

## **SICK LEAVE FOR NON-CONTRACTED EMPLOYEES**

Effective January 1, 2018 all employers are required to provide paid sick leave to most employees in the State of Washington. Chapter 49.60 RCW affects Bellevue School District employees who are not otherwise provided a sick leave benefit through a collective bargaining agreement or other employment agreement. Accrued (accumulated) sick leave under the new law will apply to: certificated and classified substitutes, employees solely paid on hourly or project agreement, temporary hourly agreements, and employees in a designated long-term assignment.

For employees hired on or before January 1, 2018, paid sick leave will accumulate for all hours worked beginning January 1, 2018. Employees hired after January 1, 2018, will begin accruing paid sick leave as soon as they begin working.

Beginning on the 90th calendar day after the start of employment, accumulated paid sick leave will be available to eligible employees for use as outlined below.

### **Eligible Employees**

Under Washington's Labor and Industry guidelines, employees may use paid sick leave if they are "required" to work in a position. Bellevue School District defines this as an employee that is in an eligible long-term assignment with a 20-consecutive day commitment or more. Bellevue School non-contracted employees that are free to decline an offer to report to an assignment or substitute position with no repercussion are not eligible to use accrued sick leave. District's Human Resources department will notify eligible employees in writing that paid sick leave is available if employee has an available balance.

### **Sick Leave Accumulation**

- Employees will accrue paid sick leave at a rate of 1 hour for every 40 hours worked. This includes classified and certificated non-contracted employees.
- Unused accrued sick leave of 40 hours or less will be carried over to the following year.
- Bellevue School District defines a year as September 1<sup>st</sup> - August 31<sup>st</sup>.
- Sick Leave balances can be found on each check stub under heading "NON-REP SICKLV BAL" as well as on the homepage of *Employee Online*.

### **Allowable Use of Sick Leave**

If in an eligible position, paid sick leave can be used:

- To care for their health needs or the health needs of their family members for the following reasons: mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care. A family member is defined as a child, parent, spouse, registered domestic partner, grandparent, grandchild or sibling.
- When a public official for any health-related reason has closed the employees' workplace or their child's school or place of care. NOTE: A closure due to weather conditions does not count as an authorized purpose for the usage of paid sick leave.
- For absences that qualify for leave under the state's Domestic Violence Leave Act.

If an employee is seeking to use paid sick leave for authorized purposes for more than three (3) consecutive days during which the employee is required to work, the employee may be required to provide verification that establishes or confirms that the use of paid sick is for an authorized purpose.

Paid Sick leave can be used in sick leave increments consistent with normal business practices:

- Certificated non-contracted employee (in position that would require substitute during absence) – 4, 5, 8-hour increments (*Variance Application submitted*)
- Certificated non-contracted employee (in position that would NOT require substitute during absence) – 15-minute increments
- Classified non-contracted employee – 15-minute increments
- Custodial non-contracted employee – 15-minute increments
- Transportation non-contracted employee – 15-minute increments
- Nutritional Services non-contracted employee – 15-minute increments

### **Rate of Pay**

Paid sick leave will be compensated at employee's normal hourly rate of pay. The current assignment will dictate the rate of pay for any used sick leave.

### **Procedure for Use of Accumulated Sick Leave**

If an employee is eligible to use accrued sick leave they are required to Contact Bellevue School District's Sub Coordinator to report need to utilize sick leave. Sub Coordinator is responsible for entering reporting of sick leave and act as a timekeeper.

### **Shared Leave Program**

Bellevue School District has not established a shared paid sick leave program for non-contracted employees.

### **Sick Leave Transfer between Washington State Districts**

Sick Leave hours accumulated at Bellevue School District as a non-contracted employee are not transferable to other Washington State School Districts or other private/public company or entity.

### **Separation of Employment**

If an employee is rehired within twelve (12) months of separation, Bellevue School District will reinstate any unused accumulated paid sick leave from the previous period of employment.

### **Hiring into a Contracted Position**

If a non-contracted employee is hired into a **contracted** position, sick leave balances previously earned will be available for use up to 40 hours. Sick leave balances will be maintained separate and all hours accumulated as a non-contracted employee will be used first.

### **Exemption from Paid Sick Leave**

**Certificated** coaching staff are exempt by the "Professional Exemption" listed in L & I Administrative Policy Es.A.9.5, at page 5.

**Classified** coaching staff are exempt under Washington Minimum Wage Act (WMWA) and the Fair Labor Standards Act (FLSA), which allow “volunteers” of the public school to be paid a “nominal” fee or stipend.

**Date: 9.18**