

**Lake Oswego  
School District 7J**

Code: **GCBDD/GDBDD**  
Adopted: 11/07/16

**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.

A year, for purposes of this policy, is the district’s fiscal year of July 1 to June 30 of the next year. Sick time is defined in ORS 653.601(6) and is distinguished from sick leave as defined in ORS 332.507.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district.

Except as provided in its agreements with recognized associations, the district shall allow an eligible employee to access up to 40 hours of paid sick time per year. Paid sick time shall accrue at the rate of at least 1 hour of paid sick time for every 30 hours the employee works per year, or 1-1/3 hours for every 40 hours the employee works. Regular employees subject to terms of employment or agreements with recognized associations will accrue paid sick leave at the rates established for those regular employees, which are greater than the rates in this policy.

The employee may carry up to 40 hours of unused sick time from one year to the subsequent year. Regular employees subject to terms of employment or agreements with recognized associations may carry unlimited amounts of unused sick leave from one year to the subsequent year.

Except for licensed substitutes, whom shall take sick time in 4-hour increments, sick time shall be taken in hourly increments and may be used for the employee’s or a family member’s<sup>1</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 5 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 or reimbursed 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.

When the reason for sick time is consistent with FMLA/OFLA leave, the sick time and the FMLA/OFLA leave may run concurrently.

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<sup>1</sup>"Family member" is defined by the Oregon Family Leave Act (OFLA).

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 employee shall 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 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 consistent with the reporting time established by the district or at least 24 hours in advance or as soon as practicable. An employee or substitute must be scheduled to work 24 hours or more in advance of a day sick time is claimed.

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.