2.1.21 SICK TIME FOR TEMPORARY AND CASUAL STAFF EMPLOYEES

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Formerly Known As Policy Number: 2.1.22
This Guide Memo describes paid sick time accrual and usage policies for temporary and casual staff employees.

Authority:
This Guide Memo is approved by the Vice President for Human Resources.

Applicability:
Applies to all casual and temporary staff employees as defined in Administrative Guide Memo 2.2.1 [1]: Definitions. In this Guide Memo, these casual and temporary staff employees are referred to as “contingent employee(s).”

1. Accrual

a. Eligibility

Contingent employees delineated in the Applicability section above accrue and use sick time as described below.

b. Accrual of Sick Time

- Contingent employees accrue sick time at the rate of .03334 hours per hour of straight time. This equates to one (1) hour for every 30 hours worked.
- Unused sick time accumulates from year-to-year, with a maximum limit of 48 hours or six (6) days.
- When a contingent employee leaves one position and accepts another one within the University, the contingent employee retains his/her sick time balance; the contingent employee is subject to any policies applicable to the new position regarding sick time use and limits on sick time accruals.
- If a contingent employee separates from the University and is rehired by the University within 12 months from the date of separation, previously accrued and unused paid sick days shall be reinstated.
- Sick time shall not be paid out upon separation of employment.

2. Use of Sick Time

Contingent employees may begin using sick time on the 90th calendar day after the start of employment with the University. Sick time must be accrued before it can be used. The use of sick days is limited to 24 hours.
or three (3) scheduled work days each year of employment, whichever is greater. Sick time may only be used for an absence that a contingent employee has during scheduled work hours.

 Sick time may be used for the following reasons:

**a. Absence Due to Illness or Injury**

Sick time may be used when a contingent employee's illness or injury prevents the contingent employee from working.

**b. Medical and Dental Appointments**

Sick time may be used for all medical and dental appointments, including:

- Diagnosis, care, or treatment of an existing health condition
- Preventative care
- Those appointments associated with a work injury (e.g., physical therapy)

**c. Domestic Violence, Sexual Assault, or Stalking**

Sick time may be used by a contingent employee who is a victim of domestic violence, sexual assault, or stalking in order to:

- Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child
- Seek medical attention for injuries caused by domestic violence, sexual assault, or stalking
- Obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking
- Obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking
- Participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation

**d. Family Sick Time**

Contingent employees may use sick time for diagnosis, care, or treatment of an existing health condition of, or preventive care for, a contingent employee's family member. For the purpose of this policy, family member includes only the contingent employee's:

- Spouse or registered domestic partner
- Children of the contingent employee or spouse or registered domestic partner (including a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the contingent employee stands in loco parentis, regardless of the child's age or dependency status)
- Parents and parents-in-law (including a biological, adoptive, or foster parent, stepparent, or legal guardian of a contingent employee or the contingent employee's spouse or registered domestic partner, or a person who stood in loco parentis when the contingent employee was a minor)
- Brothers and sisters
- Grandparents or grandchildren
- Other family member dependent on the contingent employee and living in the contingent employee's household
3. Administration

a. Notification of Absence

The contingent employee reports an absence (or planned absence) to the supervisor. The department is responsible for establishing and communicating rules on how contingent employees notify the department of absences. If the need for sick time use is foreseeable, the contingent employee shall provide reasonable advance notice. If the need for sick time use is unforeseeable, the contingent employee shall provide notice of the need for sick time use as soon as practicable. If a contingent employee has accrued sick time available and has not reached applicable limits of sick time use per year of employment, a request to use sick time should not be denied because details are not provided about the sick time use. Contingent employees may be asked to schedule appointments at a time convenient for the department. Where flexible schedules work for the department, supervisors are encouraged to accommodate appointments by flexing a contingent employee’s work hours.

b. Recording and Reporting Sick Time Accumulation and Use

The University uses the human resources management system (Axess/PeopleSoft HRMS) to record sick time credited, used, and accumulated for all contingent employees. Contingent employees record hours of sick time used in the Axess Timecard each pay period. The use of sick time is limited to 24 hours (or three scheduled workdays, whichever is greater) during each year of employment. Up to 24 hours of sick time use may be recorded in Axess; if a contingent employee has three scheduled work days of sick time use that exceeds 24 hours, the contingent employee should request assistance from the local Human Resources Office. Contingent employees are not paid for time spent away from work in excess of the sick time limit per year of employment, and such time is not recorded in Axess. (For information about Axess, see the Time & Leave System overview [2].)

c. Sick Time Credit Date

Sick time is credited at the beginning of each month of service, calculated based upon work hours recorded during the previous month. If a contingent employee needs to use sick time that has been accrued but not yet credited in Axess, the contingent employee should speak to the local Human Resources Office for assistance.

d. Tax Status

Sick time is taxable income. Federal, state and FICA taxes are deducted.

e. Medical Confirmation

(1) Medical Confirmation Related to Use of Sick Time

Acceptable medical evidence may be required for the use of sick time. However, for a contingent employee’s use of the first 24 hours of sick time (or three scheduled work days, whichever is greater) during each year of employment, excepting circumstances involving abuse or misuse of sick time as stated in subpart (2) below, supervisors may not require acceptable medical evidence, and supervisors should not deny sick time use based on a contingent employee’s failure to provide details about the sick time use. The supervisor who approves the use of sick time is responsible for confirming that the conditions for use of sick time are met.

(2) Medical Confirmation Related to Possible Abuse or Misuse of Sick Time

If the University has reasonable basis to believe that a contingent employee may have engaged in...
abuse or misuse of sick time at any time (even during the first 24 hours or three scheduled workdays of sick time use during each year of employment), the University may ask for acceptable medical evidence or other proof showing that a contingent employee has not engaged in abuse or misuse of sick time. Abuse or misuse of sick time, failure to follow sick time notification procedures (e.g., failing to provide reasonable advance notice for foreseeable sick time use, not providing requested medical information when abuse or misuse is suspected, or not giving notice as soon as practicable for unforeseeable sick time use) may be a basis for discipline, up to and including termination of employment. Also, use of sick time may be denied if there is abuse or misuse of sick time.

(3) Acceptable Medical Evidence

Acceptable medical evidence includes, but is not limited to, a healthcare practitioner’s statement that certifies a medical need for sick time, the expected duration of absence and anticipated return to work date, and any work-related limitations or restrictions (including the duration of those limitations or restrictions) when the contingent employee is released to return to work.

f. Sources of Funds for Sick Time

As sick time is used to replace scheduled work hours, it should be recorded in Axess on the timecard associated with the job for which the work time was scheduled. Sick time used is charged to the department that owns this job record.

g. Applicable Laws

The intent of this Guide Memo 2.1.22 is to meet or exceed requirements of all applicable laws, including, without limitation, the California Paid Sick Leave Law enacted by Assembly Bill 1522.