

Part-Time Sick Leave Frequently Asked Questions

August 13, 2015

Are Retired Annuitants eligible for Paid Sick Leave?

CalPERS Retirees and '37 Act Retirees are excluded from the Paid Sick Leave Law.

Who are '37 Act employees?

Retirees of SACRS, State Association of County Retirement Systems, enacted in 1937.

How many hours of sick leave will part-time employees receive?

Part-time employees will receive three days or twenty-four hours of sick leave, whichever is greater.

How can a part-time employee receive more than twenty-four hours of sick leave?

Part-time employees who are **regularly scheduled** to work more than 8 hours per day will receive sick leave calculated at three times the number of hours scheduled to work. For example, if assigned a 4/10 schedule (four, 10 hour days per week) the part-time employee will receive 30 hours of sick leave.

What if a part-time employee's schedule changes during the year from greater than 8 hours per day to no more than 8 hours per day?

Part-time employees **regularly scheduled any time** during the fiscal year to work more than 8 hours per day will receive three times the number of hours scheduled to work.

When are part-time employees eligible to use their paid sick leave?

Part-time employees are eligible to use paid sick leave after 90 days of employment with the city.

Do part-time employees need to work 90 days before being eligible to use paid sick leave?

Yes, part-time employees are eligible to use paid sick leave 90 days after their first day of work (reported work hours).

What is the minimum increment of time that a part-time employee can apply paid sick leave?

Part-time employees are required to apply no less than one hour of sick leave. Any sick leave absence less than one hour is unpaid.

Are unused part-time sick leave hours paid out?

No, each July 1, part-time employees will receive 24 hours sick leave. Any unused hours provided to them prior to that date are not carried over to the following year nor are they paid out.

Do paid sick leave hours count towards the 1,000 hours for purposes of calculating CalPERS eligibility?

Yes, paid sick leave hours are included as 'hours worked/paid' by CalPERS.

Are part-time employees responsible for finding their replacement when using sick leave?

Part-time employees are not responsible for finding their replacement.

Are part-time employees required to provide a doctor's note when using sick leave?

Supervisors may require a part-time employee to provide a certificate issued by a licensed physician or other satisfactory proof for sick leave purposes.

Are part-time employees required to request sick leave in advance?

Yes, when the need for the leave is foreseeable, part-time employees are required to provide reasonable advance notification.

If sick leave is unforeseeable, how do part-time employees report the need for leave?

Part-time employees are required to follow their supervisor's instructions for calling in sick and/or reporting sick leave, either verbally and/or written.

Are part-time employees required to provide a release to return to duty?

Part-time employees absent in excess of three work days for their own medical condition may be required to provide a release to return to duty.

What if a part-time employee has multiple pay rates?

Part-time employees with multiple pay rates will be paid at their highest pay rate paid within the 90 days prior to taking sick leave.

What if a part-time employee is re-hired?

If a part-time employee returns to work within the same fiscal year, their sick leave balance will be reinstated. They will be required to work/be employed for a cumulative 90 days (from the first day they report hours) before being eligible to use the sick leave.

How will part-time employees know what their sick leave balance is?

The city's time-keeping system will give all employees who are employed for 90 days by July 1, 2015 and thereafter, 24 hours of paid sick leave. The sick leave balance will appear in the *Accruals* section of the CyberShift timekeeping system (MyTimecard) under *Code 124 – PT Sick Accrual Adjust*.

How will sick leave be reported in the time-keeping system?

Supervisors and SuperUsers can report part-time sick leave using pay code 121 – PT Sick.

Can sick leave be used for bereavement?

No, the law clearly states the eligible uses of part-time sick leave, which include use for health related conditions and relief or services related to domestic violence, sexual assault, or stalking.

What if a part-time employee transfers to a full-time, or three-quarter time position?

When an employee transfers to a full-time or three-quarter time position they begin accruing sick leave and vacation leave. They are no longer eligible to use part-time sick leave. Any sick leave balance will not carry over nor be paid out.

Are part-time employees required to apply their sick leave when absent for a qualifying reason?

No, part-time employees may elect to save their sick leave and apply it for another qualifying event during the same fiscal year (July 1 – June 30).

How many hours are employees paid when they work various hours?

Employees are paid their available sick leave up to the number of hours they were scheduled to work on the day of an eligible absence.