

Paid Sick Leave

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PAID SICK LEAVE ACCRUAL AND AVAILABILITY

In accordance with Washington State law, all employees eligible for paid sick leave will earn at least 0.025 hours of paid sick leave for every hour worked.

Short-term temporary employees and administrative interns accrue sick leave at the rate of 0.025 hours for each hour in pay status.

Full-time regular, part-time regular, provisional, probationary and term-limited temporary employees (“employees eligible for comprehensive leave benefits”) accrue sick leave at the rate of 0.04616 hours for each hour in pay status (unless otherwise negotiated), not including overtime, up to a maximum of eight hours per month.

- While this accrual is more generous than what is required under Washington State law, there are circumstances where an employee may receive additional sick leave accruals. The circumstances vary depending on an employee’s sick leave accrual plan and the number of hours worked.
- To ensure all employees earn the correct amount of leave, payroll staff multiplies the number of hours an employee worked by 0.025 at the end of each pay period. That number is then compared to what the employee accrued under King County Code or the employee’s collective bargaining agreement. The higher amount of leave is awarded to the employee.
- Any additional sick leave will be awarded on the following pay advice.

Employees can use paid sick leave after it appears on the employee’s pay advice. A pay advice is valid on the date it is issued, not when it appears in PeopleSoft.

ALLOWED USES OF PAID SICK LEAVE

Paid sick leave may be used for the following reasons:

1. For self-care or to care for a family member:
 - Due to a mental or physical illness, injury or health condition;
 - To obtain medical diagnosis, care or treatment of mental or physical illnesses, injuries, or health conditions; or
 - To receive preventative care;
2. For absences that qualify for leave under the Domestic Violence Leave Act, RCW 49.76;
3. In the event the King County facility the employee works in is closed by a public official for any health-related reason, or when an employee’s child’s school or place of care is closed by a public official for a health-related reason;
4. To increase the employee’s or a family member’s safety, when the employee or the employee’s family member has been a victim of trafficking under RCW 9A.40.100; or
5. For family and medical leave available under federal law, state law or King County ordinance.

For purposes of paid sick leave, a “family member” is:

1. A child, including a biological, adopted or foster child, a stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian or is a de facto parent, regardless of age or dependency status, or the child of the employee’s domestic partner;
2. The parent of an employee, employee’s spouse or employee’s domestic partner. Parent includes:
 - A biological parent;
 - An adoptive parent;
 - A de facto parent;
 - A foster parent;
 - A stepparent;
 - A legal guardian; or
 - A person who stood or stands in loco parentis to the employee, employee’s spouse or employee’s domestic partner;
3. A spouse;
4. A domestic partner;
5. A grandparent;
6. A grandchild; or
7. A sibling.

CARRYOVER OF ACCRUED, UNUSED PAID SICK LEAVE

There is no limit to the number of sick leave hours that an employee eligible for comprehensive leave benefits may accrue and carry over from year-to-year.

Short-term temporary employees and administrative interns may carry over forty (40) hours of unused sick leave to the following calendar year. On January 1 of each calendar year, all accrued sick leave over forty (40) hours will be forfeited for short-term temporary employees and administrative interns.

SEPARATION AND REHIRE

Separation from county employment for any reason other than retirement shall cancel all sick leave accrued for all employees as of the date of separation. There is no retirement exception for short-term temporary employees or administrative interns.

If an employee returns to county employment within two years of the separation, the employee’s previously accrued, unused paid sick leave will be restored.

If a retiree who cashes out their sick leave is rehired, that employee is not entitled to have any sick leave restored.

PROCEDURES FOR REQUESTING PAID SICK LEAVE FOR HOURLY EMPLOYEES

An hourly employee must provide reasonable notice prior to a paid sick leave absence.

If an hourly employee's absence is foreseeable, the employee must provide notice to the employee's supervisor at least ten (10) days in advance, or as early as practicable.

- If possible, the notification should include the expected duration of the absence.

If an hourly employee's absence is unforeseeable, the employee must provide notice to the employee's supervisor as soon as possible before the required start of the employee's shift.

- If circumstances allow, an hourly employee should provide notice as soon as the employee learns of the need for paid sick leave.
- In the event it is not practicable for the hourly employee to provide notice of an unforeseeable absence, another person may provide notice on the employee's behalf.
- If the unforeseeable absence qualifies for leave under the Domestic Violence Leave Act, the hourly employee must provide notice to the employee's supervisor no later than the end of the first day that the employee takes the leave.
- If possible, the notification should include the expected duration of the absence.

PROCEDURES FOR REQUESTING PAID SICK LEAVE FOR SALARIED EMPLOYEES

A salaried employee must provide reasonable notice prior to a paid sick leave absence, and must follow the employee's departmental guidelines for requesting sick leave.

SICK LEAVE VERIFICATION FOR HOURLY EMPLOYEES

If an hourly employee uses paid sick leave for more than three (3) consecutive work days, verification may be required to confirm that the use of paid sick leave was for an authorized purpose (see "Allowed Uses" above).

If requested, verification must be provided to the hourly employee's human resources representative within ten (10) calendar days of the first day the employee used paid sick leave.

For any verification required:

- The hourly employee is not required to provide any details concerning the specific nature of the health condition, unless otherwise required by law (e.g., FMLA, fit for duty exams, etc.).
- Any information the hourly employee provides will be kept confidential.

If obtaining verification for the use of paid sick leave would result in an unreasonable burden or expense on the hourly employee, the employee may request that the supervisor provide an alternative way for the employee to meet the verification requirement.

- The hourly employee's request must indicate that the absence was for an authorized purpose, and explain why verification would result in an unreasonable burden or expense on the employee.

Within ten (10) calendar days of receiving the hourly employee's request, the supervisor will work with the employee to identify an alternative for the employee to meet the verification requirement in a way that does not result in an unreasonable burden or expense.

An hourly employee may contact the employee's Human Resources (HR) Manager if the employee believes the proposed alternative still results in an unreasonable burden or expense.

If the County and hourly employee disagree that the employer's verification requirement results in an unreasonable burden or expense on the employee, both may consult the Washington State Department of Labor & Industries:

Online: www.lni.wa.gov/workplacerrights

Call (toll-free): 1-866-219-7321

Email: esgeneral@lni.wa.gov

Visit: www.lni.wa.gov/offices

King County may choose not to pay an hourly employee for sick leave taken until verification is provided.

SICK LEAVE VERIFICATION FOR SALARIED EMPLOYEES

A salaried employee may be asked to provide verification of the need for paid sick leave at the discretion of the employee's supervisor and/or department.

DISCIPLINE OR ADVERSE ACTION FOR HOURLY EMPLOYEES

Departments, offices, divisions and agencies may not adopt or enforce any policy that counts the authorized use of paid sick leave as an absence that may lead to or result in discipline or adverse action against hourly employees. However, an hourly employee can be disciplined for misuse. The pattern of use or the timing of the leave cannot be used as proof of misuse.

RETALIATION AGAINST HOURLY EMPLOYEES

Retaliation or discrimination against an hourly employee for using paid sick leave for lawful purposes is prohibited. If an hourly employee believes that they have been discriminated or retaliated against for exercising their rights under this policy, the hourly employee may contact their department's HR Manager or the Department of Human Resources.

If an hourly employee is not satisfied with King County's response, the employee may contact the Washington State Department of Labor & Industries:

- Online: [www.lni.wa.gov/workplace rights](http://www.lni.wa.gov/workplace%20rights)
- Call: 1-866-219-7321 (toll-free)
- Email: esgeneral@lni.wa.gov
- Visit: www.lni.wa.gov/offices

QUESTIONS

Refer all questions or comments to your department's HR Manager or to the Department of Human Resources.