

PERSONNEL – Series 4000

4400 THE MERIT SYSTEM

4460 IN-SERVICE STATUS TRANSACTIONS

4464 LEAVES OF ABSENCE

**4464.2 Personal Illness Injury**

DEFINITION

- A. Sick leave of absence with pay due to illness or injury is granted to school employees to protect the health and welfare of both employees and students.
- B. Employees are encouraged to use their sick leave when they are ill to enable them to regain and remain in good health. Among the reasons for which sick leave may be used are dental care, doctor visits, or other health purposes which require specialized treatment for themselves or any person in the household.

Reference:

Education Code Sections 45191 and 45193

EARNED ILLNESS LEAVE

- A. Employees employed five (5) days a week shall be granted twelve (12) days leave of absence with full pay each year for illness or injury exclusive of all days they are not required to render service to the SBCEO. Such sick leave shall be prorated for an employee employed less than full time. Full time is defined as (a) eight (8) hours a day, or (b) forty (40) hours a week.
- B. A probationary employee is eligible to take no more than six (6) days, or the proportionate amount to which the unit member may be entitled under this section, for the first six (6) calendar months of active service with the SBCEO.
- C. Payment for sick leave shall be at the employee's regular rate of pay. The provisions of Education Code Section 45137 shall apply to regular part-time employees.
- D. If an employee does not take the full amount of leave allowed in any one year, then the amount not taken shall be accumulated from year to year.
- E. A regular employee assigned to work in and out-of-classification or limited-term assignment, in addition to or in place of the employee's regular yearly work assignment, shall also accrue illness leave credit for the temporary work. Such accrual shall not exceed that received for a full-time assignment or prorated in accordance with the assignment.

Reference:

Education Code Section 45191 and 45137

TRANSFER OF SICK LEAVE

- A. Employees shall be entitled to leave of absence for illness, accident, quarantine, or injury as provided by the Education Code. Any unused portion of the earned annual sick leave shall be accumulated without limit and is transferable within one (1) year from SBCEO to other school districts or county offices within the State of California as provided by Education Code 45191.

- B. In order to effectuate the transfer of the accumulated sick leave, the newly hired employee shall request the Human Resources Office to secure the necessary information form the former school agency.

Reference:

Education Code Sections 45191 and 45202

ENTITLEMENT TO OTHER SICK LEAVE

- A. Regular classified employees shall once a year be credited with a total of 100 working days of paid sick leave, including earned days to which the employee is entitled under Education Code Section 45191. Any such days of paid sick leave, in addition to those required by Section 45191, shall be compensated at not less than 50 percent (half-pay) of the employee's regular salary.
- B. The paid sick leave authorized under this rule shall be exclusive of any other paid leave, holidays, vacation, or compensating time to which the employee may be entitled.

Reference:

Education Code Sections 45191 and 45196

PROCEDURE

- A. An employee who is absent on account of illness shall sign, on the prescribed form, a statement that such absence was due to illness or injury. Compensation for illness shall be paid only when the employee's supervisor certifies on the prescribe form that such absence was on account of illness or injury.
- B. The Director, Human Resources may require an employee to submit a certification from a licensed physician or other recognized practitioner certifying such absence to have been on account of illness or injury and that the employee is no longer temporarily disabled and may return to work without any limitations.
- C. An employee returning from an extended illness leave shall, on request, submit a letter from the employee's physician to the Human Resources Office authorizing the return to duty. An extended illness leave is defined as five consecutive days or more or frequent intermittent absences.
- D. In order to receive compensation while absent on illness leave, the employee must notify one's immediate supervisor of the absence within the first 30 minutes of the workday of the first day absent. If conditions make such notification impossible, notification shall be made as soon as possible.
- E. Unless otherwise authorized by the supervisor, employees shall remain in daily contact with their immediate supervisor in order to be eligible for continued illness leave. When communications are not maintained by the employee, the absence will be considered unexcused.
- F. At least one day prior, if possible to the employee's expected return to work, the employee shall notify one's supervisor in order that any substitute service may be terminated.

PLACEMENT ON REEMPLOYMENT LIST

- A. When all available leaves of absence, paid or unpaid, have been exhausted and if the employee is not medically able to assume the duties of the assigned position, the employee shall, if not placed in another position be placed on a reemployment list for a period of thirty-nine (39) months.

- B. When medically cleared to assume the duties of the position during the thirty-nine (39) month period, the employee shall be employed in a vacant position in the class of the employee's previous assignment over all other available candidates except for a reemployment list established because of lack of work or lack of funds, in which case the employee shall be listed in accordance with appropriate seniority regulations.

Reference:

Education Code Section 45195, 45260, 45161, 45137, 45191, 45193, 45195, 45196, 45199 and 45202

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