**Sick Leave**

The Board of Directors will provide all employees paid sick leave as required by law.

**General Provisions**

Full-time regular and variable employees shall be allowed twelve (12) days of sick leave each fiscal year. Part-time regular and variable employees shall be allowed sick leave prorated on the basis of hours and months worked. Temporary and substitute employees shall be allowed one (1) hour of sick leave for every forty (40) hours worked, each fiscal year.

Payment will be made for employees who have sick leave and are absent from work for absences due to uses that employees are entitled to use sick leave for, as defined in federal and state law, and ESD Board Policies.

Sick leave may not be used for or to extend vacation or holidays.

**Accumulated Leave**

Sick leave not taken by regular or variable employees shall accumulate from fiscal year to fiscal year up to a maximum of the number of contract days agreed to in a given contract for certificated employees and up to 260 days for noncertificated employees. RCW 28A.310.240(1). Sick leave not taken by temporary or substitute employees shall accumulate from fiscal year to fiscal year up to a maximum of 40 hours.

Employees entering the employ of this ESD directly from another Washington school district, the office of the Washington Superintendent of Public Instruction, the state school for the blind, the school for the deaf, institutions of higher education, community and technical colleges, or another Washington educational service district, are entitled to transfer such sick leave benefits as the employee may have accumulated in that former employment when such accumulation is certified by that former employer.

RCW 28A.310.240(1)

As provided in RCW 28A.310.240(1), the ESD shall restore credit for sick leave, which was not used at termination, to any former regular or variable employee who is reemployed by the ESD. The ESD will restore credit for up to forty (40) hours of sick leave for any former temporary or substitute employee who is reemployed by the ESD within twelve months of the date the former temporary or substitute employee’s employment terminated.

**Reasonable Notice**

Employees must provide reasonable advance notice of an absence from work for the use of paid sick leave for a foreseeable qualifying condition. Employees must notify their immediate supervisor at least ten days, or as early as possible, before the first day paid sick leave is used. If the absence is unforeseeable, the employee must notify their immediate supervisor, or have another person notify their immediate supervisor, as soon as possible. Supervisors will notify the Human Resources Department and, where appropriate, Cabinet Members. Confidential information shared with immediate supervisors, Human Resources or Cabinet Members will be protected in accordance with federal and state law.

Employees who use sick leave for any portion of five (5) consecutive working days must provide verification of the qualifying condition, provided that such verification shall not impose an unreasonable burden on the employee.
**Sick Leave Accrual – Frontloading**

For regular employees who sign an agreement authorizing the ESD to withhold the value of sick leave that is used prior to the employee working sufficient hours to earn it, twelve (12) days of sick leave will be frontloaded and made available to the employees when employment begins. Sick leave will be prorated if employment begins after the first of the fiscal year. Employment begins for purposes of sick leave when an employee has worked at least twelve (12) continuous days.

For variable, temporary and substitute employees, sick leave will be granted and accrued as eligible hours are worked.

New employees will be granted sick leave on the first month of employment.

**Separation of Employment**

Should an employee who received front loaded sick leave separate from ESD 112 employment, and use more sick leave than entitled to, the value of sick leave used prematurely will be deducted from final pay.

**Attendance Incentive - Annual Conversion of Accumulated Sick Leave**

In order to encourage regular employee attendance, an employee attendance incentive program will be established.

As of January 1, any current regular or variable employee who, at the end of the immediately previous calendar year, has accumulated in excess of 60 days of unused sick leave may elect to receive remuneration for unused sick leave earned the previous year at the rate of 25 percent of the employee's current hourly rate of compensation for each hour of eligible sick leave. RCW 28A.310.490

Any such election shall be made by written notice to the Payroll Department during the month of January.

All sick leave hours converted pursuant to this section shall be deducted from the employee's accumulated sick leave balance.

Any such annual conversion of accumulated sick leave shall be subject to the terms and limitations of chapter 392-136 WAC and RCW 28A.310.490.

**Conversion of Sick Leave upon Retirement or Death**

Any employee who retires may elect to convert all accumulated unused sick leave hours to monetary compensation at the rate of 25 percent of the employee's hourly rate of compensation at the time of termination from employment for each hour of eligible sick leave. At the time of separation from ESD due to death, an eligible employee's estate shall receive remuneration at the rate of 25 percent of the employee's hourly rate of compensation at the time of death for each hour of unused sick leave. RCW 28A.310.490.

An employee separating from employment for purposes of retirement must immediately commence receiving retirement benefits from a Washington State retirement system in order to be eligible for conversion of sick leave to compensation.

Any such conversion of sick leave upon retirement or death shall be subject to the terms and limitations of WAC 392-136 and RCW 28A.310.490.
Legal References:
RCW 28A.310.220 ESD board—Delegation of powers and
duties to superintendent.
RCW 28A.310.240 Employee leave policy required.
WAC 392-136 Finance – Conversion of accumulated sick leave.
WAC 296-128-600 Minimum Wages, Paid Sick Leave Care.
AGO 1964 No.98 Sick leave for certificated and noncertificated employees.

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