

Healthy Workplaces, Healthy Families Act of 2014 (AB 1522)

Paid Sick Leave- Frequently Asked Questions

What are the leave benefits?

1. What is the Healthy Workplaces sick leave benefit?

As of the 2015-16 school year, the Healthy Workplaces, Healthy Families Act of 2014 provides up to twenty-four hours annually of paid sick leave to non-exempt workers in Irvine Unified School District who do not earn paid sick leave under collective bargaining agreements as members of the Irvine Teacher Association or California School Employees Association Chapter # 517. Some IUSD employees who previously did not have a sick leave benefit now qualify for a sick leave benefit.

2. Who can get this sick leave in Irvine Unified School District?

This new sick leave benefit applies to the following: substitute teachers, substitute custodians, substitute instructional assistants, substitute food service workers, COTAs, and some short-term employees. It does not apply to retirees in the CalSTRS or CalPERS system and other workers who do not meet a wage threshold.

3. When can I use this leave?

If you need to miss work due to covered absences, you can request sick leave payment if you have accrued enough benefit at the time of the absence.

This leave may be used for absences due to illness of self or family members. You do not have to request a substitute for your services. Just request the leave at the time of absence.

4. How much leave do I get?

The benefit is accumulated as follows, per California Labor Code, section 246(a):

- One hour of paid sick leave is accrued for every thirty (30) hours worked in a calendar year.
- The maximum accrual in one year is (24) hours, or three (3) eight-hour work days.

5. When is the leave made available to me?

1. The employee must work at least 30 separate and distinct days in a calendar year to earn the benefit.
2. The paid leave may not be used until the 90th day of employment.
 - a. Employees hired on or before July 1, 2015, may begin using leave right away if they have met the 30 days of work criteria.
 - b. Employees hired after July 1, 2015 may begin using sick leave on their 90th day of employment, if they have met the 30 days of work criteria.
3. The employee must have 60 hours accumulated before he/she can use the leave.

6. How much leave can I take at a time?

Leave can be used in a minimum of two- hour increments and a maximum of twenty four- hour increments.

7. How will I be paid for leave?

Once you request the leave, the paid hours will show on your pay warrant in the next pay cycle.

8. How much will I be paid for use of my sick leave?

You will be paid at your hourly rate. For substitute teachers, we will divide the daily substitute rate by eight (8) to get the hourly rate. If you work more than one job in which you accumulate leave, you will be paid an average of your hourly rate.

9. What happens if I don't use all of my sick leave in a year?

Unused balances will carry over into a subsequent year but is capped at a maximum of forty-eight hours.

10. What happens to my unused balance of sick leave if I leave the district or get a regular job in the district?

If an employee leaves the district or gets another job in the district that has different leave benefits, the leave is banked for one year in case the employee returns to a former position. It is not "cashed out" upon separation. It cannot be added to other leaves earned in the district.

11. I work in more than one school district. Can I combine or transfer hours of paid sick leave?

No. If you work or substitute teach in multiple districts, you will accrue hours to count towards paid sick leave in each district, but those hours are not transferable between districts.