

SICK LEAVE

Purpose and Scope

1. To outline administrative regulations governing the use of sick leave benefits by contract certificated or monthly classified employees covered by a collective bargaining agreement, monthly salaried, confidential and non-represented managers and hourly employees not covered by a collective bargaining agreement and day-to-day substitutes.
2. This procedure pertains to matters within the scope of collective bargaining. Contract language within specific collective bargaining agreements on this topic shall prevail over any language to the contrary in this procedure.

Definitions

Sick leave: The allowance made to an employee to cover absence from duty because of illness, injury, exposure to contagious disease as set forth in Education Code and for the unit member's medical/dental appointments.

Monthly employees: Contract certificated, monthly/salaried classified employees, confidentials and non-represented managers.

Hourly employees: Hourly substitute employees not covered by a collective bargaining agreement and visiting teachers.

Sick Leave Accrual and Allowances for Monthly Employees

1. Earned sick leave is credited in hours each month to each monthly employee's account by computer program. Leave balances are printed on monthly pay warrants and/or may be viewed by departments on leave accrual reports in PeopleSoft.

Exceptions: Eleven-month employees do not accrue sick leave in August and ten-month employees do not accrue sick leave in July and August.

2. Accrual is based on the sum of the employee's position equivalents on the date when credits are recorded, with eight hours recorded for a full-time (1.00 position equivalent) assignment.
3. Classified employees assigned to monthly positions during summer sessions accrue sick leave hours in accordance with the length of assignment and percentage of time assigned per day.

Employees in an unpaid status for any reason for more than 15 days in a month shall not accrue sick leave during the unpaid period of absence.

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4. An employee serving for less than a full assignment year will have that year's allowance prorated for the number of months of actual service.
5. An employee who has accumulated full-salary sick leave greater than the annual maximum combined allowance shall not be eligible for additional half-salary sick leave but may take the entire accumulated full-salary sick leave in one fiscal year.
6. Assuming a full-time assignment, a proportionate number of hours is granted for part-time assignments.

Sick Leave Accrual and Allowances for Summer School/Intersession Teachers

1. Summer school and intersession teachers serving in summer school assignments of five hours per day shall accrue four hours of sick leave for every fifty hours in paid status a during summer school or intersession assignment. Full-salary sick leave accumulated during the regular school year, charged at a rate of five hours per day, may be used.
2. Summer school and intersession teachers serving in summer school assignments of six hours and thirty five minutes per day shall accrue four hours of sick leave for every two weeks of a summer school or intersession assignment. Full-salary sick leave accumulated during the regular school year, charged at the rate of eight hours per day, may be used.

Transfer of Accumulated Sick Leave (Certificated Employees). A certificated employee who previously worked for another California school district may have accumulated sick leave from the former district transferred to San Diego Unified School District provided the following conditions are met:

1. Employment in the previous district as a certificated employee was for at least one year.
2. Employment with San Diego Unified School District began within one year after terminating from the previous district.

Transfer of Accumulated Sick Leave (Classified Employees). A classified employee who previously worked for another California school district may have accumulated sick leave from the former district transferred to San Diego Unified School District, provided the following conditions are met:

1. Employment in the previous district was for a period of one calendar year or more.
2. Termination of employment with the previous district was for the sole purpose of accepting a position in San Diego Unified School District

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3. Employment in San Diego Unified School District began within one year of termination from the other school district.

Reinstatement of Accumulated Sick Leave. A monthly employee in permanent status who resigns and is reemployed in monthly status within thirty-nine months of the last date of monthly paid service shall have all accumulated, unused, full-time sick leave credits restored to a current sick leave account as of the date he/she reports for duty.

Use of Sick Leave

1. New monthly employees become eligible for full-salary and half-salary sick leave on the effective day of their appointments provided that they in fact report for duty. Employees may incur a negative balance in their sick leave accounts not to exceed their projected annual sick leave allowance for that particular fiscal year (one day per month of service remaining until next July 1). Sick leave balances are printed monthly on each employee's monthly pay warrant. If an employee terminates employment with the district, a reduction in the final pay warrant will be made to cover any negative balance in the sick leave account.
2. Personal emergencies. Use of accumulated full-time sick leave for personal emergencies is limited to eight days in any fiscal year.
3. Personal business days. Use of accumulated full-time sick leave for personal business days is limited to two days in any fiscal year.
4. Sick leave while on vacation. An employee who, while on paid vacation, has suffered a disability due to injury or illness may substitute sick leave for vacation pay for each day of such disability and/or restriction. A physician's certification may be required.
5. Quarantines. Employees unable to perform their duties due to legally established quarantines shall be entitled to the same leave as though personally ill, provided a certificate from the County Department of Health Services is filed verifying the quarantine.
6. Use of sick leave during convalescence. During illness or while convalescing, if able to perform normal duties of the job on a reduced-hour basis, an employee may be authorized by the department head to return to work on a part-time basis and make application for sick leave benefits for the remainder of the day. Certification of the employee's physician is normally required.
7. Service credit for unused sick leave at retirement is granted to school employees who are members of the STRS and PERS retirement systems:

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- a. STRS: A member who retires after leaving district employment will be granted service credit for each day of accumulated, full-salary sick leave at the time of separation.
- b. PERS: A member whose effective date of retirement is within four months of the last day of paid service or termination of an approved leave of absence will receive .004 year of service credit for each unused day of full-salary sick leave at the time of retirement.
- c. Effective November 1, 1996, service credit for unused sick leave at retirement is granted to sworn monthly peace officer regardless of the PERS starting date.

Note: Retiring employees may not convert accrued vacation hours to sick leave hours for the purpose of increasing retirement service credit.

Limitations on Use of Half-Pay and Accumulation of Full-Pay Sick Leave

Certificated employees are entitled to 100 days of additional leave per illness or injury as defined in Education Codes Section 44977 at a salary which is equal to 50% of the unit member's daily rate of pay. A certificated employee with only half salary sick leave available as of June 30, can continue to use that leave to cover the absence due to illness or injury into a subsequent fiscal year by carrying over the half salary sick leave hours that remain.

Classified employees are entitled to 100 days of half salary sick leave each fiscal and will be credited with 100 days at the beginning of each fiscal year. Classified employees with only half salary sick leave available as of June 30, will receive 100 days of half salary sick leave to cover an absence due to illness or injury in the subsequent fiscal year without any carryover of the half salary sick leave balance from the prior year.

Employees with only half salary sick leave available as of June 30, do not accrue full salary sick leave until they return to work. Upon return to work, the full salary and half salary sick leave allowances will be established as of the return date and any half salary sick leave already taken since July 1 of the current fiscal year will be deducted from the new half salary sick leave allowance.

Half salary sick leave may only be reported to cover an absence due to illness or injury of the employee.

Employees eligible to accrue full salary sick leave under the Healthy Workplaces, Healthy Families Act of 2014 are not eligible for a half salary sick leave entitlement.

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Notification of Absence on Sick Leave

In order to receive sick leave benefits while absent on sick leave, employees shall notify their supervisor of their intended absence for each day of absence. Unless conditions make notification impossible, such daily notice shall be in accordance with site or departmental procedures. The burden of proof of impossible conditions shall be upon the employee.

Applications for Sick Leave Benefits. Absent employees must submit a leave application card to the principal/department head within ten days after return to duty or after termination of period of disability.

1. The card must be signed by the employee and principal/department head.
2. If illness or injury at any one time exceeds five workdays, the card must normally be signed by a licensed physician. If for any reason a licensed physician is not consulted when required, a personal statement by the employee setting forth the nature of the illness or injury must be submitted to the Human Resource Services Division and shall be subject to approval by a physician designated by the district. (Requirements of this section shall not discriminate against evidence of treatment and need therefore by practice of the religion of any well-recognized church or denomination.)
3. The card must be signed by a licensed physician for absences of five days or less at the request of the principal or department head if in his/her judgment, such certification is deemed appropriate.
4. In the event there is a concerted withdrawal of services by employees, it shall be district policy to require a physician's certification from any employee who is absent on the date of such withdrawal of services and applies for sick leave benefits.
5. Failure by the employee to consult a physician or obtain certification of a licensed physician when required, or to obtain district approval of a personal statement of illness or injury, shall result in the absence being charged to unpaid leave and may be grounds for disciplinary action.
6. The district-appointed physician may, at district expense, require a complete report from the employee's physician concerning any absence for which sick leave benefits have been requested. Such requests by district officials must be submitted to the Human Resource Services Division, which will arrange for a physician to communicate with the employee's physician. Interpretation of information provided by the employee's physician is the sole responsibility of the district-designated physician.

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7. An employee whose illness or injury occurs as a result of employment with the district must submit an industrial accident leave benefits application.

Absences of Thirty Days or More. Each employee absent for thirty or more consecutive calendar days shall secure written clearance of his/her private physician indicating fitness to resume normal duties and submit it to the principal/department head at least three days prior to return to duty. The principal/department head shall notify the employee on extended absence of these requirements.

Sick Leave Reporting

1. Regular school year. Sick leave absences are recorded in the PeopleSoft Time and Labor system in hours, with eight hours representing a full-time (1.00 position equivalent) assignment. Absences may be recorded in units of one-tenth of an hour, although absences for two hours or less may be considered personal business leave for monthly employees. Such leave is limited to two hours or less. A full day's absence will be eight hours for a full-time employee, six hours for a three-fourths-time employee, and four hours for a half-time employee.

Exception: AASD exempt unit members shall not report partial day absences.

2. Summer school and intersession. Classified employees on monthly pay rates report sick leave in the same manner as during the regular school year. Certificated employees who elect to use sick leave accrued during the regular school year to cover absences during summer session or intersession are charged at the rate of 5 hours per day or 8 hours per day, depending on summer assignment, of sick leave for each date absent.

Healthy Workplaces, Healthy Families Act of 2014

1. Definition:
 - a. This act provides paid sick leave to hourly substitute employees who are not covered by a collective bargaining agreement and visiting teachers who, on or after July 1, 2015, works for 30 or more days within a fiscal year.
2. Sick Leave Accrual and Allowances for these Employees: Employee will earn one hour of sick leave for every 30 hours worked. Visiting teachers accrue based on conditions set in a side letter reached between SDEA and the District on August 26, 2015.

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3. Use of Sick Leave
 - a. Employee may use up to 24 hours each fiscal year of accrued paid sick leave beginning on the 90th day of employment.
 - b. Paid sick leave may be used for reasons such as diagnosis, care or treatment of an existing health condition, or preventive care for an employee or an employee's family member or for an employee who is the victim of domestic violence, sexual assault, or stalking.
 - c. Family member means a child, legal ward, or a child to whom the employee stands in loco parentis, regardless of the child's age or dependency status; parents, foster parents, legal guardian of an employee, a spouse, a registered domestic partner, grandparent, grandchild or sibling.

Implementation

1. Transfer of Accumulated Sick Leave
 - a. Human Resource Services Division screens employment of all new employees at time of hire; sends form letter to previous school district if applicable.
 - b. Payroll Department credits employee's sick leave account in PeopleSoft with sick leave amounts verified by previous district.
2. Recording of Sick Leave Accrued. Payroll Department
 - a. Runs accrual processes in PeopleSoft based on rules driven criteria in accordance with collective bargaining agreements and district policies.
 - b. Establishes accruals for monthly employees and for summer school and intersession assignments.
3. Recording of Sick Leave Taken
 - a. Employee must submit completed "Absence Request" form for each period of absence and sign completed card to certify that facts stated are true to the best of his/her knowledge; if absence is for extended period, completes separate card for each pay reporting period.

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- b. Principal/department head checks for physician's certification (if requested) for absences of more than five days, and signs completed cards; may request physician's certification for absences of five days or less if, in his/her judgment, such certification is deemed appropriate.
 - c. Timekeeper enters time reporting codes and hours of absence into electronic timesheet in Time and Labor system; files original leave form with timekeeping records. Physician's certification forms, when required, will be attached to the leave form when filed. All absences require signed back-up documentation and must be filed on site for auditing purposes.
 - d. Payroll Department processes full and half pay sick leave absences reported in Time and Labor. When it is apparent that employee will remain in half-time sick leave for extended period of time, payroll specialist must project this absence information and control monthly pay each month to ensure that employee is not overpaid. As a result of this process, an employee cannot presume that he/she will receive one-half of his/her monthly pay each month during the absence.
4. Request for Temporary Disability Sick Leave Due to Pregnancy
- a. Employee wishing to use sick leave benefits for period of temporary pregnancy-related disability notifies the Human Resource Services Division at least five days in advance of date such benefits should begin. (Notice must include physician's statement of medical reasons for temporary disability.)
 - b. Employee submits "Absence Request" form to individual site principal or department head. Employee may use sick leave while under physician's orders to remain off work. After release by their physician, notifies the Human Resource Services Division of their release to return to work. At that time, the employee will either return to active duty or apply for an unpaid leave of absence (e.g. Family Medical Leave Act).
5. Absences of Thirty Days or More
- a. Principal/department head, following third week of absence, notifies absent employee of requirement for health examination if absence will extend for thirty or more consecutive calendar days; forwards "Physician's Approval to Resume Normal Duties" form to employee.
 - b. Employee obtains physician's approval to resume normal duties; forwards form to principal/department head at least three workdays prior to date of intended return.

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- c. Principal/department head documents day of intended return to duty, adds any pertinent information available, and forwards form to the Human Resource Services Division. If there is any question regarding ability of employee to resume normal duties, contact the appropriate Human Resources Officer.
 - d. Human Resource Services Division arranges for further health review as deemed necessary; advises employee and principal/department head promptly of results.
6. Reports on Sick Leave Balances and Sick Leave Taken
- Sick leave balances are printed on employee pay warrants each month. Balances may also be reviewed on the electronic timesheet and via the Time Summary Report in Time and Labor.
7. Service Credit for Unused Sick Leave at Retirement
- a. Payroll Department determines unused full-salary accumulated sick leave at time of employee's retirement.
 - b. Fiscal Control submits unused sick leave information to the State Teachers' Retirement System or Public Employees' Retirement System.