

CITY OF BALDWIN PARK

MEMORANDUM

TO: All Affected Part-Time Employees

CC: Executive Team, Managers, & Supervisors

FROM: Shama P. Curian, Human Resources Manager 

DATE: July 1, 2015

SUBJECT: AB 1522: PAID SICK LEAVE FOR PART TIME EMPLOYEES

Effective July 1, 2015, California's new Healthy Workplaces, Healthy Families Act of 2014 ("AB 1522") requires that all employees who have worked for more than 30 days for an employer, be provided with paid sick leave up to three (3) days or twenty-four (24) hours in a 12-month period. This law applies to those employees who do not currently receive any paid sick leave: all part-time, paid intern, temporary, and seasonal employees of the City of Baldwin Park.

The attached policy details the procedures and guidelines for providing paid sick leave pursuant to AB1522, however, provided to you is a quick summary for clarification:

- The City has chosen the "frontload" method which provides paid sick leave accruals up front beginning July 1, 2015 for current employees and on the hire date for new employees going forward, and again at the beginning of each calendar year.
- An employee is not eligible to begin using paid sick leave until the 90th day of employment. This 90th day time period began to run on January 1, 2015. Therefore, current employees who have been employed for over 90 days on July 1, 2015 will be entitled to use paid sick leave going forward.
- Paid sick leave can be used for diagnosis, care, or treatment of an existing health condition, or preventative care for and employee or an employee's family member (defined in policy). It can also be used for an employee who is a victim of domestic violence, sexual assault or stalking as provided in Labor Code Sections 230-230.1
- An employee shall provide reasonable notice of any foreseeable use of paid sick leave, or, if the need for use of sick leave is unforeseeable, then shall provide notice as soon as practicable.
- Unused sick leave is not a vested benefit and an employee is not entitled to cash out of unused sick leave.

- Supervisors will be responsible for accurately reporting, approving, and tracking the usage of sick leave on all timesheets in accordance with this policy.

Please carefully read The Paid Sick Leave Policy, complete the acknowledgement form attached, and return to Human Resources no later than Wednesday July 22, 2015.

If you have questions please feel free to contact the Human Resources Department.



CITY OF BALDWIN PARK

PAID SICK LEAVE POLICY PART-TIME EMPLOYEES

Policy

To outline the procedure and guidelines for providing paid sick leave pursuant to AB 1522 "Healthy Workplaces, Healthy Families Act of 2014" for part-time employees of the City of Baldwin Park.

Applicability

The following policy applies only to part-time, paid intern, temporary, and seasonal employees of the City of Baldwin Park. Supervisors will be responsible for accurately reporting, approving, and tracking the usage of sick leave to the Finance Department.

Definitions

Effective July 1, 2015, California law ("AB 1522") requires that all employees who have worked for more than 30 days for an employer be provided paid sick leave at the accrual rate of one hour of sick leave for every 30 hours worked, up to a minimum of 3 days or 24 hours of paid sick leave to be provided in a 12-month period. However, it does not apply to employees who are covered by a valid collective bargaining agreement (CBA) or a benefit resolution that meet or exceed the minimum requirements under AB 1522.

Methodology – Frontload Method

The city of Baldwin Park will provide each employee with 3 days or 24 hours of paid sick leave at the beginning of each 12-month period. An employee is not eligible to begin using any accrued paid sick leave until after 90 days of employment with the City.

Sick Leave Use

In accordance with California's Paid Sick Leave law, an employee may use accrued paid sick leave for one of the following reasons:

1. For the employee's own diagnosis, care, or treatment of an existing health condition or preventative care.
2. For the diagnosis, care, or treatment of an existing health condition or preventative care for an employee's family member including:

- a. Child (including biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis).
 - b. Spouse or Registered Domestic Partner
 - c. Parent (including 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.
 - d. Grandparent
 - e. Grandchild
 - f. Sibling
3. To obtain any relief or services related to being a victim of domestic violence, sexual assault, or stalking including the following with appropriate certification of the need for such services:
- a. A temporary restraining order or restraining order.
 - b. Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.
 - c. To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
 - d. To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.
 - e. To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.
 - f. To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

Sick leave is not a leave which an employee may use at his/her discretion, but shall be allowed only in cases of actual illness, diagnosis, care or treatment of an existing health condition of an employee or employee's family member or preventative care for an employee or employee's family member, relief or services related to being a victim of domestic violence, sexual assault, or stalking and emergency or routine medical appointments. Sick leave may not be utilized for the purposes of trading shifts or rescheduling shifts.

An employee shall provide reasonable advance notification (oral or written) of their need to use accrued paid sick leave to their direct supervisor if the need for paid sick leave use is foreseeable (e.g., doctor's appointment scheduled in advance).

An employee who uses paid sick leave must do so with a minimum increment of two (2) hours of sick leave.

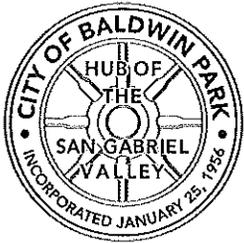
Paid sick leave will not be considered hours worked for purposes of overtime calculation. An employee will not receive compensation for unused accrued paid sick leave upon termination, resignation, retirement or other separation from employment from the City.

The City will not lend sick leave in advance of accrual.

The City will not retaliate against an employee who utilizes paid sick leave.

If an employee separates from City employment and is re-hired by the City within one year of the date of separation, previously accrued and unused paid sick leave hours shall be reinstated to the extent required by law. However, if a rehired employee had not yet worked the requisite 90 days of employment to utilize paid sick leave at the time of separation, the employee must still satisfy the 90 days of employment requirement collectively over the periods of employment with the City before any paid sick leave can be used.

Any abuse of sick leave usage shall be grounds for disciplinary action up to and including dismissal.



CITY OF BALDWIN PARK

SICK LEAVE POLICY – PART-TIME EMPLOYEES

PRINT NAME: _____

POSITION TITLE: _____

DEPARTMENT: _____

By my signature, I acknowledge that I have received the City of Baldwin Park's Sick Leave Policy.

Signature

Date

cc: Personnel File