



Sick Time

This policy shall apply only to those employees of the District not covered by a collective bargaining agreement, individual contract or other group agreement. Sick leave/time benefits for individuals not covered by this policy shall comply with state and federal law, where applicable, and shall provide benefits that are substantially equivalent to or more generous than any statutorily-required benefits.

“Employee” means an individual who is employed by the district and who is paid on an hourly, stipend or salary basis, and for whom withholding is required under Oregon Revised Statute (ORS) 316.162-316.221. The definition does not include volunteers or independent contractors.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district.

The district shall allow an eligible employee to access up to 40 hours of paid sick time per year. Paid sick time shall accrue at the rate of at least one hour of paid sick time for every 30 hours the employee works, or 1-1/3 hours for every 40 hours the employee works, with accrual processed at the end of each pay period. Sick time leave is available to use on the 91st calendar day of employment.

The employee may carry up to 40 hours of unused sick time from one year to the subsequent year. An employee is limited to using no more than 40 hours of sick time in a fiscal year. Unused sick time is forfeited upon termination but will be reinstated if the employee returns to the district employment within 180 days of termination, and days previously worked will be credited toward the 90-day eligibility period for its use. Unused sick time is not transferrable to other school districts and is not reportable to PERS.

Professional coaches who are not volunteers and are not employed by the district in any other FTE position will be front-loaded 40 hours of sick time at the beginning of the sport’s season or activity period. Said leave is available to use immediately. Unused sick time will be forfeited at the end of each season or at the end of employment, whichever comes first, and thus will not carry forward to a subsequent seasons/years. Unused sick time is not transferrable to other school districts and is not reportable to PERS upon termination.

Sick time shall be taken in hourly increments except for licensed substitutes, who must take sick time in half-day (3.75 hours) increments. Sick time may be used for the employee’s or a family member’s¹ mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive care, or for reasons consistent with the Family Medical Leave Act (FMLA) or OFLA. Sick time may also be used in the event of a public health emergency.

The use of sick time may not lead to, or result in, an adverse employment action against the employee.

The district reserves the right after five consecutive days of absence, to require proof of personal illness or injury from an employee, including a medical examination by a physician chosen and paid for by the

¹“Family member” is defined by the Oregon Family Leave Act (OFLA).

district. An employee refusing to submit to such an examination or to provide other evidence as required by the district, shall be subject to appropriate disciplinary action, up to and including dismissal.

When the reason for sick time is consistent with FMLA/OFLA leave, the sick time and the FMLA/OFLA leave may run concurrently.

When the reason for sick time is consistent with ORS 332.507, the sick time and leave pursuant to ORS 332.507 may run concurrently.

If the reason for sick time is a foreseeable absence, the district may require the employee to provide advance notice of their intention to use sick time within 10 days of the requested sick time, or as soon as practicable. When the employee uses sick time for a foreseeable absence, the employee shall take reasonable effort to schedule the sick time in a manner that does not unduly disrupt the operations of the district (e.g., grading deadlines, inservice training, and mandatory meetings).

If the reason for sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district at least 12 hours in advance or as soon as practicable.

Sick time will be tracked via the district's timekeeping and payroll systems. Accrual, usage and available balances will be printed on employee pay stubs.

END OF POLICY

Adoption Date: 8/8/16

Legal Reference(s):

[ORS 332.507](#)
[ORS 342.545](#)
[ORS 342.610](#)
[ORS 659A.150 to -659A.186](#)
SB 454 (2015)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2006).

Americans with Disabilities Act Amendments Act of 2008.

