

LAWDALE ELEMENTARY SCHOOL DISTRICT

DEPARTMENT OF HUMAN RESOURCES

www.lawndalesd.net

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Date: November 2015
To: Noon Duty & Peer Parent Educators
From: Human Resources
Subject: AB1522 Sick Leave

Background

On September 10, 2014, Governor Edmund G. Brown signed the Healthy Workplaces, Healthy Families Act (AB 1522) making California the second state in the nation to require employers to provide a minimum of 24 hours of paid sick leave to qualified employees. Under this Act, non-bargaining unit employees of the Lawndale Elementary School District will now be eligible to accrue paid sick leave.

Policy

In order to comply with this law, the District has adopted the accrual method in which employers provide sick leave to employees at the accrual rate of 1 hour for every 30 hours worked. Paid sick leave will appear on the employee's pay warrant for any accrued time on or after July 1, 2015. For employees hired after July 1, 2015, sick leave is available for use on or after the 90th day of employment.

Process for Sick Leave Use

As soon as an absence is known, the employee should contact their school Office Manager or Administrator and inform them you are using sick leave (per AB 1522 guidelines). It is the employee's responsibility to ensure they have enough sick leave balance to cover the absence. Employees can view their sick leave balance (in hours) on their pay warrant as shown below. Absences should be a minimum of two (2) hours.

***** LEAVE BALANCES *****	CURRENT TAXABLE BALANCES	YTD TAXABLE BALANCES	CURRENT PAY SUMMARY
VACATION SICK LEAVE AS OF DATE 09-25-2015 2.33	FEDERAL STATE MEDI GROSS OASDI GROSS CA SDI GROSS GROSS EARN'S	FEDERAL STATE MEDI GROSS OASDI GROSS CA SDI GROSS GROSS EARN'S	GROSS PAY REDUCTIONS TAXES DEDUCTIONS NET PAY
DISTRICT NAME LAWDALE	DISTRICT ADDRESS 4161 W 147TH ST		LAWDALE, CA 90260

The employee must add AB1522 sick leave to their timesheet and complete a Certificate of Absence form (AB 1522). The absence form must be signed by the school or department administrator and turned in with the timesheet within the current pay period. Failure to submit a completed absence form and timesheet may result in nonpayment or a delay in compensation.

For more information, please review the FAQs and attached forms.

Regards,

Human Resources

Definitions and Frequently Asked Questions

Acceptable paid sick leave for non-benefited employees includes any purpose allowed by the California Healthy Workplaces, Health Families Act, such as either:

- (a) The Diagnosis, care, or treatment of an existing health condition of, or preventative care for, the employee or a family member, or
- (b) For an employee who is a victim of domestic violence, sexual assault, or stalking, to take time off (i) to obtain or attempt to obtain any relief to help ensure the health, safety, or welfare of the employee or the employee's child, such as a temporary restraining order, restraining order or other injunctive relief, (ii) to seek medical attention, obtain services from a shelter, program or rape crisis center, (iii) to obtain psychological counseling, (iv) to participate in safety planning, or (v) to take other actions to increase safety from future incidents.

Family member means (a) a child, (v) a 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, (c) a spouse, (d) a registered domestic partner, (e) a grandparent, (f) a grandchild, or (g) a sibling. A "child" includes a biological, adopted, or foster child, stepchild, legal ward, or a child to who the employee stands in loco parentis.

Eligible employees include non-benefited employees of the Lawndale Elementary School District who are employed for a minimum of 30 days per year and are not "additionally employed" by the District and thus receiving a sick leave benefit for the work they perform as an employee. Sick leave balances are displayed on the employee's pay warrant. Any employee who attempts to and/or uses more sick leave than what they have accrued will not be compensated for that time.

1. When will I start accruing/earning AB1522 sick leave?

Beginning July 1, 2015 or your date of hire (whichever is later), you will accrue/earn AB1522 sick leave at the rate of one (1) hour of paid sick leave for every thirty (30) hours worked.

2. When will I be eligible to use AB1522 sick leave accrual?

All non-bargaining unit employees of the Lawndale Elementary School District became eligible for AB1522 sick leave effective September 1, 2015.

3. Where can I find my AB1522 sick leave accrual balance?

Your AB1522 Sick Leave accrual will be found on your most recent pay warrant. Each time hours worked are paid to you, your AB1522 Sick Leave balance on your pay warrant will reflect any new accrual you have earned minus any sick leave you have taken.

4. What am I permitted to use my AB1522 sick leave for?

You (employee) or a family member for the diagnosis, care or treatment of an existing health condition or preventative care. Additionally, paid sick leave can be used for specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking.

5. How many hours of AB1522 sick leave accrual may I use per year?

Employees are eligible to use up to twenty-four (24) hours of AB1522 sick leave each fiscal year. The hours must be accrued/earned before they are available for use. Employees are not able to borrow from unaccrued/unearned leave, nor will employees be advanced any AB1522 sick leave prior to it being earned.

6. How many hours of AB1522 sick leave accrual may I accrue/earn each year?

Employees are eligible to accrue/earn a maximum of forty-eight (48) hours of AB1522 sick leave per year. However, employees may only have a maximum balance of forty-eight (48) hours of AB1522 sick leave accrual at any time.

7. What happens if I don't use my AB1522 sick leave accrual?

You will be allowed to carryover a maximum of forty-eight (48) hours of AB1522 Sick Leave to the new fiscal year (beginning July 1st). If you carry over forty-eight (48) hours of AB1522 Sick Leave to the new fiscal year, you will not accrue any new leave until some is used.

8. How many hours of AB1522 sick leave will I be paid for per day?

Employees are required to use a minimum of two (2) hours and will be paid up to a maximum of eight (8) hours per day, provided the employee has an AB1522 sick leave balance available. The amount of hours paid to the employee will be determined by the job or assignment offer and the balance of AB1522 sick leave available to the employee.

9. I am leaving the district for another employer. Will I be paid off my unused AB1522 sick leave accrual?

No, employees are not eligible to be paid off their unused AB1522 sick leave accrual in the event of termination, resignation, or retirement.

10. I am retiring. Can my AB1522 sick leave accrual be used toward my retirement?

No, CalPERS and CalSTRS does not permit California AB1522 sick leave to be reported toward retirement service credit when retiring.

11. May I request a transfer of my AB1522 sick leave accrual to a new employer?

No, AB1522 sick leave accrual is not transferable to another employer.

12. My co-worker is out of sick leave. May I transfer my sick leave to my co-worker?

You are not able to transfer your AB1522 sick leave to any other employee.

13. What is the AB1522 sick leave plan year?

The AB1522 sick leave plan year is based on a twelve month fiscal year that runs from July 1st – June 30th.

14. I am a retired CalPERS/CalSTRS member. Am I eligible for AB1522 sick leave?

CalPERS retirees are exempt from receiving AB1522 sick leave accrual. CalSTRS retirees are eligible to earn AB1522 sick leave.

15. Is the AB1522 sick leave creditable toward my CalPERS/CalSTRS retirement?

Yes, AB1522 sick hours are creditable compensation and count toward CalPERS/CalSTRS when paid to you as part of your monthly earnings.

16. I was hired as a bargaining unit employee. What happens to my AB1522 sick leave balance?

Once you are hired in a position covered by a bargaining unit, you will no longer be eligible to use your AB1522 sick leave balance.