

# Los Rios Community College District

## Paid Sick Leave

Labor Code section 245

Temporary Classified/Student Employees/Substitutes

*The following applies to employees who accrue paid sick leave only pursuant to the minimum requirements stated in Labor Code §245 et seq. with no other employer policy providing additional or different terms for accrual and use of paid sick leave.*

Unless exempt, temporary classified, student employees, and substitute assignments are entitled to minimum requirements for paid sick leave under state law which provides that an employee, once eligible for the leave:

- a. May accrue up to 80 hours of paid sick leave and may request and use up to 5 days or 40 hours of accrued paid sick leave per year;
- b. May not be terminated or retaliated against for using or requesting the use of accrued paid sick leave; and
- c. Has the right to file a complaint against an employer who retaliates or discriminates against an employee for
  1. requesting or using accrued sick days;
  2. attempting to exercise the right to use accrued paid sick days;
  3. filing a complaint alleging a violation of Article 1.5 section 245 et seq. of the California Labor Code; and,
  4. 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.

### Accrual of Paid Sick Leave

The above-referenced employees will earn 1 hour of sick leave for every 30 hours worked up to a maximum of 80 hours. Sick leave will accrue on a monthly basis the month after hours are reported as worked and paid. For example, if an employee works 60 hours in October, 2 hours of sick leave will accrue and post in November and be available for use as of November 1.

### Use of Paid Sick Leave

Employees may use paid sick leave so long as they have been employed at least 90-days, worked at least 30 days, and have at least 2 hours available to use. Time off must be reported on an absence report, and if the employee is eligible and has sufficient accrued sick leave, the payable sick leave hours will be processed on the pay warrant the month after the absence report is received. For example, if the employee was sick 2 hours in October and was qualified to use sick leave, the absence report would be submitted in November and the 2 hours would be paid on the December 10<sup>th</sup> pay warrant.