



# CONEJO VALLEY UNIFIED SCHOOL DISTRICT HUMAN RESOURCES DEPARTMENT

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**TO: All Employees**  
**FROM: Human Resources Department**  
**DATE: February 13, 2024**  
**SUBJECT: Paid Sick Leave Policy for Non-Permanent Employees**

## **THE LAW: Healthy Workplace Family Act of 2014 (AB 1522 / AB 304) Revised with SB 848**

The State of California's Healthy Workplace Healthy Family Act of 2014 has been amended as of January 1, 2024 through Senate Bill 848. This law provides for limited paid sick leave entitlements to select employees who are otherwise not eligible for sick leave benefits under the existing provisions of the Education Code, collective bargaining agreements, and/or Board policy; also exempt are CalPERS retired annuitants. The following employees may qualify for paid sick leave under the Healthy Workplace Family Act provisions: specialists, substitute teachers, student workers, and other employees employed in substitute and/or limited term capacity.

## **SICK LEAVE ACCRUAL AND USAGE ELIGIBILITY**

**STATUTORY ACCRUAL METHOD:** Beginning July 1, 2016, an employee who qualified for leave under this law, will earn sick leave by way of an accrual method as follows: one (1) hour of sick leave for every thirty (30) hours worked. Both regular and overtime hours are counted toward the accrual rate of one hour for every 30 hours worked (Labor Code sec 246(b((1))).

**ACCRUAL, USAGE AND CARRYOVER CAP:** Employees' can accrue up to 10 days (80 hours) in a year but may not use more than 5 days (40 hours) in a year. Unused sick leave of up to 80 hours will carry over to the next year.

**USAGE ELIGIBILITY:** The use of accrued sick leave is subject to eligibility requirements as follows:

- An employee must render a minimum of thirty (30) days of service from the date of hire with the District, or as of January 1, 2015, whichever is later.
- An employee must be employed with the District for at least 90 calendar days, as counted from January 1, 2015.

## **REINSTATEMENT OF PREVIOUSLY ACCRUED SICK LEAVE BALANCE:**

- Upon termination, resignation, retirement or other separation from employment, there will not be reimbursement for accrued, unused paid sick leave.
- If an employee who has previously satisfied eligibility requirements separates from the District, they will not have to meet the eligibility requirements anew and there will be a reinstatement of unused sick leave, if rehired within one (1) year from the date of separation.

## **WHEN DOES AN ABSENCE QUALIFY FOR PAID SICK LEAVE USE?**

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- An employee can use sick leave for:
  - An illness, diagnosis, preventative care, or treatment of one's own health condition, or that of a family member.
  - For an absence that is a result of an employee being a victim of domestic violence, sexual assault, or stalking.

NOTE: Under the Act, family member is defined as a child, parent (including parent of spouse or registered domestic partner), spouse or registered domestic partner, grandparent, grandchild, or sibling.

## **PROCEDURE FOR REQUESTING TO USE PAID SICK LEAVE FOR AN ABSENCE**

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- The employee must provide reasonable notice to use the sick leave if the leave is foreseeable. If not, the employee must provide notice as soon as practical. Notice can be made via phone, in person (orally or in writing), or by email.
- Employees who render service for the District in a capacity of a substitute (e.g., teacher, custodian, health clerk), will have the option to request sick leave use when declining a substitute assignment at the time of assignment offer.
- Sick leave use cannot exceed the total hours that the employee was scheduled to work on the day of the absence, or the total hours of the offered substitute/on-call assignment that was declined. Thirty (30) minutes shall be the minimum time increment for paid sick leave use.
- Employees who generally complete/submit timesheets to report hours of service rendered, shall delineate the sick leave hours by writing "SL" followed by the number of hours in the column claiming hours to be paid. Example: SL-3.5hrs.
- Certificated teacher and counselor substitutes need not complete a timesheet; their request for sick leave use will be reported to the payroll department by the Certificated Human Resources Substitute Technician. Substitute teachers/counselors should notify the substitute technician if they have cancelled an assignment due to illness or if they are unable to accept an assignment and are requesting the use of sick leave.

NOTE: Declining assignments under the pretext of a sick leave qualifying reason, when in fact an employee is unable or unwilling to accept an assignment for an unrelated reason(s), shall be deemed an act of dishonesty and abuse of sick leave provisions, which may result in termination of employment with the District.

## **PENSION PLAN AND SICK LEAVE**

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- At this time, CalPERS and CalSTRS will recognize compensation paid under AB 1522 as creditable compensation. Additionally, hours paid under AB 1522 will count toward qualifying for CalPERS membership (at 1,000 hours worked).