



**Presentation/Proposal From**  
Oregon Sick Time]

**Name:** Diana Glenn

**Date:** 3/27/19

**Department:** Human Resources

**Contact Information:** Diana Glenn

- ❖ Complete Items 1–8 to the best of your ability (see Instructions form for reference).
- ❖ If an item listed is not relevant to your specific presentation to College Affairs, please mark it *N/A*.
- ❖ E-mail the completed checklist to the College Affairs committee support specialist by the specified deadline.

**1. PRESENTATION/PROPOSAL ABSTRACT (150–250 words)**

Update G-32-21 Oregon Sick Time Policy to comply with legislation. See attached.

**2. TYPE OF PRESENTATION/PROPOSAL**

- Information Item (requires approval of CA Chair)
- Action Item
  - Information and committee feedback
  - Procedure—*revision* (Attach current procedure with proposed changes highlighted using track changes.)
  - Procedure—*new* (Attach proposed procedure separately.)
    - Identify suggested location in *General Procedures Manual*: \_\_\_\_\_

◀ Policy—*revision* (Attach current policy with proposed changes illustrated with track changes)

Policy—*new* (Attach proposed policy separately.)

Identify suggested location in *General Policy Manual*:\_\_\_\_\_

Other:\_\_\_\_\_

## **BUDGET IMPACT**

None

## **INSTRUCTIONAL REQUIREMENTS/IMPACTS**

None

## **5. OPERATIONAL IMPACT**

Tracking requirements will be updated in Banner.

## **STUDENT IMPACT**

**None**

## **ANTICIPATED IMPLEMENTATION TIMELINE**

**Immediately**

## **MOTION TO BE RECOMMENDED**

Move to approve the revised Oregon Sick Time Policy G-32-21.

## G-32-21 Oregon Sick Time Policy

Central Oregon Community College (COCC) provides paid sick leave to all college employees as required under Oregon law (OL, Chapter 537) through the following:

- Collective Bargaining Agreements (Faculty Forum, Classified Association, and ABS/OSEA employees)
- Employee Handbook (Administrative/Confidential/Supervisory employees)
- Oregon Sick Time Law (all other non-benefited employees)

All COCC employees whom are in a benefited status, including those covered under a CBA with the College, Administrative, Confidential and Supervisory employees, are already receiving a negotiated, paid, sick leave benefit through ORS 332.507 which provides the substantially equivalent requirement under the Oregon Sick Time Law.

All other COCC employees who are not working in a position and status with College benefits, and are not receiving substantially equivalent paid sick leave, are ~~now~~ eligible to earn for this paid sick time, identified as Oregon sick time, benefit through SB 454 as of January 1, 2016. Students who receive Federal Work Study financial aid for working in approved Work Study positions at the College, and Community Assistants who receive Residence Hall room and board in exchange for their services are exempt from the Sick Time law under SB 454. For those employees who are paid by a stipend or measurement other than hours, a reasonable method will be used to calculate and convert this payment to hours. COCC employees who are receiving substantially equivalent sick leave satisfy the requirements under SB 484 and are not eligible for sick time accrual or usage under G-32-21.1 or G-32-21.2.

Any sick leave accrued through SB 454, known as sick time, is required to be kept separate and distinct from that which accrues through ORS 332.507, is not transferable, is only available for use in the job for which it was earned, and does not count toward any PERS calculation under ORS 332.507.

As part of Oregon Sick Time, ~~e~~Employees are not entitled to be paid for earned but unused sick time sick days, either before or when their employment is terminated for any reason as sick leave is not a vested benefit. If an employee's employment with the College ends and s/he is rehired within 180 days of separation, any accrued, unused sick time balance at the time of separation will be reinstated, and the days worked in that previous period of employment will count toward the 90-day waiting period before the accrued sick time may be used. If the rehire date is greater than 180 days after separation, the employee will start accruing from a zero balance upon rehire, and the 90-day waiting period will apply.

### G-32-21.1 Accrual of Oregon Sick Time

For Oregon sick time, eEligible employees accrue sick time hours at the rate of one (1) hour for every 30 hours worked up to a maximum of 40 hours of leave per calendar year. Hours worked includes overtime hours worked. A maximum of 40 hours of unused sick time may be carried over from one year to the subsequent year, up to a total of 80 hours. ~~Sick time earned in one month is available for use in the following month.~~ Employees will have written notice of the requirements for Oregon Sick Time and receive quarterly notifications by email to inform them of their accrued and unused sick leave balance, and will be able to look up their Sick Leave balance on their personal Bobcat accounts [online](#).

## G-32-21.~~32~~ Oregon Sick Time or Sick Leave Notification to Supervisor

All employees shall notify their immediate supervisors when they will be absent from their scheduled shifts due to an illness or injury or other covered absences (see approved uses, below) according to the procedures established for their position and department.

Specific procedures are defined by the respective CBAs for each bargaining unit for scheduled and unscheduled absences. For scheduled absences for all others, advance notice is required, and employees are to schedule health appointments around their work schedules and responsibilities as much as is practicable. For unscheduled absences, employees are required to call in not less than one hour before their scheduled shifts unless the absence is caused by a true emergency for the employee or covered family member.

The College may require reasonable advance notice for use of Oregon Sick Time if the leave is foreseeable. If the Oregon Sick Time Leave is unforeseeable, the employee needs to provide notice as soon as is practicable.

## G-32-21.~~23~~ Oregon Sick Time Usage

New eligible employees will start accruing sick time hours as defined under the Oregon Sick Time requirements upon their first day of employment, but must wait 90 days before using any accrued sick leave to be paid for qualified absences as of their 91st day of employment.

Although employees covered by SB 454 may not otherwise qualify for the 12-week leave provisions through the Oregon Family Leave Act (OFLA), sick leave accrued may be used for the following purposes:

1. For the employee'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 medical care;

2. For care of a family member with a mental or physical illness, injury or health conditions; care of a family member who need medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or care of a family member who needs preventive medical care;
3. To care for an infant or newly adopted child under 18, or for a newly placed foster child under 18, or for a child over 18 if the child is incapable of self-care because of mental or physical disability;
4. To care for a family member with a serious health condition;
5. To recover from or seek treatment for a serious health condition that renders the employee unable to perform at least one of the essential functions of the employee's job;
6. To care for a child of the employee who is suffering from a non-serious illness, injury or condition;
7. To deal with the death of a family member by attending the funeral or alternative, making arrangements necessitated by the death of a family member, or grieving the death of a family member;
8. To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependent for proceedings related to domestic violence, harassment, sexual assault, or stalking;
9. To seek medical treatment, recover from injuries, or obtain services related to domestic violence, sexual assault, harassment or stalking incidents to the employee or employee's minor child or dependent;
10. Public health emergencies by order of a public official that deems a closure of the college, the employee's child's school or day care facility.

For purpose of this sick time policy, "family member" is defined under SB 454 and applies to those eligible for Oregon Sick Time. The policy shall follow this definition, which is defined as the employee's spouse, domestic partner, custodial parent, non-custodial parent, adoptive parent, foster parent, biological parent, stepparent, parent-in-law, a parent of an employee's same domestic partner, an employee's grandparent or grandchild, or a person with whom the employee is or was in a relationship of in local parentis. It also includes the employee's biological, adopted, foster child or stepchild or the child of the employee's domestic partner.

## Oregon Sick Time Law Frequently Asked Questions (FAQs)

*What is the difference between Oregon Sick Time and the Sick Leave received by the College?*

**Oregon Sick Time** is accrued time you are eligible for through the new Oregon Sick Time Law for every 30 hours worked.

**Sick Leave** is the accruals received at the rate of 8 hours per month based on FTE as a benefited employee of the College.

*How do I know if I am eligible for Oregon Sick Time?*

Employees who are in a benefited status, including those covered under a collective bargaining agreement with the College, Administrative, Confidential and Supervisory employees are already receiving a negotiated, paid, sick leave benefit.

All other employees who are not working in a position and status with College benefits, and are not receiving equivalent paid sick leave, are eligible for Oregon Sick Time.

*How does this apply to Benefited staff?*

Employees on a less than 12-month contract may be working an additional COCC non-benefited job when they are off contract. For example, faculty or classified employees may work Summer term when they are off contract. These employees will accrue Oregon Sick Time to use when they are working off contract.

*Why am I getting an email notification?*

You have accrued a balance of Oregon Sick Time hours based on the number of hours worked in your non-benefited position.

*How is Oregon Sick Time accrued and when can I use my accrued Oregon Sick Time?*

You accrue 1 hour of Sick Time for every 30 hours worked. You are eligible to use your accrued Oregon Sick Time on your 91<sup>st</sup> day of employment.

*What hours are eligible for Oregon Sick Time accrual?*

Hours worked in an irregular wage or part-time instructor job are qualifying hours toward Sick Time accrual. Work-study hours are not eligible.

*Will Benefited staff accruals be zeroed out?*

No. You will have two banks of accruals. One for College paid sick leave accruals and another for Oregon Sick Time.

*Are accrued Oregon Sick Time hours PERS eligible?*

No, Oregon Sick Time hours are not PERS eligible.

*How often will I be notified about my accrued Oregon Sick Time?*

While you are employed with COCC you will receive a quarterly notification of accrued Oregon Sick Time hours. Notifications are sent out at the beginning of each quarter, for example early May for first quarter hours worked in January – March, early July for hours worked in April to June, early October for hours worked July – September, and early January for hours worked October – December.

*How can I find my balance?*

You can view your Oregon Sick Time balance by logging into your COCC Bobcat Web account. Once logged in, click the Employee tab (Employee Services menu), and select “Time off Current Balances and

History”. If you have forgotten your Bobcat Web password/PIN, follow the instructions on the login page to have it reset.

College paid accruals are titled **Sick Pay** in Bobcat

Oregon Sick Time accruals are titled **OR Sick Time** in Bobcat

*How can I use my accrued Sick Time?*

Irregular wage employees enter their time in Bobcat using the code SLH.

Part-time instructors fill out a “Request for Sick Leave/Time – Part-time instructors” form. The employee and department chair signs the form and sends to Krista Leaders, Instructional Deans office, for processing. The Instructional Deans office will forward the form to Payroll to reduce the employee’s Oregon Sick Time bank.

*Who approves my accrued Oregon Sick Time?*

Your immediate Supervisor or Department Chair.

*Does an employer have to pay Oregon Sick Time out when an employee leaves employment?*

No. The statute is specific. An employer does not have to pay out for accrued unused sick time.

*What is the Oregon Sick Time Law and where can I read more about it?*

The full text of the Oregon Sick Time Law and administrative rules adopted by the Bureau of Labor and Industries is available at Oregon.gov or <https://www.oregon.gov/boli/WHD/OST/Pages/Index.aspx>