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## Sick Time\*

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In accordance with Oregon law , the district shall provide sick time to all employees as defined in ORS 653.601. The provision and use of sick time for most employees is governed by the district's agreements with its employee associations. The following provisions shall apply unless otherwise specified in the pertinent collective bargaining agreement, statement of benefits, contract or other agreement.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district and are eligible to use sick time beginning on the 91st calendar day of employment with the district and may use sick time as it is accrued.

Eligible employees shall accrue paid sick time at the rate of one hour of paid sick time for every 30 hours the employee works, up to 40 hours of paid sick time per year. Up to 40 hours of accrued sick time may be used per fiscal year. Up to 40 hours of unused sick time may be carried over to the subsequent year.

Sick time shall be taken in hourly increments. Sick time may be used for the employee's or a family member's mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive care, or for reasons consistent with qualifying Family Medical Leave (FMLA), Paid Family and Medical Leave Insurance (PFMLI) or Oregon Family Leave (OFLA). Sick time may also be used in the event of a public health emergency or for leave to address domestic violence, harassment, sexual assault, bias, or stalking under ORS 659A.272.

The appropriate use of sick time as provided by state law may not lead to or result in an adverse employment action against the employee. The district may discipline an employee for violating workplace policies and procedures related to the use of sick time.

The district reserves the right to require<sup>1</sup> verification or certification in accordance with law of the need for the sick time, including a medical verification or certification paid for by the district. If an employee fails to provide verification or certification or fails to provide other evidence as required by the district, the employee shall be subject to appropriate disciplinary action, up to and including dismissal.

When the reason for sick time is consistent with FMLA, PFMLI or OFLA leave, sick time leave and qualifying FMLA, PFMLI or OFLA leave may run concurrently.

When the reason for sick time is consistent with ORS 332.507, sick time leave and leave pursuant to ORS 332.507 may run concurrently.

If the reason for sick time is a foreseeable absence, the district requires an employee to provide advance notice of the intention to use sick time 10 days prior to when the requested sick time is to begin or as soon as otherwise practicable. When an employee uses sick time for a foreseeable absence, the employee shall take reasonable

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<sup>1</sup> In the case of need for leave under ORS 659A.272, the district may not require the verification or certification to explain the nature of the illness or details related to the domestic violence, sexual assault, harassment, bias or stalking which necessitates the use of sick time.

effort to schedule the sick time in a manner that does not unduly disrupt the operations of the district (e.g., grading deadlines, inservice training, mandatory meetings). Substitute employees may not accept a daily assignment for a day they anticipate needing to take sick time.

If the reason for sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district at least 24 hours in advance or, when circumstances prevent the employee from providing notice as required, as soon as practicable.

The district shall establish a standard process to track sick time for eligible employees.

END OF POLICY

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Legal Reference(s):

[ORS 332.507](#)

[ORS 342.545](#)

[ORS 342.610](#)

[ORS 659A.150 - 659A.186](#)

[OAR 839-007-0020 - 0065](#)

Americans with Disabilities Act/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2023); 28 C.F.R. Part 35 (2023).

Family and Medical Leave Act, 29 U.S.C. §§ 2601-2654 (2018); Family and Medical Leave Act, 29 C.F.R. Part 825 (2023).