



# Recommendation Signatures Form

Date of College Affairs meeting initial presentation: 04/05/2019

Presenter(s): Diana Glenn

Title of Proposal: Update Sick Time Policy G-32-21 in GPM

Check the following:  First Reading  Second Reading

College Affairs Recommendation (Check all that apply)

Approve the proposal as submitted

Approve an amended proposal

HYPERSLINK TO ORS AND EXPLANATION

Vote against the proposal

Postpone reading and/or motion until: TABLED UNTIL 17 MAY 7 JUNE

Create a task force to broaden the discussion

Refer the issue elsewhere (e.g. faculty or administrator consultant, another committee) for broader review and consideration.

GPM changes submitted to College Affairs Committee support specialist

Submission Date: 5/3/19

Chair of College Affairs

Action taken by College President:  Approved  Denied  Tabled

6/19/19   
Date College President

## **G-32-21 Oregon Sick Time Policy (Revised 4-19-19)**

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 [Oregon Revised Statutes \(ORS\) 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 eligible to earn paid sick time, identified as Oregon sick time, 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 454 and are not eligible for sick time accrual or usage under G-32-21.1 or G-32-21.2.

Any sick ~~leave-time~~ 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, and does not count toward any PERS calculation under ORS 332.507.

As part of Oregon Sick Time, employees are not entitled to be paid for earned but unused sick time, either before or when their employment is terminated for any reason as sick ~~leave-time~~ 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, eligible 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. 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.

### **G-32-21.3 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-32-21.2 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;~~

~~3.4. Family leave definition: ORS 659A.159 <https://www.oregonlaws.org/ors/659A.159>~~

~~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.~~
- ~~11. 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 loco parentis. It also includes the employee's biological, adopted, foster child or stepchild or the child of the employee's domestic partner.~~