Title: **Procedure - Sick Leave**
Code: 5401P
Section: WSSDA Model Policies
Section: 5000 - Personnel

Certified/Classified Employees

This procedure applies only to employees under contract with the school district(s) in positions requiring either certification or classified qualifications covered by RCW 28A.400.300. This policy may be subject to alteration by collective bargaining agreements (CBA).

Sick Leave Accrual

Employees under contact with the district for the full year will accrue at least 10 days of leave with compensation for illness, injury, or emergencies. Employees under part-time contracts with the district will accrue at least that portion of 10 days as the total number of days contracted for bears to 180 days. Annual leave will accrue at a rate of one day per 12 days worked. Unused accrued sick leave will rollover from year to year but will cease accumulating once the employee reaches [max 180] days of accrued leave or the number of days agreed to in contract.

Compensation for sick leave will be paid out at the same rate as the employee's standard pay rate. Accrued sick leave can be taken at any time during the school year. The employee can elect to be paid for 12 days of unused leave per year.

Sick leave heretofore accumulated under section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) and sick leave accumulated under administrative practice of school districts prior to the effective date of section 1, chapter 195, Laws of 1959 (former RCW 28.58.430) is valid and will be added to other accumulated sick leave.

Up to 45 days of accumulated sick leave is creditable as service rendered for determining the time an employee is eligible to retire. This leave when taken cannot be compensated under an incentive program.

Transferring Sick Leave

Accumulated leave shall be transferred to and from one district to another, the office of superintendent of public instruction, offices of educational service district superintendents and boards, the state school for the blind, the Washington center for deaf and hard of hearing youth, institutions of higher education, and community and technical colleges, to and from such districts, schools, offices, institutions of higher education, and community and technical colleges.

Leave accumulated by a person in a district prior to leaving said district may be granted to the person by the board when they return to the employment of the district.]

General Sick Leave Procedure – Non-Certified/Non-Classified Employees

This procedure applies only to employees covered by RCW 49.46.210.

Authorized Reasons for Sick Leave

Employees may take accrued sick leave under the terms of this procedure for the following reasons:

1. A mental or physical illness, injury, or health condition, or to accommodate for the employee's medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition.
2. To attend an appointment that consists of preventive medical care.
3. To care for a family member with a mental or physical illness, injury, or health condition; who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or who needs preventive medical care.
4. If the employee's place of business has been closed by order of a public official for any health-related reason, or the employee's child's school or place of care has been closed for a health-related reason or after the declaration of an emergency by the local, state, or federal government or government agency.
5. To allow the employee to prepare for, or participate in, any judicial or administrative immigration proceeding involving the employee or employee's family member.
6. To allow an employee that is a victim of domestic violence, sexual assault, a hate crime, or stalking to seek the treatment listed in RCW Chapter 49.76.

Frontloaded Paid Sick Leave

The district will provide employees with a notification of frontloaded sick leave. The notification will provide details of the amount of paid sick leave that will be placed into the employee's sick leave bank at the start of the school year or at the start of their employment. It will include the calculations used to determine the frontloaded hours, the paid sick leave accrual year, and an employee's eligibility details. Unused frontloaded paid sick leave balances of forty hours or less will carry over to the following year.

The district will provide written or electronic notice for each paid sick leave frontloading period, providing the amount of paid sick leave frontloaded, the calculation used to determine the amount of paid sick leave, and any adjustments based on additional accrued hours.

If an employee's frontloaded paid sick leave is less than the amount they are entitled to accrue, the district will make any additional amounts of paid sick leave

available for the employee's use no later than thirty days after the discrepancy is identified.

If an employee uses more paid sick leave than they would have otherwise accrued absent frontloading, the district will not seek reimbursement from the employee for such paid sick leave during ongoing employment. Any deductions from wages must be made in compliance with WAC 296-128-730(5).

Reasonable Notice for the Use of Paid Sick Leave
Employees must provide reasonable written notice of an absence from work for the use of paid sick leave. If an employee's absence is foreseeable, the employee must notify their supervisor at least ten days, or as early as practicable, before the first day of paid sick leave is used. If possible, the notification must include the expected duration of the absence.

If an employee's absence is unforeseeable, the employee must contact their supervisor as soon as possible before the required start of their shift. If circumstances allow, employees should provide notice as soon as the employee learns of the need for paid sick leave. If possible, the notification should include the expected duration of the absence.

Notice to Take Leave under the Domestic Violence Leave Act
Employees must give advance oral or written notice as soon as possible for the foreseeable use of paid sick leave under the Domestic Violence Leave Act.

If an employee is unable to give advance notice because of an emergent or unforeseen circumstance related to taking leave under the Domestic Violence Leave Act, the employee or their designee must give oral or written notice to their supervisor no later than the end of the first day that the employee takes leave.

Verification
If an employee has used paid sick leave for more than three consecutive days, the employee must provide verification that establishes or confirms that the use of paid sick leave is for an authorized purpose.

Verification for Taking Leave to Care for Yourself or a Family Member
When taking leave for reasons under RCW 49.46.210(1)(b)(i) or (ii), employees must provide a doctor's note or a signed statement from a health care provider indicating that the use of paid sick leave is to care for themselves or a family member for an authorized purpose.

Verification must be provided to the district within ten calendar days of the first day employees used paid sick leave to care for themselves or a family member.

Employees are not required to provide details concerning the specific nature of the health condition to use paid sick leave—unless otherwise required by law. Any information employees provide will be kept confidential.

Verification for Taking Leave because of Schools or Places of Child Care Closing
When taking leave for reasons under RCW 49.46.210(1)(b)(iii), the employee must provide the notice of closure from the public official.

Verification must be provided to the district within ten calendar days of the first day an employee used paid sick leave for this purpose.

Verification for Taking Leave to Participate in a Qualifying Immigration Proceeding
When taking leave for reasons under RCW 49.46.210(1)(b)(iv), the employee must provide at least one of the types of documentation described in WAC 296-128-660(6)(a)-(b). The documentation or written statement must not include or disclose personally identifiable information about a person's immigration status or underlying immigration protection.

Verification must be provided to the district within ten calendar days of the first day an employee used paid sick leave for this purpose.

Verification for Taking Leave under the Domestic Violence Leave Act
When taking leave under the Domestic Violence Leave Act, the employee must provide any one or more of the forms of verification described in WAC 296-135-070 depending on the specific reason for the leave.

Verification must be provided within a reasonable period during or after the leave.

Unreasonable Burden
If an employee believes that obtaining verification for use of paid sick leave would result in an unreasonable burden or expense on the employee, the employee must explain to their supervisor that the absence is for an authorized purpose and explain why verification would result in an unreasonable burden or expense on the employee.

Within ten calendar days of receiving the employee's explanation, the employee's supervisor will make a reasonable effort to identify alternatives for the employee to meet the verification requirement in a way that does not result in an unreasonable burden or expense. This might include accepting the employee's written explanation as a form of verification or mitigating the employee's out-of-pocket expenses associated with obtaining medical verification.

The district may choose not to pay an employee paid sick leave taken in excess of three consecutive days until verification is provided.

If agreement cannot be reached after the employee's supervisor considers the employee's explanation and attempts to identify alternatives to meet the verification requirement, the employee may consult with the Washington State Department of Labor and Industries.

Adopted: **06.26**

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