

BP 7135 Substitute and Temporary Employees Paid Sick Leave

Reference:

AB 1522 Healthy Workplaces/Healthy Families Act of 2014 Education Code Labor Code 230(c), 230.1(a), 245-249

Any temporary or substitute employee who works for 30 or more days within a year of his/her employment shall be credited with 24 hours of paid sick leave for that year. Initial hires must be employed for 90 days prior to taking paid sick leave. Sick leave must be taken in an increment of one or more hours. Unused sick leave shall not carry over to the following year of employment (Labor Code 246).

A temporary or substitute employee may use accrued sick leave for absences due to:

1. The diagnosis, care or treatment of an existing health condition of, or preventive care for, the employee or his/her family member as defined in Labor Code 245.5.
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault or stalking.

No employee shall be denied the right to use accrued sick leave and the office shall not in any manner discriminate or retaliate against any employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging a violation of Labor Code 245-249. The Superintendent/President or designee shall display a poster containing required information, provide notice to eligible employees of their sick leave rights, keep records of employees' use of sick leave for three years, and comply with other requirements specified in Labor Code 245-249.