

**BEFORE THE BOARD OF TRUSTEES
YAKIMA VALLEY LIBRARIES**

In the Matter of Modification of the Personnel
Policies – State Mandated Paid Sick & Safe Leave Law I-1433

**RESOLUTION
#17-025**

WHEREAS, the Board of Trustees review and establish policy;

WHEREAS, the Board of Trustees adopted the Personnel Policies, November 10, 2014, Resolution #14-009;

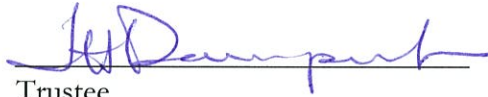
WHEREAS, the State of Washington has adopted I-1433 Washington Paid Sick and Safe Leave Law which entitles all employees paid sick leave accrual as of January 1, 2018,;

NOW THEREFORE, BE IT RESOLVED THAT the Yakima Valley Board of Trustees authorize the proposed modification to the Yakima Valley Libraries Personnel Policies Sick Leave Policy effective January 1, 2018.


ADOPTED by the Board of Trustees this 11th of December, 2017




Trustee



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8.01 Sick Leave: (Washington Paid Sick and Safe Leave Law I-1433): All employees are entitled to accrue paid sick leave starting **January 1, 2018**.

In addition, you may have a right to leave under the federal Family Medical Leave Act (FMLA) or the Washington Medical Leave Act (WFLA). The FMLA and WFLA generally apply to a "serious health condition" of you, your spouse, child or parent. The rules regarding FMLA and WFLA leave are extensive. You are directed to consult with Human Resources if you think you have qualifying FMLA or WFLA. See Chapter 11 - Family and Medical Leave for the explanation of FMLA and WFLA and the other conditions under which sick leave may be requested.

A **family member**, for sick leave purposes, includes:

- a **child** (biological, adopted, foster, or stepchild, or someone to whom the employee stands *in loco parentis*, is a legal guardian, or is a de facto parent), regardless of age or dependency status;
- A **parent**, (biological, adopted, de facto, foster, or stepparent, 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),
- a **spouse** or **registered domestic partner**,
- a **grandparent, grandchild or sibling**.

8.02 Request: All employees will be required to give advance notice of a **foreseeable absence** of 10 days or less as soon as practicable before using leave. Employees shall also be required to give advance notice of an **unforeseeable absence** as soon as possible before the start of a shift, unless impracticable to do so. Another person may give notice on employee's behalf. Employees (or another person) must speak to the supervisor or person in charge. Texting, email, and voice mail are generally not sufficient for primary contact. Eligibility for usage of sick leave is subject to compliance with the provisions of this sick leave policy.

Activities Incompatible with Sick Leave: Any employee who is absent after requesting sick leave or who is on other leaves of absence may not engage in work or other activities that are in conflict with the reasons given by the employee for being on sick leave. While on sick leave, an employee must not engage in any activity which would hamper his or her ability to return to work.

Physician's Statement: If the employee is absent more than three (3) consecutive work days, the employee's immediate supervisor or any other management person may request a written statement from the employee's health care provider which confirms the need to be absent from work due to illness or injury. The physician's statement should include a prognosis as to when the employee will be able to return to work and will be able to perform all of the essential functions of the job.

8.03 Eligibility: All full-time, part-time, seasonal, temporary, on call/substitute workers and minor employees are eligible to accrue sick leave.

8.04 Accrual: Full-time employees working 30-40 hours a week accrue sick leave at the rate of eight (8) hours for each full calendar month of service beginning with the date of employment. Part-time employees working 20-29 hours a week accrue sick leave in proportion to the number

of hours worked per week. For employees working 1-19 hours per week the accrual rate is 1 hour for every 40 hours actually **worked**. There is no cap on accruals and no cap on usage.

Sick leave accruals during months when an employee works less than his or her regularly scheduled workweek are prorated based on the numbers of hours actually worked. Sick leave may be used beginning the 1st day of the month following the hire date and is based on an employee's current balance of accumulated sick leave hours.

Employees may not accrue sick leave while on leave without pay.

8.05 If an employee is rehired within 12 months, even at a different location, prior leave must be reinstated and prior employment counts toward eligibility for leave.

8.06 Accumulation and Sick Leave Benefit Upon Retirement: Upon separation from employment, any unused sick leave is forfeited without payment, except in the case of retirement. An employee who separates from Library service by retirement, at any age, is eligible for a payment of twenty-five percent (25%) of the employee's accumulated sick leave, for those hired **before** January 1, 2018, not to exceed a maximum payment of 240 hours, and for those hired **after** January 1, 2018, not to exceed a maximum payment of one hundred twenty (120) hours.

8.07 Sick Leave Usage: Sick leave usage is subject to approval by the employee's immediate supervisor and/or another management personnel. Paid sick leave may be approved until the affected employee's accumulated sick leave is exhausted. If paid sick leave is exhausted, an employee will first be required to use any accrued vacation or floating holidays. If no accrued leave or floating holiday is available, then Leave without Pay will be used.

An employee may use his or her accrued sick leave for the absences related to:

- The employee's or family member's mental or physical illness, injury, or health condition;
- The employee's or family member's need for medical diagnosis, care, or treatment or preventative medical care;
- When the workplace or when the employee's child's school or daycare has been closed by order of a public official for any health-related reason; or
- "Qualifying" Domestic Violence Leave under RCW 49.76.

8.08 Worker's Compensation and Disability Payments: An employee injured on the job is required to immediately report the injury to the employee's immediate supervisor and to consult with the supervisor to determine whether immediate medical attention is necessary. If such an injury occurs, and if medical attention is necessary, the employee must complete a Worker's Compensation claim at the medical facility. Whether or not an injury occurs, the employee must complete an Accident Report available on the Library intranet and submit to the Library Director and Human Resources. Employees should never transport injured or ill employees to medical facilities. If necessary, call the employee's emergency contact or 911. Failure to report an injury immediately may result in discipline, up to and including termination.

Time Loss Payments: The employee may be directed to use accumulated sick leave. In lieu of time loss payments, the employee may choose to use vacation or compensatory time leave. Time loss payments are calculated using a state formula and do not equal one hundred percent (100%)

of lost wages. The employee's total compensation, including worker's compensation insurance, may not exceed the compensation the employee would have received from regular compensation.

An employee who is absent due to an on-the-job injury will continue to accrue proportional vacation leave and sick leave only while on paid status with the Library.

Employee's Leave Buy Back Requirement: If the employee's claim is accepted by Labor and Industries and the employee has chosen to use accumulated leave, the employee must buy back all the leave that the time loss check will afford. The number of leave hours to be reinstated and returned to the employee is determined by dividing the amount of the employee's time loss check by the employee's current regular hourly rate of pay. That calculation will be reflected in the employee's next regular paycheck which will reduce the regular payroll check by the same amount of the time loss check.

8.09 Sick Leave Conversion: Any employee eligible to earn sick leave may convert sick leave earned and accrued to vacation leave once per calendar year in a ratio of four (4) hours of sick leave to one (1) hour of vacation leave (4:1), to a maximum of sixty-four (64) hours of sick leave per a calendar year. The employee must maintain a minimum balance of ninety-six (96) sick leave hours at the time of the sick leave conversion request and the employee must not have used more than twenty-four (24) sick leave hours (3 days) during the previous twelve (12) months. A written request for sick leave conversion must be submitted to Human Resources. Whatever sick leave is converted to vacation leave will reduce the total accumulation of sick leave from the employee's sick leave accumulation. Vacation leave, including hours converted from sick leave, shall not exceed the maximum of two hundred forty (240) hours at any time during a calendar year.