

Healthy Workplaces/Healthy Families Act of 2014 – Paid Sick Leave

Entitlement:

- An employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the beginning of employment is entitled to paid sick leave.
- Paid sick leave accrues at the rate of one hour per every 30 hours worked, paid at the employee's regular wage rate. Accrual shall begin on the first day of employment or July 1, 2015, whichever is later.
- Accrued paid sick leave shall carry over to the following year of employment and may be capped at 80 hours or 10 days. However, subject to specified conditions, if an employer has a paid sick leave, paid leave, or paid time off policy (PTO) that provides no less than 40 hours or five days of paid leave or paid time off, no accrual or carry over is required if the full amount of leave is received at the beginning of each year in accordance with the policy.

Usage:

- An employee may use accrued paid sick days beginning on the 90th day of work. This 90-day qualifying period must be met only once per employment, per employer (each SD County district is a different employer). Each year thereafter, employees must work a minimum of 30 days in order to use paid sick leave.
- An employer shall provide paid sick days upon the oral or written request of an employee for themselves or a family member* for the diagnosis, care, or treatment of an existing health condition or preventive care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking.
- SDCOE will allow an employee to use paid sick days up to 40 hours or five (5) days in each fiscal year (July 1-June 30).

*A "family member" means: a biological, adopted or foster child, stepchild, or legal ward (regardless of age); biological, adoptive or foster parent, stepparent, or legal guardian of an employee or registered domestic partner; a spouse, registered domestic partner, grandparent, grandchild, or sibling.

Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited. An employee can file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the employee.

Q: Once I'm eligible to take paid sick leave, how do I submit my request?

A: Absence requests are entered in Employee Self-Service (ESS) – the same place where you view your paychecks. For help entering an absence, please reach out to the department contact who processes your timesheets.

FAQs

Q: Do I have to meet the 90-day qualification period every year?

A: No – this is a one-time requirement. Each subsequent year you work at the SDCOE, you only have to meet the 30-day work requirement before you are eligible to use paid sick leave.

Q: When am I eligible to use my accrued sick leave from all active positions?

A: Beginning on the 90th day of work.

Q: When does the 30-day work requirement begin each year?

A: A new 30-day eligibility period begins every July 1st.

Q: What if I work less than 30 days within a year?

A: Employees who work less than 30 days in a year are not entitled to accrue sick leave under this new law.

Q: Where can I find my sick leave balance?

A: Beginning in July 2015, sick leave balances, if applicable, will appear on your paystub.

Q: Can I carry my unused sick time over to the next year?

A: Yes, up to a maximum of 80 hours or 10 days, whichever is greater.

Q: Is my accrued sick time payable if I leave the SDCOE?

A: Unused sick time is not payable upon termination, resignation, or retirement.

**For questions, please
contact Human
Resources at
HR@sdcoe.net**