



# Oxnard Union High School District

## SECTION 4000 PERSONNEL

## BOARD POLICY BP 4050

### HEALTHY WORKPLACES, HEALTHY FAMILIES ACT 2014 (AB 1522)

The Governing Board recognizes the Healthy Workplace and Healthy Families Act of 2014 (a) Ensure that workers in California can address their own health needs and the health needs of their families by requiring employers to provide a minimum level of paid sick days including time for family care. (b) Decrease public and private health care costs in California by enabling workers to seek early and routine medical care for themselves and their family members and to address domestic violence or sexual assault. (c) Protect employees in California from losing their jobs while they use sick days to care for themselves or their families. (d) Provide economic security to employees in California who take time off from work for reasons related to domestic violence or sexual assault. (e) Safeguard the welfare, health, safety, and prosperity of the people of and visitors to California

This policy is only applicable to employees not covered by a bargaining unit agreement, with the exception of managerial positions.

- An employee who, on or after July 1, 2015, works in California for 30 or more days within one year from the beginning of employment is entitled to paid sick leave.
- An employee may use granted paid sick days beginning on the 90<sup>th</sup> day of employment.
- An employer shall provide paid sick days 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 preventive care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking.
- Usage is limited to 24 hours per fiscal year (July 1 through June 30) in each year of employment, paid at the regular wage rate.

Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited. An employee can file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the employee.

Any non-bargaining member employee who works for 30 or more days within a year of his/her employment shall be credited with 24 hours of paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment. (Labor Code 246).

Any non-bargaining member may use accrued sick leave for absences due to: (Labor Code 246.5)

1. The diagnosis, care, or treatment of an existing health condition of, or preventive care for, the employee or his/her family member as defined in Labor Code 245.5;
2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking.

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

No employee shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against any employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249. The Superintendent or designee shall display a poster containing required information, provide notice to eligible employees of their sick leave rights, keep of records of employees' use of sick leave for three years, and comply with

other requirements specified in Labor Code 245-249 and in AR 4161.1/4361.1 - Personal Illness/Injury Leave.

Legal Reference:

LABOR CODE

- 230 (c) Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off
- 230.1 (a) Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off
- 245-249 Healthy Workplaces, Healthy Families Act of 2014

ADOPTED: 08/12/15