



## Part-time Hourly and Student Employees Leave Procedure

### Paid Sick Leave

Paid sick leave is available for part-time hourly & Student employees to care for their health and the health of their family members. Part-time hourly & Student employees will accrue 1 hour for every 40 hours worked.

*Note: Students in a state work-study position with a third-party employer are not eligible for paid sick leave through LCC.*

### Authorized Uses of Paid Sick Leave

- Employee's mental or physical illness, injury, or health condition
- Preventative care such as medical, dental, or optical appointments, and/or treatment
- Care of a family member with an illness, injury, health condition, and/or preventative care such as a medical, dental, and/or optical appointment
- Closure of the employee's place of business or child's school/place of care by order of a public official for any health-related reasons; health-related reasons does not include closure for inclement weather.
- If the employee or employee's family member is a victim of domestic violence, sexual assault, or stalking

### Authorized use of paid sick leave for domestic violence, sexual assault, or stalking includes:

- Seeking legal or law enforcement assistance or remedies to ensure the health and safety of employee's and their family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking
- Seeking treatment from a medical provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking
- Attending health care treatment for a victim who is the employee's family member
- Obtaining, or assisting the employee's family member(s) in obtaining services from:
  - Domestic violence shelter
  - Rape crisis center
  - Social services program for relief from domestic violence, sexual assault, or stalking
- To obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking in which

the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking

- Participating, for the employee or for the employee's family member(s), in:
  - Safety planning
  - Temporary or permanent relocation
  - Other actions to increase the safety from future incidents of domestic violence, sexual assault, or stalking

### **Definition of Family Members**

"Family member" is defined as a child or parent (including biological, adopted, foster, step, or legal guardian), a spouse, registered domestic partner, spouse's parent, grandparent, grandchild, or sibling.

### **Paid Sick Leave Accrual Year**

For purposes of paid sick leave for part-time & student employees, Lower Columbia College's accrual year is January 1<sup>st</sup> to December 31<sup>st</sup>. Effective January 1, 2018, employees accrue paid sick leave at a rate of one (1) hour for every 40 hours worked. There is no cap on the number of paid sick leave hours that may be accrued in a year.

### **Carryover of Paid Sick Leave Hours**

At the end of the accrual year, unused paid sick leave balances 40 hours or less will carry over to January of the following year.

### **Increments of Use & Accrual for Paid Sick Leave**

Employees may use paid sick leave in increments of .25 of 1 hour (15 minutes). As mentioned above, employees will receive 1 hour for every 40 hours worked. However, employees will receive accruals in increments of .25 (15 minutes). For example, if a part-time employee works 75 hours in a month. They will accrue 1.75 hours of sick leave from hours worked that month. Accruals are available for use the first of the following month in which they are accrued.

### **Supervisor Notification**

Part-time/Student employees are responsible for providing reasonable notice to the College as soon as the need for an absence becomes known. When the need for sick leave is foreseen, such as scheduled medical appointments, use of sick leave is subject to supervisor's approval.

For unforeseeable sick leave absences, employees must notify their supervisor no later than the start of their shift on the day on which the employee is scheduled to work, and each day after, unless there is mutual agreement to do otherwise. If an employee is in a position where relief replacement is necessary if they are absent, they will notify their supervisor at least two (2) hours prior to their scheduled time to report to work.

Failure to return to work upon the expiration of the communicated absence or failure to notify the supervisor, may be considered voluntary resignation.

### Submitting Paid Sick Leave

Employees will submit paid sick leave as appropriate on the part-time employee/student timesheet found on the [Forms A-Z Listing](#).

Sick leave will be available the following month in which it is accrued. In the event that the employee submits sick leave that they do not have available or that does not comply with this procedure, Human Resources or Payroll will notify the employee and/or supervisor and work towards a resolution.

### Hour Limitations Still Apply

Part-time hourly employees must work 75 hours or less per month. The 75 hours includes any paid sick leave time submitted for that month.

Student employees (work study and student help) must adhere to the 19 hours per week (except during breaks in between quarters). The 19 hours per week includes any sick leave time submitted for that week.

### Rate of Pay When Using Paid Sick Leave

Paid sick leave hours will be compensated at an employee's regular rate of pay. Paid sick leave hours will *not* count towards the calculation of overtime or towards accruing additional sick time.

Here's an example:

**Rate of pay: \$15/hour**

**Overtime of pay: \$22.50/hour**

	Sunday	Monday	Tuesday	Wed.	Thursday	Friday	Saturday
<b>Hours Worked</b>	0	8	8	8	8	8	
<b>Paid Sick Leave hours</b>							8
<b>Rate of Pay</b>	\$15/hr	\$15/hr	\$15/hr	\$15/hr	\$15/hr	\$15/hr	\$15/hr

### Verification for an Unreasonable Burden or Expense

HR may request medical verification for an absence that exceeds 3 days. Additionally, HR may require a fitness-for-duty, which is medical documentation from the employee's health care provider that states that the employee is able to return to work and perform the essential functions of their job with or without reasonable accommodation and/or work restrictions.

## **Payroll Information**

Employees may view their paid sick leave balance in [Earnings and Leave](#). Earnings and leave will have the following information available:

- Accrued paid sick leave since the last pay period (monthly balances are updated on or near the third of the following month)
- Used paid sick leave since the last pay period
- Current balance of paid sick leave available for use

## **Shared Leave**

Part-time hourly and Student employees are not eligible to participate in the Shared Leave Program ([WAC 296-128-710](#)).

## **Separation from Employment**

If an employee separates from employment, there will not be a financial or other reimbursement to the employee for accrued, unused paid sick leave at the time of separation.

## **Reinstatement of Employment**

If an employee leaves employment and is rehired within 12 months of separation, any accrued, unused paid sick leave will be reinstated to the employees paid sick leave balance. For purposes of sick leave reinstatement, the separation date will be considered the last day worked after 3 months of no work performed unless the employee is on paid sick leave.

## **Retaliation Prohibited**

Any discrimination or retaliation against an employee for lawful exercise of paid sick leave rights is not allowed. Employees will not be disciplined for the lawful use of paid sick leave.

If an employee feels they are being discriminated or retaliated against, the employee may contact Kendra Sprague, VP of Foundation, Human Resources, & Legal Affairs, [ksprague@lowercolumbia.edu](mailto:ksprague@lowercolumbia.edu), 360-442-2121

If an employee is not satisfied with the College's response, the employee may contact the Washington State Department of Labor & Industries.

*Website:* [www.lni.wa.gov/WorkplaceRights](http://www.lni.wa.gov/WorkplaceRights)

*Phone:* 1-866-219-7321 (toll-free)

*E-mail:* [ESgeneral@lni.wa.gov](mailto:ESgeneral@lni.wa.gov)

## **Unpaid Leave Types**

Leave for protected use as stated below is to meet legal obligations of regulations or applicable laws. Part-time hourly and student employees are required to notify their supervisor as appropriate for any unpaid leave absences, but they do not need to submit these absences formally on the part-time employee/student timesheet.

### **Civil Jury Duty Leave**

The College will grant an unpaid leave of absence when an employee is required to report for jury duty. Employees are required to inform their supervisor when they receive a jury summons or subpoenaed civil duties.

### **Faith & Conscience Leave**

Leave without pay will be granted for up to 2 workdays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. Leave without pay may only be denied if the employee's absence would impose an undue hardship on the College ([WAC 82-56-020](#)).

Employees will only be required to identify that the request for leave is for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

When requesting faith & conscience leave, employees must give a minimum of 14 days calendar days' notice to their supervisor unless a shorter timeframe is agreed upon.

### **Domestic Violence, Sexual Assault, Stalking Leave**

If an employee has exhausted their paid sick leave and is eligible for domestic violence, sexual assault or stalking (as defined above) leave, they may use unpaid leave. Employees must provide advance notice when they are able. If advance notice cannot be given, the employee or their designee must give notice to their supervisor no later than the end of the first day of the leave.

### **Family and Medical Leave Act**

Eligibility for Family and Medical Leave (FMLA) is determined through Human Resources. See the [Family Medical Leave Procedure](#) for more information.

### **Questions?**

Contact Human Resources, 360-442-2120, or Payroll, 360-442-2220, with any questions.

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