

## **INTRODUCTION**

Full-time and eligible part-time employees of the City of Taft, including employees in the probationary period, shall be entitled to sick leave with pay.

Sick leave shall not be considered a right which an employee may use at his/her discretion, but shall be allowed only in case of necessity.

Employees may use sick leave accruals for a personal illness or injury; treatment or examination by a health care provider; or to care for or attend to an immediate family member for reason of illness or injury. For purposes of this policy, immediate family is defined a spouse, parent, or dependent children unless the care is provided for under FMLA/CFRA.

Sick leave with pay shall begin accruing immediately following an individual's date of employment and may be taken at any time thereafter.

In no event, however, shall an employee be entitled to receive sick leave with pay in excess of the number of sick leave hours accrued at the time of illness. Accordingly, an employee who has exhausted sick leave accrual and who is unable to work due to illness or injury will be placed in a vacation status for the duration of the employee's accrued vacation benefit, if any.

Employees who become ill during a scheduled vacation may request to utilize sick leave for the time of injury or illness. Approval, however, may be granted by the department head only when the employee presents a doctor's certification verifying an illness or injury or for reasons of acute bereavement supported by written evidence.

The City of Taft suggests that employees use accumulated sick leave in a judicious manner so that they will be entitled to sick leave with pay in the event of major illness. Employees abusing the sick leave benefits shall be subject to disciplinary action.

## **SICK LEAVE ACCRUALS**

1. General full-time employees assigned to a regular eight (8) hour duty shift shall accrue sick leave at the rate of 3.6923 hours per payroll period or one (1) working day for each full month of employment.
2. General employees may accumulate a maximum of 720 hours of sick leave. Police Officers and Management may accumulate a maximum of 880 hours of sick leave, and Correctional Officers may accumulate a maximum of 830 hours of sick leave.

3. Permanent part-time employees of the City of Taft hired to work less than forty (40) hours per week but twenty (20) hours or more per week shall accrue sick leave benefits on a pro-rata basis.
4. Temporary employees and employees hired to work less than twenty (20) hours per week shall not be eligible for sick leave benefits.
5. Sick leave accruals shall be credited only at the conclusion of each payroll period.

## **USE**

1. Employees may use sick leave accruals for a personal illness or injury which incapacitates the employee for duty or when the presence of an employee at his work station would jeopardize the health of the others due to exposure to a contagious disease.
2. An employee who is personally undergoing treatment or examination from a health care provider may use sick leave accruals for required time away from work provided such treatment is not the result of an occupationally related illness or injury.
3. Employees compelled to be absent to care for or attend to an immediate family member for reason of illness or injury may use up to fifty percent (50%) of their annual sick leave accrual. (Up to 48 hours annually for full-time employees) For this purpose immediate family is defined as spouse, parent, or dependent children.

Sick leave may also be used for necessary extension of Bereavement Leave or in the case of family member not covered under the Bereavement Leave Policy. Sick leave use in these cases will be considered family sick leave.

4. The use of sick leave associated with the Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA) is outlined in the FMLA/CFRA policy.
5. Employees who are under a doctor's care and are scheduled to be off work for more than three (3) days should contact Human Resources to determine eligibility for FMLA/CFRA leave. Employees off work for more than seven (7) should coordinate State Disability Insurance (SDI) with their sick time.

## **REQUESTING SICK LEAVE**

1. Employees who are absent in accordance with the sick leave policy shall notify their immediate supervisor of such absence no later than the beginning of their regularly assigned shift. Departmental policy may be more restrictive.

2. In the event sick leave exceeds one (1) regularly scheduled work day, the employee shall advise the immediate supervisor of the anticipated date of return.
3. An employee who is on sick leave for three (3) days or more may be required to obtain a doctor's work release which shall be presented to his/her supervisor upon return to work. A copy of all work releases must be forward to Human Resource.
4. An employee's immediate supervisor may place the employee in a sick leave status if, in the opinion of the supervisor, the employee's continued presence at the work station would jeopardize the health, safety or welfare of the employee, other employees, or the City of Taft and its citizens.

### **RETURN FROM SICK LEAVE**

1. The City of Taft may require an employee who has been on sick leave to satisfactorily complete a physical examination by a City retained physician at the City's expense. Refusal to comply shall constitute cause for waiver of sick leave, suspension, demotion, or dismissal of the employee from City service.
2. Employees who have been on sick leave may be required to satisfactorily complete a physical examination administered by a City retained physician if the employee's immediate supervisor believes the City is being exposed to a workers' compensation liability, that the health, safety and welfare of the employee or of the City and its employees are being jeopardized, or that the employee is abusing the sick leave benefit.

### **OCCUPATIONAL ILLNESS OR INJURY**

The California Workers' Compensation law is designed to compensate employees for lost time occurring as a result of occupationally related illness or injury. In such cases, the law requires a three (3) calendar day waiting period before benefits become payable. It is the policy of the City of Taft to permit use of sick leave accruals during any period of industrial disability unless otherwise prohibited by Memorandum of Understanding.

1. An employee shall be entitled to receive proportional sick leave pay during any absence caused by an occupational illness or injury unless otherwise prohibited by Memorandum of Agreement or by provisions of this policy.
2. For purposes of this policy, proportional sick leave shall be defined as that amount of accrued sick leave necessary to provide the employee with forty (40) hours pay during a seven (7) consecutive day work period.

3. Proportional sick leave shall be computed by dividing the workers' compensation benefits to which an employee is entitled by the employee's base hourly salary to establish the number of hours for which the employee has been compensated at regular base hourly rate during the seven (7) consecutive day work period.
4. In no event, shall an employee's use of sick leave during an industrial disability exceed forty (40) hours less the number of hours of industrial disability benefits as computed above.
5. Payment of workers' compensation benefits shall be made directly to the employee.
6. Sworn officers of the Taft Police Department shall be entitled to full pay without loss of accrued sick leave for the duration of an occupationally incurred injury or illness. For purposes of this policy, duration of occupational injury or illness shall begin on the date of disability and shall cease upon the date the employee returns to work or upon disability retirement from the Taft Police Department. In no case however, shall said benefits be payable in excess of one (1) year. All benefits payable under this section shall be in accordance with Section 4850 of the California Labor Code.
7. Employees on Workers Compensation will not accrue sick leave when not in paid status. While remaining in paid status accruals will be pro-rated.

#### **PAYMENT FOR UNUSED SICK LEAVE**

1. Upon normal service retirement from the City of Taft, the retiring employee shall be paid a lump sum of money not to exceed 50% of accrued sick leave. Additionally, said payment shall not exceed payment for forty-five (45) working days. Such accruals shall be liquidated in cash in the payroll period immediately following the effective date of retirement.
2. Except where provided by Memorandum of Agreement, payment for unused sick leave shall be limited to those provisions indicated above.