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CITY OF SPOKANE ADMINISTRATIVE POLICY AND PROCEDURE	ADMIN 0620-19-22 LGL 2009-0027
TITLE: ILLNESS LEAVE EFFECTIVE DATE: June 1, 2000 REVISION EFFECTIVE DATE: January 17, 2019	

1.0 GENERAL

1.1 The provisions of this policy do not supersede the provisions of any collective bargaining agreements or Civil Service rules and regulations, and when in conflict, the specific terms and conditions of the collective bargaining agreement or Civil Service rules and regulations will prevail.

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2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy applies to all non-uniformed employees in all City divisions and departments.

3.0 REFERENCES

- RCW 49.12.270
- WAC 162-30-020
- SMC Chapter 3.04
- WAC 296-128-610
- RCW 49.76
- RCW 49.46.200
- RCW 49.46.210

4.0 DEFINITIONS

"Family Member" in this policy is defined as:

- Child (regardless of age or dependency status) includes biological

children, adopted children, foster children, stepchildren, children to whom the employee is "in loco parentis", children to whom the employee is a legal guardian, and children to whom the employee is a "de facto" parent.

- Parent (including biological, adopted, foster, step or person who stood "in loco parentis" when the employee was a minor child, legal guardian, and "de facto" parent.
- Spouse
- Registered domestic partner
- Grandparent and Grandchild
- Sibling

5.0 POLICY

5.1 Statement of Policy.

The City of Spokane provides its employees illness leave to be used for the following:

- An employee's own illness, injury, health condition, treatment, or an employee's need for preventive medical care;
- Care of a family member with an illness, injury, health condition and/or preventive medical care;
- Closure of the employee's place of business by order of a public official for any health-related reason, or when an employee's child's school/place of care is closed by order of a public official for any health-related reasons;
- If the employee or the employee's family member is a victim of domestic violence, sexual assault, or stalking.

5.2 Accrual of Illness Leave.

5.2.1 Illness leave shall accrue to each employee at the rate of six(6.0) hours each bi-weekly pay period, split in half, with three (3) hours going into the regular accrual account and three (3) hours going into a reserve account, provided, the employee is in a paid status eighty percent (80%) of that pay period. Permanent part-time employees shall accrue illness leave on a pro rata basis. Total accumulation of illness leave shall be unlimited. For purposes of Section 5.3 – Illness Leave Payout, the two accounts will be merged and considered as one account.

5.2.2 Temporary/Seasonal and Project Employees accrue illness leave at the rate of one (1) hour for every forty (40) hours worked. Temporary/Seasonal Employees and Project Employees may use accrued illness leave beginning ninety (90) calendar days after the start of employment.

5.3 Illness Leave Payout.

- 5.3.1 Forty percent (40%) of an employee's accrued illness leave, to a maximum accrual of nine hundred and sixty (960) hours shall be paid to the employee at time of retirement, or to the employee's estate in the event of death. Payment shall be made at the employee's current hourly rate of pay.
- 5.3.2 Twenty-five percent (25%) of an employee's accrued illness leave to a maximum accrual of nine hundred and sixty (960) hours shall be paid to an employee who terminates in good standing after five (5) or more years of service for reasons other than retirement. Payment shall be made at the employee's current hourly rate of pay.
- 5.3.3 If an employee at the time of retirement or death has total illness leave accruals equal to or greater than fifteen hundred (1500) hours, then the payout in subsection 5.3.1 will be increased to sixty percent (60%). The maximum leave payout would then become nine hundred and sixty (960) hours x sixty percent (60%) = five hundred and seven-six (576) hours.
- 5.3.4 Temporary/Seasonal and Project Employees forfeit unused sick leave accruals at the termination of their assignment.

6.0 PROCEDURE

6.1 Use of Illness Leave.

Employees using illness leave must comply with departmental procedures regarding notification and obtaining approval. In most cases, the employee is required to notify their supervisor that they will be unable to report for work due to illness or injury fifteen (15) minutes prior to the start of their work shift. Certain departmental policies may require more notification due to their need to dispatch crews timely.

6.1.1 Pandemic Illnesses.

If an employee has contracted a pandemic or serious epidemic disease as declared by the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC) or the Spokane Regional Health District, the City may request employee self-reporting to the Pandemic Coordinator through the Human Resources Department for monitoring and workload planning considerations. The City shall follow all provisions to safeguard private health information as provided by ADMIN 0620-11-58 HIPAA Privacy Compliance policy.

6.1.2 Authorized use of illness leave for domestic violence, sexual assault or stalking includes:

- Seeking legal or law enforcement assistance or remedies to ensure the health and safety of employees 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 by a health care 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: a domestic violence shelter; a rape crisis center; or a 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; or temporary or permanent relocation; or other actions to increase the safety from future incidents of domestic violence, sexual assault or stalking.

6.2 Maternity Disability Leave.

6.2.1 Pregnant employees shall be treated the same for all employment-related purposes as other persons not so affected but similar in their ability or inability to work by reason of physical condition. As long as a pregnant employee is able to perform the major functions of her job, she must be treated like any other healthy employee. Supervisors may not require pregnant employees to stop working unless they are no longer able to perform their job duties.

6.2.2 Childbirth is to be considered as any other temporary disability; and illness leave may be used for the period of actual disability.

6.2.3 If additional leave is desired beyond the period of actual disability, the employee may apply for family leave.

6.3 Paternity Leave.

An employee may request illness leave for paternity purposes in accordance with their applicable collective bargaining agreement.

6.4 Bereavement Leave.

An employee may request illness leave for bereavement purposes in accordance with his/her applicable collective bargaining agreement.

6.5 Physician's Statements or Other Justification.

An employee's supervisor may require the employee to furnish evidence supporting the need for the use of illness leave after three (3) consecutive absences. If the supervisor requires verification, verification must be provided within a reasonable time period during or after the leave. Verification requirements may not result in an unreasonable burden or expense on the employee and may not exceed privacy or verification requirements otherwise established by law.

6.6 Employees found to be abusing the provisions of this policy may be subject to disciplinary action.

6.7 Retaliation for using illness leave for allowed purposes is prohibited.

7.0 RESPONSIBILITIES

The Human Resources Department is responsible for administering this policy.

8.0 APPENDICES

None

APPROVED BY:



Human Resources Director

11/16/19


Date



City Attorney, Assistant

11/16/19

Date



City Administrator

11/17/19

Date