

Town of Truckee

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*Paid Sick Time – part time & seasonal  
employees*

## PAID SICK TIME

### I. Purpose and Scope

#### A. Purpose

In accordance with the Healthy Workplaces/Healthy Families Act of 2014, The Town of Truckee recognizes that all employees will need days off from work from time to time to address their medical needs. This document establishes the policies and procedures the Town of Truckee shall adhere to with regards to paid sick time in accordance with California Labor Code section 245 *et seq.*

#### B. Applicability

This policy applies to temporary, part-time, and seasonal employees (exempt and non-exempt) who, on or after July 1, 2015, work for the Town of Truckee for 30 or more days within 12 months from the beginning of employment and who are not eligible for any form of "comprehensive leave" benefit provided by the Town to other employee groups.

#### C. Exclusions

Employees not covered by this policy are those who are eligible for the more generous leave benefits provided by the Town pursuant to a memorandum of understanding (represented employees), Personnel Rules (non-represented employees) or employment agreement.

### II. Policy

#### A. Entitlement

Employees covered by this policy ("Employees") are entitled to 3 days or 24 hours of paid sick time annually which may be used within a 12 month period or term of employment. Twenty-four (24) hours shall be the maximum benefit except in situations where a day in an Employee's regular work schedule is longer than an 8-hour day (e.g. an Employee who works four, 10-hour days per week.) In such cases, a "day" shall be the equivalent of the hours in the Employee's regularly-scheduled work day.

Paid sick leave made available under this policy has no cash value, and the Town of Truckee does not pay Employees under this policy for available sick leave at separation.

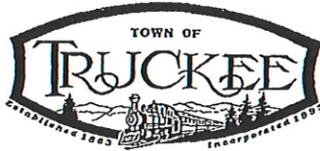
#### B. Usage

- An Employee may use available paid sick days beginning on the 90<sup>th</sup> day of employment. However, at its sole discretion, the Town of Truckee may allow the use of paid sick leave to an Employee in advance of the 90<sup>th</sup> day of employment.

- The Town of Truckee shall allow the use of paid sick days upon the oral or written request of an Employee for themselves or a family member for the diagnosis, care or treatment of an existing health condition or preventative care, or specified purposes for an Employee who is a victim of domestic violence, sexual assault, or stalking, the purposes described in Labor Code section 230(c) and Labor Code section 230.1(a).
- "Family member" for purposes of this paid sick leave policy means:
  - A child (biological, adopted, or foster child, stepchild, legal ward, or child to whom the Employee stands in loco parentis, regardless of the age or dependency status);
  - A biological, adoptive, or foster parent, stepparent, or legal guardian of an Employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the Employee was a minor child;
  - A spouse;
  - A registered domestic partner;
  - A grandparent;
  - A grandchild;
  - A sibling.

The Employee must provide reasonable advance notification, orally or in writing, of the need to use sick leave, if foreseeable. If the need to use sick leave is not foreseeable, the Employee must provide notice as soon as practical. The Town of Truckee will not condition the use of sick leave on the Employee finding someone to cover his/her work.

- Employees must use sick leave in at least one half (.5) hour increments.
- Employees will only receive paid sick time for the number of hours they would have worked during their scheduled shift. For example, if the Employee was scheduled for a four hour shift, they will be compensated with four hours of paid sick time only.
- The Town of Truckee will limit the use of paid sick days to 24 hours or three days in each year of employment.
- Employees will be provided the total amount of sick leave that may be used per year—24 hours or 3 days—at the beginning of each fiscal year beginning July 1, or the first date of employment, whichever is later, therefore *no* accrual or carry-over is permitted.
- For returning seasonal Employees or for any temporary employees who have a break in service of less than one year, paid sick time will be provided as outlined above. However, returning seasonal Employees (or any Employee that has a break in service and returns to work for the Town within one year from their last day worked) do not need to wait until the 90<sup>th</sup> day of employment to use their paid sick leave. They will have access to their available sick leave for that fiscal year immediately upon re-employment with the Town, provided their returning start date is within 12 months of their previous departure date.



**MEETING DATE:** June 23, 2015  
**TO:** Honorable Mayor and Council members  
**FROM:** Kim Szczurek, Administrative Services Director  
**SUBJECT:** Adoption Statement of Paid Sick Time policy for Part Time and Seasonal Employees

**APPROVED BY:** \_\_\_\_\_  
Tony Lashbrook, Town Manager

**RECOMMENDATION:** Council approve the attached Paid Sick Time – part time and seasonal employee policy.

**DISCUSSION:** California Labor Code (sections 245-249) was modified by the state legislature to require the inclusion of sick time benefits for part time and seasonal employees as of July 1, 2015. This includes employees not otherwise covered by a labor agreement (as well as some other minor exclusions) who work more than 30 days within any year.

The attached policy reflects the current requirements of the statutes. We have been informed that there will most likely be a modification to the statute to exclude retired annuitants from this requirement, however this has not yet occurred.

Our intention is to include this policy in the overall Town Personnel Rules when we do a holistic review and update of the policies in 2015-16

**FISCAL IMPACT:** there will be a timekeeping and small financial impact for paid but not worked days for the Town's seasonal operations.

**PUBLIC COMMUNICATIONS:** N/A

**ATTACHMENTS:** Proposed Paid Sick Time – Part Time and Seasonal Employees policy