

City of Red Bluff  
Administrative Policies & Procedures – Personnel Manual

<b>Subject:</b>  Sick Leave		<b>Number:</b> 22-35
		<b>Effective Date:</b> 10/17/2023
<b>Departments Affected:</b> All		<b>Supersedes (Number/Date):</b>
<b>Authority:</b>  Section 2.82-A. Red Bluff City Code	<b>File References:</b>	
	<b>Approved:</b> Approved by City Council on: 10/17/2023	

**Overview:** Employees who are away from work because of a personal illness or injury, to receive medical treatment, or to attend to the medical need of a qualifying family member may be eligible to use accrued sick leave.

**Applicable to:** All regular and probationary City of Red Bluff employees, excluding elected officials and contract employees.

**Guidelines:** All full-time regular and probationary City of Red Bluff employees may be eligible to accrue sick leave at a rate of 3.69 hours per pay period. Part-time/seasonal employees should reference AP&P 22-36 Paid Sick Leave – Temporary/Seasonal Employees for sick leave rules.

**Sick Leave Standards**

Regular attendance of employees is necessary to carry out the City’s work. Continuity of service, coverage, and production all rely on the dependability of staff to report to work as scheduled. It is recognized that abuse and/or excessive use of sick leave places a hardship on each department. Sick Leave procedures as defined in this Rule will be monitored and utilized in the employee’s overall performance. Refer to AP&P 22-29 Work Hours & Attendance for information on sick leave abuse.

**Sick Leave Use**

With approval from the supervisor or designee, employees may be eligible to use accrued sick leave for the following events:

- Employee’s own bona fide incapacity due to illness or injury.
- Employee treatment or examination by a licensed medical practitioner.
- Domestic Violence, Sexual Assault, or Stalking for the employee to obtain relief, including seeking a restraining order or to ensure the health, safety, or welfare of themselves or their children. See AP&P 22-41: Leave for Domestic Violence.

**Family Sick Leave Use**

With approval from the supervisor or designee, employees may be eligible to use half of their annual sick leave accruals to attend to the medical needs of an immediate family member. Sick leave for this purpose shall not exceed forty-eight

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(48) hours per fiscal year. Eligible family members who qualify as an immediate family member includes only:

- Child (biological, adopted, foster child, stepchild, legal ward, or a child to whom the eligible employee stands in loco parentis, regardless of age or dependency status).
- Parent (biological, adoptive, foster parent, stepparent, or legal guardian of an eligible employee or the eligible employee's spouse or registered domestic partner, or a person who stood in loco parentis when the eligible employee was a minor child).
- Spouse
- Registered domestic partner.
- Grandparent or step-grandparent.
- Grandchild.
- Sibling.
- Designated Person (For purposes of paid sick leave, a "designated person" means "a person identified by the employee at the time the employee requests paid sick leave." This definition does not require the person be related by blood, or even a family-equivalent relationship. The City of Red Bluff limits an employee to one designated person per calendar year for paid sick days).

**Notice for Sick Leave Use**

If the need for paid sick leave is foreseeable, the employee shall provide reasonable advanced notice to the employee's direct supervisor or designee. A supervisor and/or Human Resources may suggest alternative options for foreseeable appointments and elective procedures if the employee's absence will negatively affect service to the public or clients. If the employee is requesting accommodation for recurring appointments, the supervisor and Human Resources may request resolution through an interactive process.

If the need for paid sick leave is not foreseeable, the employee shall provide notice to the employee's direct supervisor or designee as soon as outlined by respective Department Policy/MOU. Upon the employee's return to work from the unforeseen paid sick leave, the employee shall complete the department's usual process for requesting time off.

Any use of sick leave will decrease the employee's sick leave balance in an amount equal to the amount of sick leave taken. Sick leave taken in increments less than one hour will be calculated to the nearest quarter hour for purposes of the City's payroll system.

Employees who become ill during an authorized vacation and wish to use sick leave instead of vacation leave, shall make a request to their supervisor or designee as soon as possible. The supervisor or designee shall make a determination regarding whether to approve the request based on the information normally utilized in approving sick leave.

**Sick Leave Verification**

Employees who are sick for over three (3) consecutive workdays (paid or unpaid status) or more may be required to provide a physician's verification before returning to work. At the discretion of the supervisor or designee, employees may be required

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to provide a written verification of illness or family illness signed by a licensed medical practitioner. An employee who fails to provide verification upon return to work may be placed on leave without pay status for the absent period.

In some circumstances, the City may request a fitness-for-duty examination by a physician upon return from sick leave. The exam would be approved and paid for by the City. The purpose of the exam would be to determine the employee's ability to perform the essential functions of their position without hazard to the employee's fellow workers.

At the discretion of the supervisor or designee, employees with excessive sick leave use as defined in AP&P 22-29 Work Hours & Attendance may be placed on medical certificate requirement status. An employee who has been placed on a medical certificate requirement must provide a medical certificate for each absence to their supervisor no later than the day they return to work. Employees who fail to provide a medical certificate should be disciplined consistent with City procedures. The requirement for a medical certificate may be withdrawn after improvement to a satisfactory level has been sustained. The decision to remove the medical certificate requirement is at the discretion of the Department Head. An employee that doesn't provide a medical certificate as required will be considered on "unauthorized leave", which may result in disciplinary action or unpaid leave.

**Sick Leave Coordination**

State disability insurance benefits are available to employees in accordance with the terms and conditions of the State Disability Insurance Program (SDI). Employees who wish to coordinate SDI, or any other wage replacement benefit, with accrued leave balances must initially use their sick leave balances prior to supplementing wage replacement benefits with other accrued leave balances (vacation, compensatory time off, holiday). Should the status of their leave change (exhaustion of FMLA, etc.), the employee may resubmit a coordination form to use other accrued leave balances. Disability payments will be considered the primary benefit and leave accruals will be used and treated as secondary to supplement the employee's earnings. The total compensation from accrued leaves and disability payments shall not exceed the employee's base salary at the time of disability. See AP&P 22-33 Coordination of Benefits for more information.

Employees who are receiving Paid Family Leave (PFL) benefits to care for a qualifying family member will be limited to coordinating forty-eight (48) hours of family sick leave per fiscal year. If applicable, the employee may be eligible to supplement PFL with other available leave accruals after sick leave is exhausted. For purposes of bonding with a child, sick leave coordination with PFL is subject to the respective MOU or Resolution. Employees may also be eligible to supplement PFL for bonding with other available leave accruals.

Employees who are on a leave of absence and not receiving SDI, or other wage replacement benefits, must exhaust all accrued sick leave before using accrued vacation, administrative leave, or compensatory time off.

**Change in Employment Status**

If a full-time regular employee voluntarily separates from City employment and is rehired within one year from the date of separation to the same full-time

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classification the employee held prior to separation, the City will reinstate previously accrued and unused sick leave upon rehire.

Full-time employees who elect to reduce to part-time status will be capped at 48 hours or six (6) days, whichever is greater, of their unused sick leave balance. However, if a full-time employee separates from City of Red Bluff employment, and is reinstated as a part-time employee, they are not eligible to receive reinstatement benefits as described in the paragraph above.

**Sick Leave Upon Retirement or Separation**

Once a full-time regular employee retires or separates employment from the City of Red Bluff, their unused accrued sick leave is converted into 8-hour days and then reported to CalPERS as service credit.

**References:** Govt. Code §12945.1-12945.6 Calif Family Rights Act; Govt. Code §19702.3 Family Care Leave; Code of Regulations Title 2 §11087-11098 California Family Rights Act; United States Code Title 29 §2601-2654 Family and Medical Care Leave Act of 1993; Code of Federal Regulations Title 29 §825.100-825.800 Family and Medical Leave Act of 1993; Family Sick Leave CAL Labor Code §233.