

Sick Time

School employee includes all employees of a public school district or an education service district. "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 accruing sick time on the first day of employment with the district.

A district employing 10 or more employees shall allow an eligible employee to access up to the amount of hours accrued or front loaded in the current fiscal year.

Unless otherwise defined in employee contracts:

1. Licensed full-time employees will be front loaded with 80 hours of sick time per year. This must be used in 4-hour blocks;
2. Licensed less than full-time, half-time or less than half-time employees will be front loaded with no less than 56 hours of sick time per year. This must be used in 4 hour blocks;
3. Licensed substitutes will accrue sick time at a rate of 1 hour per every 30 hours worked. This must be used in 4 hour blocks (OAR 839-007-0025 (7)). Licensed Substitutes must notify the district 12 hours in advance of using any sick leave;
4. Licensed full-time administrative staff will be front loaded with a minimum of 10 days sick time per year or equivalent 1 day per month employed, whichever is greater. These hours may be used in one hour increments;
5. Licensed less than full-time administrative staff will be front loaded with a minimum of 10 days sick time per year or equivalent 1 day per month employed, whichever is greater. These hours may be used in one hour increments;
6. Classified, regular full to half-time employees will be front loaded with a minimum of 10 days sick time per year or equivalent 1 day per month employed, whichever is greater. These hours may be used in one hour increments;
7. Classified substitutes will accrue sick time at the rate of 1 hour for every 30 hours worked. These hours may be used in 1 hour increments;

8. Classified regular full-time confidential management employees will be front loaded with a minimum of 10 days sick time per year or equivalent 1 day per month employed, whichever is greater. These hours may be used in one hour increments;
9. Classified less than half-time employees will accrue sick time at the rate of 1 hour for every 21.75 hours worked. These hours may be used in 1 hour increments;
10. Classified less than full-time to half-time confidential management employees will accrue sick time at the rate of 1 hour for every 21.75 hours worked. These hours may be used in 1 hour increments;
11. Coaches who also work for the district in any other capacity will be front loaded with no less than 40 and a maximum of 96 hours of sick time dependent on the position held with the district. No additional pay will be received nor will the coaching stipend be reduced or increased for the use of sick time. If missing coaching time due to the use of sick time, a sick time use form must be completed and turned into the business office. These hours may be used in 1 hour increments;
12. Coaches who do not work for the district in any other capacity, will be front loaded with 40 hours of sick time. No additional pay will be received nor will the coaching stipend be reduced or increased for the use of sick time. If missing coaching time due to the use of sick leave, a sick time use form must be completed and turned into the business office. These hours may be used in 1 hour increments.

An employee is limited to using no more than their front loaded or accrued amount of sick time in a year.

Sick time shall be taken as previously defined by employee group 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 Act (OFLA). Sick time may also be used in the event of a public health emergency.

The use of sick time, when used as defined in this policy, may not lead to, or result in, an adverse employment action against the employee.

Sick time is accrued according to the fiscal calendar.

Unless otherwise defined by the association contract, the district may, after 3 days, 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.

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 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, in-service training, and 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 as soon as practicable.

The district shall establish a standard process to track the eligibility for sick time of a substitute. Nothing in this policy impacts the districts sick leave obligation under ORS 332.507 or as defined in association contracts. This policy does not affect or refer to additional leaves addressed in association contracts.

END OF POLICY

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):

GBDA - Mother Friendly Workplace
GCBDA/GDBDA - Family Medical Leave