

RESOLUTION NO. 2015-115

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK AUTHORIZING AND APPROVING A PAID SICK LEAVE POLICY PURSUANT TO AB 1522 FOR TEMPORARY, PART-TIME AND SEASONAL EMPLOYEES AND ESTABLISHING THE ACCRUAL METHOD AND THE MINIMUM SICK LEAVE USAGE INCREMENT

WHEREAS, on September 10, 2014 the Governor of the State of California signed the Healthy Workplaces, Healthy Families Act of 2014 (AB 1522) providing paid sick leave for covered employees effective July 1, 2015; and

WHEREAS, the AB 1522 paid sick leave provisions are to take effect July 1, 2015; and

WHEREAS, the City of Rohnert Park wishes to establish a paid sick leave policy pursuant to AB 1522 for part-time, temporary and seasonal employees; and

WHEREAS, part-time, temporary and seasonal employees are not covered by any existing collective bargaining agreement, benefits resolution nor any other benefits policy; and

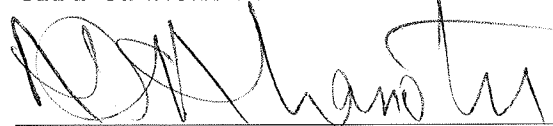
WHEREAS, AB 1522 allows the City to establish the accrual method and the minimum usage increment for paid sick leave; and

WHEREAS, AB 1522 provides City employees who work 30 or more days a year are entitled to paid sick leave to be accrued at a rate of no less than one hour for every 30 hours worked.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rohnert Park hereby adopts the provisions under the City of Rohnert Park's Sick Leave Policy for Temporary, Part-Time and Seasonal Employees shown as Exhibit "A" to this resolution.


DULY AND REGULARLY ADOPTED this 23rd day of June, 2015.

CITY OF ROHNERT PARK



Amy O. Ahanotu, Mayor

ATTEST:


Anne M. Buergler, City Clerk

CALLINAN: AYE MACKENZIE: AYE STAFFORD: Absent BELFORTE: Absent AHANOTU: AYE
AYES: (3) NOES: (0) ABSENT: (2) ABSTAIN: (0)

EXHIBIT A
CITY OF ROHNERT PARK



CITY COUNCIL POLICY

SUBJECT	POLICY NO.	RESO. NO.	EFF. DATE	PAGE 1 OF 4
PAID SICK LEAVE FOR TEMPORARY, PART-TIME, AND SEASONAL EMPLOYEES	491.22	2015-115	07/01/2015	

I. PURPOSE AND SCOPE

A. Purpose

In accordance with the Healthy Workplaces/Healthy Families Act of 2014, the City of Rohnert Park ("City") recognizes that employees will need days off from work from time to time to address their medical needs. This document establishes the policies and procedures the City shall adhere to with regards to paid sick leave in accordance with California Labor Code section 245 *et seq.*

B. Applicability

This policy applies to temporary, part-time, and seasonal employees who, on or after July 1, 2015, work for the City for 30 or more days within 12 months from the beginning of employment and who are not eligible for any form of "comprehensive leave" benefit provided by the City to other employee groups.

C. Exclusions

Employees not covered by this policy are those who are eligible for "comprehensive leave" benefits provided by the City pursuant to a memorandum of agreement (represented employees), outline of certain conditions of employment, fringe benefits and salary adjustments (non-represented employees) or employment agreement.

II. POLICY

A. Entitlements

Employees covered by this policy begin to accrue paid sick leave at the rate of one (1) hour of paid sick leave for every thirty (30) hours worked beginning on the first day of employment, or on July 1, 2015 for current employees. An employee is not eligible to begin using any accrued paid sick leave until after 90 calendar days of employment with the City.

Paid sick leave will not be considered hours worked for purposes of overtime calculation.

CITY OF ROHNERT PARK
CITY COUNCIL POLICY



SUBJECT	POLICY NO.	RESO. NO.	EFF. DATE	PAGE 2 OF 4
PAID SICK LEAVE FOR TEMPORARY, PART-TIME, AND SEASONAL EMPLOYEES	491.22	2015-115	07/01/15	

Employees are entitled to use 3 days or 24 hours of paid sick leave, whichever is greater, within each 12-month period of employment. Twenty-four (24) hours shall be the maximum benefit except in situations where an employee's regularly scheduled work day is longer than an 8-hour day (e.g. an employee who works four, 10-hour days per week). In such cases, a "day" shall be the equivalent of the hours in the employee's regularly-scheduled work day.

Employees can only accrue paid sick leave up to a cap of six (6) days or 48 hours, whichever is greater. Sick leave does not accrue once the cap is reached, but accrual begins again when accrued sick leave drops below the cap. Any unused accrued paid sick leave carries over year to year while continuously employed.

Paid sick leave made available under this policy has no cash value, and the City does not pay Employees for available unused sick leave at separation.

B. Usage

1. An employee may use available paid sick leave beginning on the 90th calendar day of employment.
2. The City shall allow the use of paid sick leave upon the oral or written request of an employee for themselves or a family member for the diagnosis, care or treatment of an existing health condition or preventative care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking, the purposes described in Labor Code sections 230(c) and 230.1(a). Paid sick leave is intended to be used only when required for these specified reasons.
3. "Family member" for purposes of this paid sick leave policy means:
 - a. A child (biological, adopted, or foster child, stepchild, legal ward, or child to whom the employee stands in loco parentis, regardless of the age or dependency status);
 - b. A biological, adoptive, or foster parent, stepparent, or 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. A spouse;
 - d. A registered domestic partner;
 - e. A grandparent;
 - f. A grandchild;
 - g. A sibling.

CITY OF ROHNERT PARK

CITY COUNCIL POLICY



SUBJECT	POLICY NO.	RESO. NO.	EFF. DATE	PAGE 3 OF 4
PAID SICK LEAVE FOR TEMPORARY, PART-TIME, AND SEASONAL EMPLOYEES	491.22	2015-115	07/01/15	

4. Employees must provide reasonable advance notification, orally or in writing, of the need to use paid sick leave, if foreseeable. If the need to use paid sick leave is not foreseeable, the employee must provide notice as soon as practical. The City will not condition the use of sick leave on the employee finding someone to cover his/her work.
5. Employees must use sick leave in at least one half (.5) hour increments.
6. Employees will only receive paid sick leave for the number of hours they would have worked during their scheduled shift. For example, if the employee was scheduled for a four hour shift, they would be compensated with four hours of paid sick leave only.
7. As set forth in Section II, employees can use up to a maximum of 3 days or 24 hours, whichever is greater, of paid sick leave in a 12-month period.
8. If an employee separates from City employment and is rehired by the City within one year of the date of separation, previously accrued and unused paid sick leave hours shall be reinstated. However, if a rehired employee had not yet worked the requisite 90 calendar days of employment to use paid sick leave at the time of separation, the employee must still satisfy the 90 days of employment requirement collectively over the periods of employment with the City before any paid sick leave can be used.

C. Additional Information

Information regarding the City's policy on the use of sick leave shall be distributed to all part-time, temporary and seasonal employees, and all employees may obtain a copy of this policy at any time from their supervisors.

Inquiries regarding the application of this policy may be directed to employee's supervisor, department head, Human Resources or directly to the City Manager.

CITY OF ROHNERT PARK

CITY COUNCIL POLICY



SUBJECT	POLICY NO.	RESO. NO.	EFF. DATE	PAGE 4 OF 4
PAID SICK LEAVE FOR TEMPORARY, PART-TIME, AND SEASONAL EMPLOYEES	491.22	2015-115	07/01/15	

**AGREEMENT FOR USE OF SICK LEAVE AS A CITY OF ROHNERT PARK
EMPLOYEE**

By signing this agreement, I certify that I understand the terms and conditions of this agreement and the City's policy, and I accept responsibility for adhering to the agreement. I also understand that violations of the policy may result in disciplinary action as provided for in the City's Personnel Rules, up to and including termination.

Employee Full Name:_____

Employee Signature:_____

Date:_____