

**Jefferson County  
School District 509J**

Code: **GCBDD/GDBDD**  
Adopted: 1/23/17  
Readopted: 7/23/18  
Orig. Code(s): GCBDD/GDBDD

**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.

“Family Member” has the same meaning as the term “family member” is defined in the Oregon Family Leave Act (OFLA).

“School Year” means the one-year period; between July 1 of one year to June 30 of the following year.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district subject to the terms and conditions outlined below.

1. Category One Employees

- a. Category one employees include and are limited to all of the following employees who are: members of the Madras Education Association, members of the Oregon School Employees Association Chapter 54, confidential employees, licensed administrators and unlicensed administrators.
- b. Paid sick time of 40 hours shall be front-loaded to category one employees at the beginning of each school year, hours will be prorated based on hire date.
- c. Category one employees may use up to 40 hours of paid sick time during the school year.
- d. Category one employees shall use sick time in increments of 1 hour for the employee’s or a family member’s 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 Oregon Family Leave Act (OFLA). Sick time may also be used in the event of a public health emergency.
- e. Category one employees may not carry over any sick time from one fiscal year to the subsequent fiscal year.
- f. Sick time will run concurrently with any sick leave afforded to employees under Oregon Revised Statute (ORS) 332.507.

2. Category Two Employees

- a. Category two employees include and are limited to licensed substitute teachers.
- b. Paid sick time of 56 hours shall be front-loaded to category two employees at the beginning of each school year, hours will be prorated based on hire date.

- c. Category two employees shall use sick time in increments of 4 hours and may be used for the employee's or a family member's 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 Oregon Family Leave (OFLA). Sick time may also be used in the event of a public health emergency.
- d. Category two employees may use up to 56 hours of sick time in a school year.
- e. Category two employees may not carry over any sick time from one fiscal year to the subsequent fiscal year.
- f. Category two employees are eligible to begin using sick time on the 91st calendar day of employment.

### 3. Category Three Employees

- a. Category three employees include all other employees of the district who are not category one or category two employees.
- b. Paid sick time of 40 hours shall be front-loaded to category three employees at the beginning of each school year, hours will be prorated based on hire date.
- c. Category three employees may use up to 40 hours of paid sick time during the school year.
- d. Category three employees shall use sick time in increments of 1 hour for the employee's or a family member's 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 Oregon Family Leave Act (OFLA). Sick time may also be used in the event of a public health emergency.
- e. Category three employees may not carry over any unused sick time from one school year to the subsequent school year.
- f. Category three employees are eligible to begin using sick time on the 91st calendar day of employment.

### 4. General Provisions

- a. When the reason for use of sick time by an employee is consistent with FMLA and/or OFLA leave, the FMLA and/or OFLA leave will run concurrently with the sick time. When the reason for use of sick time by an employee is consistent with other applicable paid leave available to the employee (including, without limitation, sick leave and bereavement leave), sick time will run concurrently with such leave.
- b. If the reason for sick time is a foreseeable absence, the district will require the employee to provide advance notice of their intention to use sick time within 10 days of the requested sick time, or as soon as practicable. When the employee uses sick time for a foreseeable absence, the employee shall make a reasonable effort, in conjunction with the employee's supervisor, 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).
- c. If the reason for use of sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district as soon as practicable.

- d. The district reserves the right after five 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.

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 (2012); 29 C.F.R. Part 1630 (2016); 28 C.F.R. Part 35 (2016).

Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2012); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2016).

Americans with Disabilities Act Amendments Act of 2008.

**Cross Reference(s):**

GBDA - Mother Friendly Workplace