

# County of Tuolumne

## Healthy Families Act of 2014

### Paid Sick Leave Law



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## PAID SICK LEAVE LAW

Effective July 1, 2015, AB 1522, The Healthy Families Workplaces, Health Families Act of 2014, California Labor Code Sections 245 – 249, requires the County of Tuolumne (“County”) to provide paid sick leave to all employees that are not represented by the County’s Memorandums of Understanding. This policy shall only affect all part-time non benefitted employees (e.g. relief, seasonal, retired annuitants). Full-time and part-time benefitted employees who are represented within the County’s Memoranda of Understanding, public agency retired annuitants and In-Home Support Services Employees are specifically excluded from this policy.

Sick leave shall be earned and used as follows.

- An employee shall begin to accrue paid sick leave at the rate of one (1) hour of paid sick leave for every thirty (30) hours worked beginning on the 31<sup>st</sup> calendar day of employment with the County, whichever is later.
- An employee shall be eligible to begin using any accrued paid sick on the 91<sup>st</sup> calendar day of employment with the County.
- An employee is only allowed to use up to a maximum of 3 days or 24 hours of paid sick leave in a 12-month period.
- An employee must be scheduled to work in order to use sick leave.
- An employee can only accrue paid sick leave up to a cap of 6 days or 48 hours ongoing. Any unused accrued paid sick leave does carryover year to year while continuously employed.
- In accordance with California’s Paid Sick Leave law, an employee may use 3 days or 24 hours of accrued paid sick leave in a 12-month period for one of the following reasons:
  - For the employee’s own diagnosis, care, or treatment of an existing health condition or preventative care.
  - For the diagnosis, care, or treatment of an existing health condition or preventative care for an employee’s family member, including:
    - *Child (including a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis.)*
    - *Spouse or Registered Domestic Partner*

- *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.)*
- *Grandparent*
- *Grandchild.*
- *Sibling.*
- 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 temporary restraining order or restraining order.*
  - *Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.*
  - *To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.*
  - *To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.*
  - *To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.*
  - *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.*
- An employee shall provide reasonable advance notification of their need to use accrued paid sick leave to their supervisor if the need for paid sick leave use is foreseeable (e.g., doctor's appointment scheduled in advance). If the need for paid sick leave use is unforeseeable, the employee shall provide notice of the need for the leave to their supervisor as soon as is practicable but no later than 30 minutes after the start of their shift.
- An employee who uses paid sick leave must do so with a minimum increment of two hours of sick leave.
- Paid sick leave shall not be considered hours worked for purposes of overtime calculation.

- An employee shall not receive compensation for unused accrued paid sick leave upon termination, resignation, retirement or other separation from employment from the County.
- If an employee separates from County employment and is re-hired by the County 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 use 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 County before any paid sick leave can be used.
- Denying an employee the right to use paid sick leave as provided for in this policy is prohibited. Retaliation or discrimination against an employee who requests or uses paid sick leave is prohibited. Employee has the right to file a complaint against an employer who retaliates or discriminates against him/her for requesting or using accrued sick days; attempting to exercise the right to use accrued paid sick days; filing a complaint or alleging a violation of Article 1.5 section 245 et seq. of the California Labor Code; or cooperating in an investigation or prosecution of an alleged violation of this Article or opposing any policy or practice or act that is prohibited by Article 1.5 section 245 et seq. of the California Labor Code.