

Administrative Procedures	
Procedure No. 250.2A Policy No. 250	<b>Name of Procedure</b> <b>Part-time and Student Employee Leave</b>

Procedure 250.2A provides leave information for the following part-time employee types:

- Temporary hourly
- Student employees (work study and student help)
- Non-permanent part-time – scheduled
- Non-permanent part-time – nonscheduled
- Permanent part-time employees

### **I. TEMPORARY HOURLY & STUDENT EMPLOYEE PAID SICK LEAVE**

Paid sick leave is available for part-time employees (temporary hourly,) & Student employees to care for their health and the health of their family members.

Temporary hourly & Student employees will accrue 1 hour for every 40 hours worked.

*Note: Students in a state work-study position with a third-party employer are not eligible for paid sick leave through LCC.*

#### **Authorized Uses of Paid Sick Leave**

- Employee’s mental or physical illness, injury, or health condition
- Preventative care such as medical, dental, or optical appointments, and/or treatment
- Care of a family member with an illness, injury, health condition, and/or preventative care such as a medical, dental, and/or optical appointment
- Closure of the employee’s place of business or child’s school/place of care by order of a public official for any health-related reasons; health-related reasons does not include closure for inclement weather.
- If the employee or employee’s family member is a victim of domestic violence, sexual assault, or stalking

Authorized use of paid sick leave for domestic violence, sexual assault, or stalking includes:

- Seeking legal or law enforcement assistance or remedies to ensure the health and safety of employee’s and their family members including, but not limited to, preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking
- Seeking treatment from a medical provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking
- Attending health care treatment for a victim who is the employee’s family member
- Obtaining, or assisting the employee’s family member(s) in obtaining services from:

- Domestic violence shelter
- Rape crisis center
- Social services program for relief from domestic violence, sexual assault, or stalking
- To obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking in which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking
- Participating, for the employee or for the employee's family member(s), in:
  - Safety planning
  - Temporary or permanent relocation
  - Other actions to increase the safety from future incidents of domestic violence, sexual assault, or stalking

### Definition of Family Members

Under [RCW 49.46.210](#), "Family member" is defined as a child, grandchild, grandparent, parent, sibling, or spouse of an employee, and also includes any individual who regularly resides in the employee's home or where the relationship creates an expectation that the employee care for the person, and that individual depends on the employee for care. "Family member" includes any individual who regularly resides in the employee's home, except that it does not include an individual who simply resides in the same home with no expectation that the employee care for the individual.

### Paid Sick Leave Accrual Year

For purposes of paid sick leave for temporary hourly & student employees, Lower Columbia College's accrual year is January 1<sup>st</sup> to December 31<sup>st</sup>. Employees accrue paid sick leave at a rate of one (1) hour for every 40 hours worked. There is no cap on the number of paid sick leave hours that may be accrued in a year.

### Carryover of Paid Sick Leave Hours

At the end of the accrual year, unused paid sick leave balances 40 hours or less will carry over to January of the following year.

### Increments of Use & Accrual for Paid Sick Leave

Employees may use paid sick leave in increments of .25 of 1 hour (15 minutes). As mentioned above, employees will receive 1 hour for every 40 hours worked. However, employees will receive accruals in increments of .25 (15 minutes). For example, if a temporary hourly employee works 75 hours in a month. They will accrue 1.75 hours of sick leave from hours worked that month. Accruals are available for use the first of the following month in which they are accrued.

### Supervisor Notification

Temporary hourly/Student employees are responsible for providing reasonable notice to the College as soon as the need for an absence becomes known. When the need for sick leave is foreseen, such as scheduled medical appointments, use of sick leave is subject to supervisor's approval.

For unforeseeable sick leave absences, employees must make every effort to notify their supervisor at least two hours prior but no later than the start of their work shift.

Failure to return to work upon the expiration of the communicated leave or failure to notify the supervisor will be considered voluntary resignation.

### Submitting Paid Sick Leave

Employees will submit paid sick leave absences in [ctcLink](#).

Sick leave will be available the following month in which it is accrued. In the event that the employee submits sick leave that they do not have available or that does not comply with this procedure, Payroll will notify the employee and/or supervisor and work towards a resolution.

### Hour Limitations Still Apply

Temporary hourly employees must work 75 hours or less per month. The 75 hours includes any paid sick leave time submitted for that month.

Student employees (work study and student help) must adhere to the 19 hours per week (except during breaks in between quarters). The 19 hours per week includes any sick leave time submitted for that week.

### Rate of Pay When Using Paid Sick Leave

- Paid sick leave hours will be compensated at an employee's regular rate of pay.
- Paid sick leave hours will *not* count towards the calculation of overtime or towards accruing additional sick time.

Here's an example:

- Rate of pay: \$16/hour
- Overtime of pay: \$24/hour

	Sunday	Monday	Tuesday	Wed.	Thursday	Friday	Saturday
Hours Worked	0	8	8	8	8	8	
Paid Sick Leave hours							8

	Sunday	Monday	Tuesday	Wed.	Thursday	Friday	Saturday
Rate of Pay	\$16/hr	\$16/hr	\$16/hr	\$16/hr	\$16/hr	\$16/hr	\$16/hr

### Verification for an Unreasonable Burden or Expense

HR may request medical verification for an absence that exceeds 3 days. Additionally, HR may require a fitness-for-duty medical verification from the employee’s health care provider that states that the employee is able to return to work and perform the essential functions of their job with or without reasonable accommodation and/or work restrictions.

### Payroll Information

Employees may view their paid sick leave balance and the following information in [ctcLink](#):

- Accrued paid sick leave since the last pay period
- Used paid sick leave since the last pay period
- Current balance of paid sick leave available for use

### Shared Leave

Temporary hourly and Student employees are not eligible to participate in the Shared Leave Program ([WAC 296-128-710](#)).

### Separation from Employment

If an employee separates from employment, there will not be a financial or other reimbursement to the employee for accrued, unused paid sick leave at the time of separation. Non-compensable sick leave may not be transferred to another state agency.

### Reinstatement of Employment

If an employee leaves employment and is rehired within 12 months of separation, any accrued, unused paid sick leave will be reinstated to the employees paid sick leave balance. For purposes of sick leave reinstatement, the separation date will be considered the last day worked after 3 months of no work performed unless the employee is on paid sick leave.

### Retaliation Prohibited

Any discrimination or retaliation against an employee for lawful exercise of paid sick leave rights is not allowed. Employees will not be disciplined for the lawful use of paid sick leave. If an employee feels they are being discriminated or retaliated against, the employee may contact Kendra Sprague, VP of Foundation, Human Resources, & Legal Affairs, [ksprague@lowercolumbia.edu](mailto:ksprague@lowercolumbia.edu), 360-442-2121.

If an employee is not satisfied with the College’s response, the employee may contact the Washington State Department of Labor & Industries.

Website: [http:// www.workplacerrights.lni.wa.gov](http://www.workplacerrights.lni.wa.gov)

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

E-mail: [ESgeneral@lni.wa.gov](mailto:ESgeneral@lni.wa.gov)



## **II. TEMPORARY HOURLY & STUDENT EMPLOYEE UNPAID LEAVE TYPES**

Leave for protected use as stated below is to meet legal obligations of regulations or applicable laws. Temporary hourly and student employees are required to notify their supervisor as appropriate for any unpaid leave absences, but they do not need to submit these absences formally in ctLink.

### **Civil Jury Duty Leave**

The College will grant an unpaid leave of absence when an employee is required to report for jury duty. Employees are required to inform their supervisor when they receive a jury summons or subpoenaed civil duties.

### **Faith & Conscience Leave**

Leave without pay will be granted for up to 2 workdays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization. Leave without pay may only be denied if the employee's absence would impose an undue hardship on the College ([WAC 82-56-020](#)).

Employees will only be required to identify that the request for leave is for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

When requesting faith & conscience leave, employees must give a minimum of 14 days calendar days' notice to their supervisor unless a shorter timeframe is agreed upon.

### **Domestic Violence, Sexual Assault, Stalking Leave**

If an employee has exhausted their paid sick leave and is eligible for domestic violence, sexual assault or stalking (as defined above) leave, they may use unpaid leave. Employees must provide advance notice when they are able. If advance notice cannot be given, the employee or their designee must give notice to their supervisor no later than the end of the first day of the leave.

### **Family and Medical Leave Act**

Eligibility for Family and Medical Leave (FMLA) is determined through Human Resources. See the [Family Medical Leave Procedure](#) for more information.

### **Paid Family & Medical Leave**

Eligibility for Paid Family and Medical Leave (PFML) is determined through the Employment Security Department (ESD). Contact [ESD](#) or Human Resources for more information.

### III. NON-PERMANENT AND PERMANENT PART-TIME EMPLOYEE LEAVE

Non-Permanent Part-time and Permanent Part-time employees are covered by the [WFSE HE Collective Bargaining Agreement](#). The CBA outlines accrual rules for these employees.

#### Paid Leave

##### Vacation & Sick Leave

For Non-perm or Permanent PT scheduled, paid leave (vacation and sick) is accrued in accordance with the Collective Bargaining Agreement. Leave is accrued based on the same proportional basis that the non-permanent part-time appointment bears to a full-time schedule.

Non-permanent part-time nonscheduled employees will accrue leave based on the number of hours they were paid in the month.

##### Personal days

Non-perm PT employees accrue the personal holiday after 4 months in the non-perm role to be used by December 31. 2 personal leave days are accrued after 4 months in the non-perm role to be used by June 30.

### IV. NON-PERMANENT AND PERMANENT PART-TIME EMPLOYEE HOLIDAY PAY

- Non-perm PT - **nonscheduled**

Non-perm PT nonscheduled employees will earn “holiday credit” in lieu of paid holidays. Holiday credit will be proportionate to the number of hours in pay status in the same month of the holiday of that required for full-time employment excluding all holiday hours. Holiday credit is not received for holidays occurring prior to an employee’s hire date even if the hire date is in the same month as the holiday ([WAC 357-31-010](#)).

- Holiday credit is available the first pay period of the following month. Holiday credit earned must be used by June 30<sup>th</sup> of each year. Any unused holiday credit will be paid out on the first payroll in July.
- Holiday credit can be used for the following reasons ([WAC 357-31-027](#)):
  - (1) Employees must request to use accrued holiday credit in accordance with the LCC's leave procedure 250.4A. When considering employees' requests to use accrued holiday credit, LCC must consider their business needs and the wishes of the employee.
  - (2) An employee must be granted the use of accrued holiday credit to care for a spouse, registered domestic partner, parent, parent-in-law, or grandparent of the employee who has a serious health condition or an emergency health condition, or to care for a minor/dependent child with a health condition that requires treatment or supervision. In accordance with the LCC’s leave policy, approval of the employee's request to use accrued holiday credit may be subject to verification that the condition exists.

(3) An employee must be granted the use of accrued holiday credit if the employee or the employee's family member, as defined in chapter 357-01 WAC, is a victim of domestic violence, sexual assault, or stalking as defined in RCW 49.76.020. An employer may require the request for leave under this section be supported by verification in accordance with WAC 357-31-730.

(4) In accordance with WAC 357-31-373, an employee must be granted the use of accrued holiday credit to be with a spouse or registered domestic partner who is a member of the armed forces of the United States, National Guard, or reserves after the military spouse or registered domestic partner has been notified of an impending call or order to active duty, before deployment, or when the military spouse or registered domestic partner is on leave from deployment.

(5) An employee must be granted the use of accrued holiday credit when requested as a supplemental benefit while receiving a partial wage replacement for paid family and/or medical leave under Title 50A RCW as provided in WAC 357-31-248. Leave taken under this subsection may be subject to verification that the employee has been approved to receive benefits for approved paid family and/or medical leave under Title 50A RCW.

(6) LCC requires that accumulated holiday credit be used before vacation leave is approved, except in those instances where this requirement would result in loss of accumulated vacation leave.

- Permanent PT and Non-permanent PT– **scheduled**
  - Permanent PT employees and Non-perm PT scheduled employees will receive holiday pay based on the same proportional basis that the part-time appointment bears to a full-time schedule ([WAC 357-31-010](#))
  - They must be in paid status their entire work shift of their last regularly scheduled workday preceding the holiday to get holiday pay (Article 10 of the CBA)

Questions?

Contact Human Resources, 360-442-2120, or Payroll, 360-442-2220, with any questions.