

### PERSONAL ILLNESS AND INJURY LEAVES

A unit member may use, in any school year, up to the amount of sick leave that would be accrued during six months at the rate of entitlement established in the current Master Agreement between the Tracy Unified School District and the Tracy Educators Association to attend to an illness of a child, parent, spouse, registered domestic partner or domestic partner’s child of the unit member.

As used in this policy:

1. “Child” means a biological, foster, or adopted child, a stepchild, a legal ward, or a child of a person standing in loco parentis.
2. “Parent” means a biological, foster, or adoptive parent, a stepparent, or a legal guardian.
3. “Sick leave” means accrued increments of compensated leave provided by the District to a unit member as a benefit of the employment for use by the unit member during an absence from the employment for any of the following reasons:
  - (a) The unit member is physically or mentally unable to perform his or her duties due to illness, injury, or a medical condition of the unit member.
  - (b) The absence is for the purpose of obtaining professional diagnosis or treatment for a medical condition of the unit member.
  - (c) The absence is for other medical reasons of the unit member, such as pregnancy or obtaining a physical examination.

“Sick leave” does not include any benefit provided under an employee welfare benefit plan subject to the federal Employee Retirement Income Security Act of 1974 (Public Law 93-406, as amended) and does not include any insurance benefit, workers’ compensation benefit, unemployment compensation disability benefit, or benefit not payable from the employer’s general assets.

Sick leave to care for ill family members is subject to all requirements stipulated in AB 109 and Labor Code 233, and the sections of the current Master Agreement between the Tracy Educators Association and the Tracy Unified School District that apply to sick leave, including medical documentation.

**PERSONAL ILLNESS AND INJURY LEAVES**

FOR ADDITIONAL INFORMATION ON PERSONAL ILLNESS AND INJURY LEAVES SEE THE CURRENT EMPLOYEE AGREEMENTS FOR THE TRACY EDUCATORS ASSOCIATION AND CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 98.

**Legal Reference:**

EDUCATION CODE

44964	Power to grant leave of absence in case of illness, accident or quarantine
44965	Granting of leaves of absence for pregnancy and childbirth
44976	Transfer of leave rights when school is transferred to another district
44977	Salary deduction during absence from duties
44978	Provisions for sick leave of certificated employees
44979	Transfer of accumulated sick leave to another district
44980	Transfer of accumulated sick leave to a county office of education
44981	Leave of absence for personal necessity
44983	Exception to sick leave when district adopts specific rule
44986	Leave of absence for disability allowance applicant

LABOR CODE

233	Illness of child, parent, spouse or domestic partner
-----	------------------------------------------------------

CODE OF REGULATIONS, TITLE 5

5601	Transfer of accumulated sick leave
------	------------------------------------