



TUSD/TEA Joint Communique



FAQ for Sick Leave

Among the most common questions both TEA and Personnel Services receive from certificated employees are related to the use of Sick Leave. The following is an attempt to clarify the use of Sick Leave.

How many days do I receive for sick leave?

You are given ten (10) days of leave per school year for the purpose of illness or injury. This is prorated for part-time contracts. Unused sick leave accumulates from year to year.

What type of leave do I use?

When . . .	Frontline Reason	Leave Sheet Application for Certificated Leave
I'm sick	Illness, Personal	Sick Leave
My child/family member sick	Personal Necessity	A - Family Illness
I have a doctor's appointment for myself	Illness, Personal	Sick Leave
I have a doctor's appointment for my child	Personal Necessity	A - Family Illness
I have a doctor's appointment for my parent (I am the primary caregiver)	Personal Necessity	A - Family Illness

What is "Emergency Family Illness" and how do I qualify for it?

7.6.1: "Upon application by the bargaining unit member to his/her immediate supervisor, emergency leave with pay for a serious or critical illness, injury, or birth of a child to a member of the immediate family may be granted for a maximum of two (2) days per year. The emergency must be a nature that the immediate presence of the bargaining unit member is required during his/her regular workday."

Example: You unexpectedly need to miss work to care for a family member who has a serious or critical illness, injury. This leave is not used for scheduled appointments/surgeries.

Do I have to take unpaid leave if I have used my seven PN days and need to take my child to the doctor?

Each year, once your seven PN days are used, you are entitled to use up to a maximum of five additional days of your accumulated sick leave to care for sick family members. When these twelve days are exhausted, any additional days needed are unpaid and may qualify for FMLA. Please contact Personnel for support.

Why is there a “Vacation” option on the Application for Leave card?

This is a general leave card for “certificated” employees, which includes some District office employees who are allotted vacation leave. TEA bargaining unit members do not have vacation days as they are 10-month employees.

Can I use sick leave instead of PN?

No. Using sick leave when it should be submitted as PN can result in discipline.

What happens if I run out of my accrued sick leave?

You are also entitled to what is called “differential pay” for up to 100 days for personal illness or injury. Differential pay is your regular daily rate less the cost of a substitute.

Do I need a doctor’s note to return to work?

Yes, if you are out five or more days.

Can I use sick leave if my pet is sick and needs emergency care?

No. If you cannot take care of the situation outside of work hours, you may use PN leave. It does not qualify for sick leave or emergency family illness.

I received a written statement of accrued sick leave from the District, but it is in hours.**How do I calculate how many days I have?**

For teachers, divide your accrued hours by 6.75 hours. Other bargaining unit members will use 7.5 hours (Counselors, Speech, Psychologists)

Teacher Example: 91.125 accrued hours / 6.75 hours = 13.5 days

Counselor Example: 91.125 accrued hours / 7.5 hours = 12.15 days

If I leave Tustin USD, what will happen to my unused sick leave?

You may transfer your sick leave to your next California public school district. Be sure to ask about their procedure upon hire.

When I retire, what will happen to my unused sick leave?

Unused sick leave is converted into additional service credit by CalSTRS toward your retirement benefits. Please attend a CalSTRS workshop or visit their website www.calstrs.com for more information.

All other types of leave:

Certificated employees have a variety of paid and unpaid leave options, which are defined in Article 7 of the collective bargaining agreement, available at the following link: [Article 7](#)