

**Brookings-Harbor  
School District 17C**

Code: **GCBDD/GDBDD**  
Adopted: 11/16/16

### **Sick Time**

“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/or accruing sick time on the first day of employment with the district. Employees hired on or after January 1, 2016, who accrue sick time may not access the time until their 91 st day of employment with the district.

A district employing 10 or more employees shall provide sick time to all employees based on the following classifications: Substitutes; Coaches; All other employees.

Substitute employees paid sick time shall accrue at the rate of one hour of paid sick time for every 3 0 hours the employee works. Coaches and All other employees shall have 40 hours of paid sick time frontloaded at the beginning of each year or a proration of the 40 hours if the employees is hired after the start of the fiscal year. Employees who are already entitled to 40 or more hours of sick leave under another agreement or policy will not receive additional sick time hours under this policy.

A substitute employee may carry up to 40 hours of unused sick time from one year to the subsequent year<sup>1</sup> and is limited to accruing no more than 80 hours of sick time. Coaches paid sick time does not carry forward from year to year. All other employees paid sick time shall carry forward without limit.

Sick time may be used for the employee's or a family member's<sup>2</sup> 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 three 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 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.

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<sup>1</sup>If the district chooses to limit the accrual or usage, the district must choose language in the bracketed sentence and keep this sentence in policy.

<sup>2</sup>"Family member" is defined by the Oregon Family Leave Act (OFLA).

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. 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, mandatory meetings).

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

The district shall establish a standard process to track the eligibility for sick time of a substitute.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.507](#)  
[ORS 342.545](#)

[ORS 342.610](#)  
[ORS 653.601 to -653.661](#)

[ORS 659A.150 to -659A.186](#)

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.

**Cross Reference(s):**

ACA - Americans with Disabilities Act  
GBDA - Mother Friendly Workplace  
GCBDA/GDBDA - Family Medical Leave  
GCBD/GDBD - Leaves and Absences