



TEMECULA VALLEY  
UNIFIED SCHOOL DISTRICT



## District Policy for SB616 and CA Labor Code 245.5

## Healthy Workplaces, Healthy Families Act of 2014

### Human Resources Development

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The Healthy Workplaces, Healthy Families Act of 2014 allows all employees not covered under a collective bargaining agreement to earn sick leave. These individuals may include substitutes, student workers, walk-on coaches, etc. Beginning January 1, 2015, under AB1522, the District began qualifying individuals who worked 30 or more days in a fiscal or calendar year. Beginning July 1, 2015, the District will begin accruing sick leave for those qualifying employees. Upon the 90<sup>th</sup> day of employment, qualified employees may use their accrued sick leave under the following circumstances:

Sick leave can be used for the diagnosis, care, or treatment of an existing health condition, as well as preventive care, for the employee or family member. In addition, sick leave can be used for an employee that is a victim of domestic violence, sexual assault, or stalking. "Family Member" is defined in Labor Code Section 245.5(4)(c) as:

- Child (biological, adoptive, foster, step, legal ward, or to whom employee stands in loco parentis), regardless of age or dependency status
- Parent (biological adoptive, foster, step, legal guardian, or person who stood in loco parentis when employee was a minor) of the employee or the employee's spouse/registered domestic partner
- Spouse or registered domestic partner
- Grandparent
- Grandchild
- Sibling

Qualifying employees will earn one hour of accrued sick leave for every 30 hours worked. Available sick leave balances will be printed on your paycheck stub. It will be the employee's responsibility to know their available balance before selecting the "sick leave" option in the substitute calling system. Qualifying employees will not be allowed to use more than 40 hours or 5 days (whichever is reached first) in a fiscal year. The minimum amount of accrued sick leave that can be used per occurrence is two hours. A maximum of 80 hours or 10 days can be accrued in a fiscal year and if not used carried over into the next fiscal year. The maximum accrued sick leave will never be more than 48 hours or 6 days at any given time.

Unused sick leave carries over from year to year, and there is no requirement to pay out unused sick leave upon separation of employment. However, if the employee returns to the District within one year, the sick leave balance is restored. The employee is eligible to use the sick leave balance and also begins accruing additional sick leave upon rehire.

For employees who substitute in various positions at various pay rates, when selecting the "sick leave" option, they will be paid at the rate of pay and the hours for that position they are declining for sick leave reasons.