


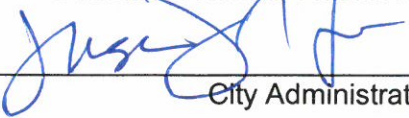


Approved:

**City of Commerce, California
Human Resources Policy and Procedure Manual**



Director of Human Resources



City Administrator

Number: V-7 Effective Date: 0 7/1/2015

SUBJECT: SICK LEAVE POLICY

PURPOSE:

The purpose of this policy is to establish a consistent method of authorizing employee sick leave, and defining the appropriate use of sick leave.

POLICY:

A. Accrual

1. Full-time employees shall accrue sick leave with pay at the rate of eight (8) hours for each full month of continuous service. Part-time employees shall accrue sick leave with pay at the rate of one (1) hour for every 21 hours worked.
2. Sick leave will be paid at the employee's hourly wage. For employees who have different rates of pay in the 90 days prior to taking sick leave, sick leave will be paid at the rate of pay calculated by dividing the employee's total wages, not including overtime pay, by the employee's total hours worked in the full pay periods of the 90 days of employment prior to taking such sick leave.
3. Unused sick leave may be carried over from year to year and may be accumulated indefinitely.

B. Use of Sick Leave

1. Upon written or oral request, employees may use sick leave for the following purposes: (1) Diagnosis, care, or treatment of an existing health condition, or preventive care for, an employee or an employee's family member; or (2) For an employee who is a victim of domestic violence, sexual assault, or stalking.
2. Sick leave may also be used for necessary medical or dental appointments, provided that such appointments cannot be arranged other than during working hours.

3. If the need for paid sick leave is foreseeable, the employee shall provide reasonable advance notification. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable.
4. If an employee is absent over three (3) business days in succession due to illness, a medical release may be required upon returning to work.
5. Sick leave shall not be taken in excess of time earned at the time it is taken.
6. An employee must utilize 2/3 accumulated sick leave to compensate for an absence on account of an injury arising out of and in the course of his/her employment. Such accumulated sick leave shall be used to make up for the difference between Workers' Compensation Insurance allowance, Short-term and Long-term disability and the employee's full pay, in those cases where the injury suffered is covered by Workers' Compensation Insurance Program or the Short/Long Term Disability Program.
7. Sick leave may not be used in lieu of or added to vacation. However, accrued vacation leave and/or comp time off may be used for illness when accumulated sick leave time has been exhausted.
8. Full-time and part-time employees may use up to twenty-four (24) sick leave hours per calendar year as paid personal leave, in increments of fifteen (15) minutes, and charged against sick leave. This designated amount of paid personal leave may not be carried over to the following calendar year.
9. "Family member" means any of the following: (1) A child, which means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis, regardless of age or dependency status; (2) A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child; (3) A spouse; (4) A registered domestic partner; (5) A grandparent; (6) A grandchild; and (7) A sibling.

C. Sick Leave Usage in Conjunction with FMLA, CFRA, FEHA

1. An employee who has been employed by the City of Commerce for at least twelve months (consecutive or non-consecutive) and has worked a minimum of 1,250 hours during the preceding 12-month period may be eligible for leave in accordance with State and federal laws including the Family and Medical Leave Act (FMLA), California Family Rights Act (CFRA), and Pregnancy Disability Leave. Please see Human Resources to determine your eligibility under these federal and State laws.

D. Uncharged Quarterly Appointment Leave

Department heads may excuse no more than three (3) hours per quarter for employees requiring time off for personal doctor and dental appointments. Time off will be taken in fifteen (15) minute increments. The employee is expected to make an effort to schedule appointments on his/her own time if his/her work shift permits. If not, at the beginning or end

of the work shift. Adequate prior notice should be required. Time for this purpose in excess of three (3) hours per quarter comes off accrued sick leave. Appointment leave hours cannot be accumulated from quarter to quarter.

E. Excessive Sick Leave Absences

In the case of frequent or excessive absences, the department head may require a physician's certificate/off work notice during the period for which sick leave was requested.

F. Sick Leave Reduction Incentive Program

The Sick Leave Reduction Incentive program was established to provide an incentive for all full-time and part-time employees who are eligible for sick leave benefits, to reduce their usage of sick leave time off. It is provided at the optional use of eligible employees.

1. To participate in the Sick Leave Reduction Incentive Program, an employee must have at least two hundred forty (240) hours of accrued sick leave as of the beginning of the fiscal year of participation (July 1).
2. On June 30, at the end of the fiscal year of participation, the employee may submit to the Human Resources Department a "Sick Leave Buy Back" form requesting pay at 100% value of up to half of the unused sick leave hours accrued during the fiscal year of participation. The remainder of the unused sick leave hours will be credited back to the employee's sick leave record.

For example: As of July 1, 1990, an eligible employee has 240 hours of accrued sick leave on the books. The employee earns 96 hours of sick leave from July 1, 1990 through June 30, 1991, and does not use any sick leave during this time. On June 30, 1991, he/she may request a buy back up to half of the 96 hours earned or up to a total of 48 hours, paid at the 100% value of the sick leave hours at the employee's rate of pay in effect on June 30, 1991. If the employee had used 16 hours of sick leave during the fiscal year, then he could request a buyback of up to half of only 80 hours (96-16) of sick leave or up to a total of 40 hours.

G. Sick Leave pay Upon Termination:

1. All full-time employees who separate from employment from the City for any reason other than retirement, will be paid 10% of any hours above the 240 hours of accrued sick leave that are on the books.

For example: If an employee has 800 hours of accrued sick leave at the time of separation, the City will pay the employee 10% of any hours above the 240 hours which is 560 hours (800 - 240) for a total of 56 hours (10% of 560) paid.

2. Full-time employees who retire under the PERS system shall receive the cash equivalent of 100% of their accumulated sick leave.