

# Healthy Workplace Healthy Families Act of 2014 (AB 1522)

## Hesperia Unified School District AR 4121—Temporary/Substitute/Short Term/Walk-On/Student Personnel

### Paid Sick Leave

Any temporary, substitute, short term, walk-on, or student employee who works for 30 or more days within a year of his/her employment shall be entitled to one hour of paid sick leave for every 30 hours worked. Such employee may begin to use accrued paid sick days on the 90th day of employment, after which he/she may use the sick days as they are accrued. Employees shall be entitled to use no more than 24 hours of accrued sick leave per year. Accrued paid sick days shall carry over to the following year of employment, up to a maximum of 48 hours (Labor Code 246).

A temporary or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

1. The diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or his/her family member as defined in Labor Code 245.5
  - a. "Family member" means any of the following:
    - i. A child (biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis, regardless of age or dependency status);
    - ii. 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;
    - iii. A spouse;
    - iv. A registered domestic partner;
    - v. A grandparent;
    - vi. A grandchild;
    - vii. A sibling.
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

No employee shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against any employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249. The Superintendent or designee shall display a poster containing required information, provide notice to eligible employees of their sick leave rights, keep records of employees' use of sick leave for three years, and comply with other requirements specified in Labor Code 245-249 and in AR 4161.1/4361.1 - Personal Illness/Injury Leave.

### **Process for Utilizing Paid Sick Leave:**

1. To utilize available leave, or for questions or assistance, please contact **Angela Edwards**, Payroll Specialist, at **extension 7332**.
2. Paid sick leave must be taken in a minimum of two-hour increments.
3. A substitute employee must first accept an assignment for the day on which he/she is requesting to be absent prior to utilizing available paid sick leave. In order to utilize sick leave, the substitute employee must cancel the assignment they are assigned to and complete an "Absence Request Form-AB 1522" (See directions in item 4 below).
4. Within seven days after any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed District absence form to the payroll department. This form is available in the Personnel Services section at [www.hesperiausd.org](http://www.hesperiausd.org) under the heading "Absence Request Form-AB 1522" and must be signed by the employee.
5. This absence form **must** be submitted to the payroll department for approval prior to receiving payment.
6. If you serve as a classified substitute in multiple classifications with different rates of pay, you will be paid for service at a rate equivalent to the average hourly rate of all classifications worked.
7. Paid sick leave will be available following your 90<sup>th</sup> day of employment, after 30 days worked.
8. You must serve as a substitute in Hesperia Unified School District at least one time per six months of employment to remain an active employee.
9. If you resign and are rehired within one year of your separation, you will be entitled to any previously accrued and unused sick days.

**Personnel Services**

**7/31/17**