
Butte County Mosquito and Vector Control District

POLICY MANUAL

POLICY TITLE: Sick Leave
POLICY NUMBER: 7040

7040.1 Sick leave is defined as absence from work due to illness, injury, and quarantine due to exposure to a contagious disease. In addition dental, eye, and/or other physical or medical examinations or treatments by a licensed practitioner for the employee or a person in the employee's immediate family as defined by Section 7040.8. Sick leave used for dental, eye, and/or other physical or medical examinations or treatments by a licensed practitioner for the employee or a person in the employee's immediate family as defined by Section 7040.8 may only be used for travel time to and from the licensed practitioner, time to pick up a prescription if needed, and the duration of the visit, examination, or treatment. Sick leave may also be used pursuant to the requirements of California Government Code section 12945.8. Sick leave should be used on an as-needed basis only.

7040.2 Full Time Employees. Each full-time employee shall be entitled to sick leave with pay. Time to be allowed shall be computed and accumulated at the rate of 3.75 hours per bi-weekly pay period. Unused sick leave may be accumulated without limit. Sick leave does not accrue while on unpaid leave of absence.

7040.3 Part Time and Seasonal Employees. Each part-time or seasonal employee who works for the District for 30 or more days within a year from the commencement of employment is entitled to sick leave with pay subject to sections 7040.3.1, 7040.3.2, 7040.3.3, and 7040.3.4. Time to be allowed shall be computed and accumulated at the rate of 3.75 hours per bi-weekly pay period. Sick leave does not accrue while on unpaid leave of absence or when not employed with the District.

7040.3.1 Sick leave can be accrued to a maximum of 100 hours.

7040.3.2 An employee covered under this section shall be entitled to use accrued paid sick leave beginning on the 90th day of employment, after which the employee may use available paid sick leave and as it is accrued.

7040.3.3 Accrued sick leave shall carry over to the following year of employment as long that employee is rehired within one calendar year from the date of separation.

7040.3.4 An employee may use up to 50 hours in paid sick leave in each year of employment.

7040.4 Sick leave may not be used in less than .25 hour increments.

7040.5 An employee who is absent on sick leave shall notify the District management as early as practicable on each day of such absence, unless an understanding regarding an alternate notification schedule is agreed upon by the District management. Failure to request sick leave as required by this policy may result in the employee being treated as absent without leave.

7040.6 The District Manager may require evidence in the form of a physician's certificate or other evidence to substantiate the employee's absence during the time which sick leave is requested or used. The

circumstances under which a doctor's note will be required are within the District Manager's discretion. Failure to provide evidence after requested by the District Manager may lead to disciplinary actions (Section 7260.3.18) and/or termination of employment.

7040.7 An employee who is injured or who becomes ill while on vacation may be paid sick leave in lieu of vacation provided that the employee:

7040.7.1 Was hospitalized during the period for which sick leave is claimed, or

7040.7.2 Received medical treatment or diagnosis of such a nature that it would have qualified for the use of sick leave while on the job and the employee presents statement indicating illness or disability signed by a physician covering the period for which sick leave is claimed.

7040.8 Each full-time employee may use accrued sick leave, up to 80 hours, for family sick leave, per half of the calendar year. For this policy, the first half of the calendar year shall be from January 1 to June 30; and the second half of the calendar year shall be from July 1 to December 31. Sick leave may be used for the diagnosis, care, or treatment of a health condition of, or preventative care for immediate-family members as defined below. Employees should notify District management to the extent feasible in order to avoid disruptions in work schedule as a result of use of family sick leave time. Employees are required to signify family sick leave on their request for time off forms as well as on their timecard. For purposes of this section family members are defined as follows:

7040.8.1 A child which means a biological, adopted or foster child, a stepchild, a legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.

7040.8.2 A biological, adoptive, or foster parent, stepparent, 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.

7040.8.3 A spouse

7040.8.4 A registered domestic partner

7040.8.5 A grandparent

7040.8.6 A grandchild

7040.8.7 A sibling

7040.8.8 A designated person, which means a person identified by the employee at the time the employee requests paid sick days. An employee is limited to one designated person per 12-month period for paid sick days.

7040.9 Upon separation in good standing, as defined in District policy, a qualifying, full-time employee with more than 240 hours of accrued sick leave may elect to be compensated for that portion of unused sick time in excess of 240 hours at the normal rate of pay for that employee, up to a maximum of \$3,000. Sick leave not exchanged for cash credit under this program will be reported to CalPERS as unused sick leave. CalPERS member whose effective date of retirement is within four months of separation from employment with the District, may be credited at the time of retirement with service credit for unused sick leave hours, in accordance with the current CalPERS rules and regulations and formula at the time of retirement. The

District makes no representation or guarantees regarding eligibility or entitlement to the use of sick leave as CalPERS service time credit.

7040.10 Upon retiring, a full-time employee who is eligible to retire as defined by CalPERS, may elect to take one of the following options for credit of unused sick leave:

7040.10.1 An employee with more than 240 hours of accrued sick leave may be compensated for that portion of unused sick time in excess of 240 hours at the normal rate of pay for that employee, up to a maximum of \$25,000 per year; until the calculated amount is paid or the employee becomes eligible for Medicare, whichever comes sooner, but not to exceed three years. Sick leave not exchanged for cash credit under this program will be reported to CalPERS, in accordance with the current CalPERS rules and regulations and formula, as unused sick leave towards service time credit at the time of retirement. The District makes no representation or guarantees regarding eligibility or entitlement to the use of sick leave as CalPERS service time credit; or

7040.10.2 In accordance with CalPERS regulations, an employee may upon retiring from the District under CalPERS, use any sick leave accumulation as service time credit, in accordance with the current CalPERS rules and regulations and formula at the time of retirement. The District makes no representation or guarantees regarding eligibility or entitlement to the use of sick leave as CalPERS service time credit.

7040.11 Employees that use sick leave in a manner that presents a pattern, uses excessive sick leave, or appears to be abusing sick leave, shall be counseled by a supervisor or manager about the sick leave usage. In making a determination that the sick leave usage has assumed a pattern or appears to be excessive or abusive, the supervisor or manager will use his or her discretion based on all the relevant circumstances. For purposes of this policy, the terms are defined as follows:

7040.11.1 Excessive sick leave: Deliberate or habitual absenteeism; when sick leave use is beyond what is usual and customary in the District.

7040.11.2 Sick leave abuse: Sick leave used for purposes other than those defined in this policy.

7040.11.3 Pattern: More than one instance of sick leave usage prior to or after a holiday, or the usage of sick leave on the first or last day of a workweek.

7040.12 Subsections (7040.11.1 - 7040.11.3) are intended to be illustrative only. The District reserves the right to address all instances of apparent inappropriate use of sick leave, even if sick leave usage does not fall within any of the subsections addressed above. Regular and punctual attendance is an essential function of the job and in fulfilling the District's mission. If an employee, after counseling/notice, fails to modify the behavior relating to sick leave usage, the employee may be subject to discipline in accordance with the District's disciplinary policy Section 7260.

7040.13 When an employee is absent by reason of injury or illness which qualifies for State Disability Insurance (SDI), he/she shall be eligible for prorated sick leave for the duration of temporary disability. Employees are encouraged to contact the California Employment Development Department (EDD) to apply for benefits. The EDD determines eligibility and the payment amount. The amount of sick leave payable for each full day of absence shall be one hundred percent (100%) of an employee's basic wage rate less the sum of any payments to which he may be entitled under SDI. For a partial day's absence, the employee will be allowed to use sick leave only to the extent that the amount received from SDI plus compensation for hours worked is less than a day's compensation at the employee's basic wage rate. Prorated sick leave is payable from and only insofar as an employee has accrued sick leave. Employee shall provide satisfactory proof of the amount of SDI payments received, such as a copy of the SDI check.

7040.14 If SDI payments, plus compensation from allowed sick leave, exceeds the employee's regular compensation, the employee shall be responsible for curing the overpayment with the California Employment Development Department. The District shall not adjust sick leave accrual balances, accept remittance of overpayment by personal check or reduce an employees wages to cure any overpayment. Employees are advised to consult with EDD and review their overpayment procedures prior to electing to integrate SDI with sick leave.