

VENTURA COUNTY OFFICE OF EDUCATION

SUPERINTENDENT POLICY NO. 4261.1

ADOPTED: 02/14/96

CLASSIFICATION: Personnel

REVISED:

SUBJECT: Personal Illness and Injury Leave

Paid sick leave shall be granted, used, accrued and transferred for all classified personnel of the County School Service Fund, in accordance with Education Code Section 45191, as follows:

Sick leave is granted at the rate of twelve (12) days for each full fiscal year of service, one-half of a year's allowance credited on the first day of employment. (E.C. 45191)

A classified employee employed for less than full-time (12 months per year and/or less than 5 days per week and/or less than 8 hours per day) shall be granted that proportion of twelve (12) days leave of absence for illness or injury as the period of time employed bears to full-time.

Sick leave accrued in accordance with Education Code Section 45191 may be used when disability is the result of pregnancy. For this purpose, disability is limited to the period of time the employee is certified by a medical doctor to be unable to perform the duties of the employee's position.

Sick leave may be accumulated from year to year.

Unused sick leave may be transferred to another school district, State Department of Education, or another County School Service Fund office. (E.C. 45202)

Upon retirement from employment of the Ventura County Office of Education, any unused sick leave will be certified to the Public Employee's Retirement System for purposes of extra service credit for retirement, if applicable under Public Employee's Retirement System regulations.

Additional sick leave shall be granted, in accordance with Education Code Section 45196, as follows:

Once each fiscal year a regular, non-probationary classified employee shall be credited with one hundred (100) working days of paid sick leave including days to which they are entitled under Education Code Section 45191. When such employee is absent from duties on account of illness or accident for a period of one hundred (100) working days or less, whether or not the absence arises out of or in the course of the employment of the employee, the employee will be compensated at not less than fifty (50) percent of the amount the employee would have received had the absence not occurred. (E.C. 45196)

A classified employee employed for less than full-time twelve (12) months per year and/or less than five (5) days per week and/or less than eight (8) hours per day) shall be granted that proportion of one hundred (100) days leave of absence for illness or injury as the period of time employed bears to full-time.

The paid sick leave authorized under this section shall include all days of current or accumulated sick leave to which the employee is entitled under Education Code Section 45191, but shall be exclusive of any other paid leave, holidays, vacation, or compensating time to which the employee may be entitled.

For employees on a school year basis, these provisions shall apply only to the regular school year and shall not entitle the employee to benefits during summer school or extended session.

Sick leave credited under this section shall not be accumulated from year to year.

Sick leave credited under this section shall apply only after all accumulated sick leave, vacation and all other available paid leave has been exhausted.

Sick leave credited under this section shall be available for use as a result of pregnancy under the same conditions as specified.

Employees utilizing sick leave may be required to furnish a certificate issued by a medical doctor licensed to practice medicine, pursuant to California Business and Profession Code Section 2000, or other satisfactory evidence of illness.

When an employee has been absent for ten (10) or more consecutive days or more than twenty (20) accumulated days in one fiscal year, the employee may be required to submit to a physical examination. Such physical examination shall be performed by a physician designated by the County Superintendent and shall be at the expense of the County Superintendent.

If an employee fails to furnish a certificate or refuses to submit to a physical upon request, the employee's sick leave will not be in effect and the days of absence will be considered unauthorized personal leave without pay.

The evidence of treatment and the need therefore as a practice of the religion of any well recognized church or denomination will be recognized in a non-discriminatory manner.

A regular, non-probationary, employee who has exhausted all entitlement to sick leave, vacation or other available paid leave and who is absent because of a non-industrial accident or illness may be granted additional leave without pay not to exceed six (6) months. The County Superintendent may renew the leave of absence without pay for two (2) additional six (6) month periods or such lesser periods as may be deemed appropriate, but not to exceed a total of eighteen (18) months. (E.C. 45195)

In the event it is determined that additional leave of absence without pay would not be in the best interest of the department, or if such additional leaves of absence have been exhausted and the classified employee is still medically unable to assume the duties of his or her position, the employee shall be placed on a re-employment list for a period of thirty nine (39) months in accordance with the provisions of Education Code Section 45195.

Upon termination, whether voluntary or involuntary, if sick leave used exceeds sick leave actually accrued, the County Office of Education shall be reimbursed by deduction from final pay warrant; or, if no final pay is due, the terminated employee shall forward reimbursement by means of cash, money order or cashier's check within thirty (30) days after termination.