

SICK LEAVE

The NWESD 189 will grant each staff member sick leave days annually in accordance with RCW 28A.400.300 as follows:

- 1) Full-time (2,080 hours minimum for a classified position/180 days minimum for a certificated position) certificated and classified staff members of the NWESD 189 will earn twelve (12) days sick leave each year.
- 2) Part-time staff members will earn prorated sick leave according to the ratio of days and/or hours worked to the number of days and/or hours worked by a full-time staff member in the same or similar position.
- 3) Hourly, on-call, and substitute staff will earn one (1) hour of sick leave for every forty (40) hours worked.

During sick leave periods, a nonsalary deduction will be made, for employee illness/injury or for the care of an employee's family member to include spouse, registered domestic partner, child, parent, parent-in-law, sibling, grandparent, or grandchild with an illness/injury requiring such assistance. Sick leave may also be used when a staff members' workplace or children's school or place of care has been closed by a public official for any health-related reason or for absences that qualify for leave under the Domestic Violence Leave Act. Retaliation against a staff member for lawful exercise of paid sick leave rights is prohibited.

Qualification for use of sick leave does not necessarily constitute qualification under the *Family Medical Leave Act*. Policy 5404 provides guidance related to the *Family Medical Leave Act* access and provisions. This leave will be credited monthly as it is earned and may be accessed in fifteen (15) minutes or longer increments. Unused sick leave may be accumulated on a year-to-year basis up to a maximum of the number of contract days in a contract period, not to exceed one year (180 days) for full-time and part-time staff. Hourly, on-call, and substitute staff may carry over up to forty (40) hours of sick leave from year-to-year. Sick leave balances for hourly, on-call, and substitute staff will be held by the NWESD 189 for up to twelve (12) months after termination, and forfeited after this time period if the employee does not return to active employment.

The NWESD 189 may require a signed statement/prognosis from a physician for any absences totaling three (3) or more days, whether consecutive or intermittent. The NWESD 189 will pay any cost in excess of those covered by medical insurance for such a NWESD 189-required statement through its normal reimbursement process. If sick leave benefits are exhausted, the Superintendent may grant leave without pay for the balance of the year, provided all other available leaves have also been exhausted.

Attendance Incentive—In January of the year following any year in which a minimum of sixty (60) days of sick leave is accrued, and each January thereafter, any eligible staff member may exercise an option of one of the following:

- 1) receive remuneration for unused sick leave accumulated in the previous year in an amount equal to one (1) day's monetary compensation of the staff member for each four (4) full days of accrued sick leave in excess of sixty (60) days;

- 2) add that year's sick leave to the staff member's accumulated sick leave; or
- 3) request remuneration be forwarded to a VEBA III account in accordance with federal law and IRS procedures.

All such leave for which the staff member receives compensation will be deducted from accumulated sick leave at the rate of four (4) days for every one (1) day's monetary compensation. The per diem rate will be calculated by the method established in Policy 5280.

A staff member may cash-out all accrued sick leaves at the above rate at the time of an eligible separation from employment as set forth in RCW 28A.400.210 and Chapter 392-136 WAC.

The administrator of the estate of a deceased staff member may also cash-out all accumulated sick leave at the rate of one (1) day's monetary compensation for every four (4) days of leave. A certified copy of the death certificate and proper documentation of court appointment as administrator of the estate must be submitted to the NWESD 189.

Earned sick leave will not be accumulated in excess of 180 days as of December 31 of each year, except that an employee may exercise the annual January cash-out option for all days accumulated in excess of this maximum.

First Reading:

- Second Reading: 08/27/84 (as 4630, 4640)
- Revised: 07/27/88 (as 4630)
- Revised: 02/26/92 (as 4630, 4640)
- Revised: 06/23/93 (as 4630)
- First Reading: 04/24/96 (as 4570)
- Second Reading: 05/22/96 (as 4570)
- Revised: 02/26/97 (as 4630)
- Revised: 05/23/01 (recodified 5401)
- Revised: 09/24/03
- Revised: 11/17/08
- Revised: 08/27/14
- Revised: 09/25/14
- Revised: 01/24/18

Reference:

- RCW 28A.310.180
- RCW 28A.310.200
- RCW 28A.310.210
- RCW 28A.310.220
- RCW 28A.310.240
- RCW 49.12.270
- WAC 392-136
- WAC 296-130
- AGO 1963-64, #98