

SICK LEAVE

I. Paid Sick Leave for Certificated and Classified Staff Members

The district will grant each, certificated and classified staff member of the district sick leave days annually in accordance with RCW 28A.400.300 and applicable collective bargaining agreements.

Unused sick leave days may be accumulated from year-to-year up to a maximum of one hundred eighty (180) days for the purpose of RCW 28A.400.210 and 28A.400.220, and for leave purposes up to a maximum of the number of contract days agreed to in a given contract, but not to exceed more than one (1) year.

The district may require a signed statement from a healthcare provider for any absence in excess of five (5) consecutive days. If sick leave benefits are exhausted, the board may grant leave without pay for the balance of the year upon the recommendation of the superintendent/designee.

II. Attendance Incentive Program for Certificated and Classified Staff Members

In January of the year following any year in which a minimum of sixty (60) days of sick leave is accrued, and each January thereafter, any eligible staff member may exercise an option either:

- A. To receive remuneration for unused sick leave accumulated in the previous year in an amount equal to one (1) day's monetary compensation of the staff member for each four (4) full days of accrued sick leave in excess of sixty (60) days; or
- B. To add that year's sick leave to the staff member's accumulated sick leave.

All such leave for which the staff member receives compensation will be deducted from accumulated sick leave at the rate of four (4) days for every one (1) day's monetary compensation.

A staff member may cash-out all accrued sick leave at the above rate at the time of an eligible separation from employment as set forth in RCW 28A.400.210 and Chapter 392-136 WAC. An employee who is at least age fifty-five (55), has ten (10) years of service in the retirement system, and is a member of the teachers' or school employees' retirement system Plan 3, or is at least age fifty-five (55), has at least fifteen (15) years of service in the retirement system, and is a member of the teachers' or school employees' retirement system Plan 2 may cash out all accumulated sick leave at the rate of one (1) day's monetary compensation for every four days of leave at the time of separation from employment.

The administrator of the estate of a deceased staff member may also cash-out all accumulated sick leave at the rate of one (1) day's monetary compensation for every four (4) days of leave. A certified copy of the death certificate and proper documentation of court appointment as administrator of the estate must be submitted to the district office.

III. Additional Paid Sick Leave Provisions

- A. Other Nonexempt Staff members – (examples include substitute employees and classified coaches) – Referred to in this section as staff members.

Staff Members are covered by the sick leave provisions of RCW 28A.400.300 and are also covered by the sick leave provisions of RCW 49.46.210 and Chapter 296-128 WAC beginning January 1, 2018.

Below are some of the rights that nonexempt staff members are entitled to under RCW 49.46.210 and Chapter 296-128 WAC:

1. Staff members must accrue at least one (1) hour of paid sick leave for every forty (40) hours worked.
2. Staff members are entitled to use their accrued paid sick leave beginning on the ninetieth (90) calendar day after the commencement of their employment.
3. Staff members may use paid sick leave to care for themselves or their family members, when the staff members' workplace or children's school or place of care has been closed by a public official for any health related reason, or for absences that qualify for leave under the Domestic Violence Leave Act.
4. Staff members who are coaches will accrue the above hours in a separate leave account from their leave account provided in Section I (Paid Sick Leave for Certificated and Classified Staff Members) above. Coaches are not allowed to utilize this sick leave since they are reasonably allowed to re-schedule or be absent from contests or practices and do not suffer any lost wages.
5. Staff members may only use paid sick leave on days they are required to work or are required to use sick leave for absence. Since not all staff members are required to work regularly or take sick leave when they are absent, the Clarkston School District has identified the following positions as those who are required to work and thus are entitled to utilize the paid sick leave:
 - a. Certificated Long Term Substitutes (for employee or vacancy) who have been assigned to the same position beyond twenty (20) consecutive work days.
 - b. Classified Long Term Substitutes (for employee or vacancy) who have been assigned to the same position beyond twenty (20) consecutive work days.
6. Staff members not identified above will accrue leave for future use in either a long-term substitute or permanent position.
7. Sick Leave will be accrued on a "use or lose" basis. Nonexempt staff members will be permitted to carry forty (40) hours of paid sick leave. Any hours accrued beyond forty (40) will be lost at the time of accrual. Accrued sick leave may be transferable to and from other Washington school districts.
8. Upon separation from the school district, any accrued sick leave will remain with the school district for a period not to exceed one (1) calendar year. Should the employee return to the school district within one (1) calendar year, said sick leave will be reinstated.
9. Retaliation against a nonexempt staff member for lawful exercise paid sick leave rights is prohibited.

B. Reasonable Notice for the Use of Paid Sick Leave

Staff members must provide reasonable advance notice of absence from work for the use of paid sick leave to care for themselves or a family member. Please provide such reasonable notice to the supervisor or building office manager. Any information provided will be kept confidential. If a nonexempt staff member's absence is foreseeable, the staff member must provide notice to supervisor or building office manager at least ten (10) days, or as early as possible, before the first day paid sick leave is used. If a nonexempt staff member's absence is unforeseeable, the staff member must contact supervisor or building office manager as soon as possible.

Cross References: 5406 - Leave Sharing

Legal References: RCW 49.46.200 Paid sick leave
RCW 49.46.210 Paid sick leave - Authorized purposes - Limitations - "Family member" defined
Chapter 296-128 WAC Minimum Wages
RCW 28A.400.210 Employee attendance incentive program — Remuneration or benefit plan for unused sick leave
RCW 28A.400.300 Hiring and discharging of employees — Written leave policies — Seniority and leave benefits, of employees transferring between school districts and other educational employers
Chapter 392-136 WAC Finance — Conversion of Accumulated Sick Leave
AGO 1964 No.98 Sick leave for certificated and noncertificated employees
AGO 1980 No.22 Limitation on compensated leave for school district employees

Adoption Date: March 26, 2018
Clarkston School District