *For the employee's own diagnosis, care, or treatment of an existing health condition or preventative care.*
 - *For the diagnosis, care, or treatment of an existing health condition or preventative care for an employee's family member, including:*
 - *Child (including a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis.)*
 - *Spouse or Registered Domestic Partner*
 - *Parent (including biological, adoptive, 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.)

- *Grandparent*
- *Grandchild.*
- *Sibling.*
- To obtain any relief or services related to being a victim of domestic violence, sexual assault, or stalking including the following with appropriate certification of the need for such services:
 - *A temporary restraining order or restraining order.*
 - *Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.*
 - *To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.*
 - *To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.*
 - *To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.*
 - *To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.*
- An employee shall provide reasonable advance notification of their need to use accrued paid sick leave to their supervisor if the need for paid sick leave use is foreseeable (e.g., doctor's appointment scheduled in advance). If the need for paid sick leave use is unforeseeable, the employee shall provide notice of the need for the leave to their supervisor as soon as is practicable.
- An employee who uses paid sick leave must do so with a minimum increment of two hours of sick leave.
- Paid sick leave will not be considered hours worked for purposes of overtime calculation.
- An employee will not receive compensation for unused accrued paid sick leave

upon termination, resignation, retirement or other separation from employment from the Agency.

- If an employee separates from Agency employment and is re-hired by the Agency within one year of the date of separation, previously accrued and unused paid sick leave hours shall be reinstated. However, if a rehired employee had not yet worked the requisite 90 days of employment to use paid sick leave at the time of separation, the employee must still satisfy the 90 days of employment requirement collectively over the periods of employment with the Agency before any paid sick leave can be used.

ADDITIONAL INFORMATION

Information regarding the City's policy on the use of sick leave is distributed to all part-time, temporary and seasonal employees, and all employees may obtain a copy of this policy at any time from their supervisors.

Inquiries regarding the application of this policy may be directed to employee's supervisor, department head, any human resources management staff available, or directly to the City Manager.

AGREEMENT FOR USE OF SICK LEAVE AS A CITY OF CALISTOGA EMPLOYEE

By signing this agreement, I certify that I understand the terms and conditions of this agreement and the City's policy, and I accept responsibility for adhering to the agreement. I also understand that violations of the policy may result in disciplinary action as provided for in the City's Personnel Rules, including termination.

Employee Full Name: _____

Employee Signature: _____

Date: _____