



Human Resources/Risk Management  
County of Humboldt  
825 5<sup>th</sup> Street, Room 100  
Eureka, CA 95501

REFERENCE: Healthy Workplaces, Healthy Families Act of 2014 (AB1522)	Page 1 of 4
BOARD APPROVED: <i>Sept. 8, 2015</i>	<b>POLICY: AB 1522 Sick Leave Law</b>
REVISION DATE:	<b>(S/L 3D)</b>

**PURPOSE**

The purpose of this policy is to bring the County of Humboldt into compliance with the Healthy Workplaces, Healthy Families Act of 2014 (AB1522) paid sick leave law.

**APPLICABILITY**

This policy applies to extra-help non-regular employees not covered by collective bargaining agreements, the County's Salary Resolution, or other pay plans, and who work at least 30 days for the County of Humboldt within a calendar year.

Regular status employees currently covered by a collective bargaining agreement or the County's Salary Resolution are "grandfathered" in per AB 304 amendment and will continue to receive sick leave benefits as identified in the relevant Memorandum Of Understanding or Salary Resolution.

**EXCLUSIONS**

In-Home Supportive Services (IHSS) employees and Public Agency Retired Annuitants are excluded from AB 1522 and this policy.

Extra-help who are retired from CalPers or a 37 Act agency are also excluded from AB 1522 and this policy.

**POLICY**

The County of Humboldt will provide three days of paid sick leave for extra-help non-regular employees as required by AB 1522, the Healthy Workplaces, Healthy Families Act of 2014. A copy of this policy will be included in all new hire paperwork for extra-help non-regular employees.

**PROCEDURE**

I. Earning Paid Sick Leave

A. Extra-help non-regular employees of the County will be eligible to receive paid

<b>REFERENCE:</b> State of California Department of Fair Employment and Housing	Page 2 of 4
<b>BOARD APPROVED:</b> Sept. 8, 2015	<b>POLICY:</b> AB 1522 Sick Leave Law
<b>REVISION DATE:</b>	(S/L 3d)

sick leave beginning July 1, 2015, or their first date of employment, whichever is later.

- i. Each Department, with assistance from the Payroll Division of the Auditor’s Office, will track the balances/use of paid sick leave under this policy for each applicable employee and identify the balance available for use on the employee’s paystub using “S/L 3D” as the identifier.
- ii. Records regarding time earned and use of paid sick leave will be kept for a minimum of 3 years.

B. On September 29, 2015, or the 90<sup>th</sup> day of employment, whichever is greater, 24 hours of paid sick leave will be allocated to the employee. Thereafter, the employee will receive a new allocation of 24 hours of paid sick leave on the employee’s anniversary date.

- i. 24 hours of paid sick leave per year is the maximum allocation amount available to employees under this policy.
- ii. Remaining balances of unused paid sick leave do not carry over to the following year. Upon the anniversary date of the employee, any remaining balance of paid sick leave hours allocated to the employee will be discarded and the new allocation of paid sick leave will be reset to 24 hours.

C. Earned paid sick leave can be used by the employee starting on September 29, 2015 or their 90<sup>th</sup> day of employment, whichever is greater.

D. Paid sick leave can only be used for days the employee is scheduled to work.

E. Paid sick leave can be used by the employee for the following reasons:

- i. Diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee.
- ii. Diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee’s family member.

1. Definition of “Family Member”

- a. Child – biological, adopted, foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis, regardless of the child’s age or dependency status.
- b. Parent – biological, adoptive, foster parent, stepparent, legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
- c. Spouse
- d. Registered domestic partner
- e. Grandparent
- f. Grandchild

<b>REFERENCE:</b> State of California Department of Fair Employment and Housing	Page 3 of 4
<b>BOARD APPROVED:</b> Sept. 8, 2015	<b>POLICY: AB 1522 Sick Leave Law</b>
<b>REVISION DATE:</b>	<b>(S/L 3d)</b>

g. Sibling

- iii. Certain purposes related to the health and safety of an employee who is a victim of domestic violence, sexual assault, or stalking, including:
  1. Obtaining a restraining order
  2. Seeking medical attention for injuries
  3. Obtain services from a shelter, program, or crisis center
  4. Obtain psychological counseling
  5. Participate in safety planning and take other actions to increase personal safety.

- F. Employees should make requests to use paid sick leave to their supervisor orally or in writing.
  - i. Employees using paid sick leave for foreseeable events are required to provide reasonable advance notification to their supervisor.
  - ii. Employees using paid sick leave for unforeseeable events are required to provide notice to their supervisor as soon as practicable.

II. Retaliation Prohibited

- A. The supervisor shall honor the right of the employee to use accrued paid sick leave when available.
- B. The supervisor is prohibited from discharging, threatening to discharge, suspending or in any manner discriminating against an employee for using or requesting paid sick leave.

III. Separation and Rehire

- A. Under this policy, there is no cash-out option for unused sick leave upon separation of the employee.
- B. If an extra-help non-regular employee separates from the County and is rehired within one year of separation, the employee's previous balance of unused sick leave will be reinstated.
  - i. The employee will be eligible to use any portion of their reinstated balance of unused paid sick leave on the first day of reinstatement.
  - ii. Upon reinstatement, the employee's "date of hire" will be reinstated as well, making a new allotment of 24 hours paid sick leave available on their anniversary date.
  - iii. If an employee returns to County employment a year or more after separation, they shall return as a new employee with a new hire date and shall not be eligible for reinstatement of prior unused paid sick leave.

<b>REFERENCE:</b> State of California Department of Fair Employment and Housing	Page 4 of 4
<b>BOARD APPROVED:</b> <i>Sept. 8, 2015</i>	<b>POLICY: AB 1522 Sick Leave Law (S/L 3d)</b>
<b>REVISION DATE:</b>	

**REFERENCE**

- The Healthy Workplaces, Healthy Families Act of 2014 (AB1522)

**BOARD APPROVED:**

  
 \_\_\_\_\_  
 Estelle Fennell, Board Chairperson

9-8-2015  
 \_\_\_\_\_  
 Date

Pursuant to Board Order C-8 Dated Sept. 8, 2015

**I have read and understand this policy on AB 1522 Sick Leave Law. I was given the opportunity to ask questions or express concerns regarding this policy.**

\_\_\_\_\_  
 Employee Signature

\_\_\_\_\_  
 Date