
Paid Sick Leave Policy

I. Purpose

The City of Pinole ("City") recognizes that employees will need time off to address healthcare related needs. This policy establishes the procedures the City shall adhere to with regards to paid sick leave in accordance with [Senate Bill 616 Sick Days, California Labor Code section 245, et seq.](#)

II. Background

Existing law, the Healthy Workplaces, Healthy Families Act of 2014 (act), establishes requirements relating to paid sick leave and procedural requirements for employers regarding its use, including prohibiting retaliation for using paid sick leave by requiring the use for specified health care and situations.

III. Policy

Employees covered by this policy will receive a sick leave accrual of 40 hours or 5 days of paid sick time at the time of hire and then each year thereafter on January 1st. Forty (40) hours shall be the maximum annual benefit except in situations where a day in an employee's regular work schedule is longer than an 8-hour day. In such cases, a "day" shall be the equivalent of the hours in the employee's regularly scheduled workday.

Paid Sick Leave made available under this policy has no cash value, and the City is not required to provide compensation to an employee for accrued, unused paid sick days upon termination, resignation, retirement, or other separation from employment.

- A. **Paid Sick Leave:** For purposes of this policy, Paid Sick Leave means time that is compensated at the same wage as the employee normally earns during regular work hours and is provided by an employer to an employee.
- B. **Applicability:** This policy applies to temporary, part-time, and seasonal employees who work for the City on or after January 1, 2024, who are not eligible for any form of sick leave benefit provided to other regular employee groups.
- C. **Exclusion:** Employees not covered by this policy are those who are eligible for the sick leave benefit provided by the City pursuant to a Memorandum of Understanding (MOU), employee benefit document, or employment agreement.

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- D. **Reinstatement:** If an employee separates from employment and is rehired within one year from the date of separation, the employee will not be required to complete a new 90-day waiting period.

IV. Usage

- A. An employee shall be entitled to use accrued paid sick days beginning on the 90th day of employment.
- B. The City shall allow the use of paid sick leave 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 preventative care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking, the purposes described in Labor Code section 230(c) and Labor Code section 230.1(a).
- a. The employee must provide reasonable advance notification of the need to use sick leave, if foreseeable. If the need to use sick leave is not foreseeable, the employee must provide notice as soon as practical. The City will not condition the use of sick leave on the employee finding someone to cover his/her work.
- C. For purposes of this paid sick leave policy, "Family member" means:
- a. A child means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
- b. A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
- c. A spouse
- d. A registered domestic partner

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- e. A grandparent
 - f. A grandchild
 - g. A sibling
 - h. A designated person, for purposes of this policy, means a person identified by the employee at the time the employee requests paid sick days. An employer may limit an employee to one designated person per 12-month period for paid sick days.
- D. Employees must use sick leave in at least one half (0.5) hour increments.
- E. Employees will only receive paid sick time for the number of hours they would have worked during their scheduled shift. For example, if the employee was scheduled for a four (4) hour shift, they will be compensated with four (4) hours of paid sick time only.
- F. Unused paid sick leave hours do not carry-over from one year to the next; instead, an Employee will receive a full allotment of paid sick days each January 1st to use during the calendar year.

V. Roles and Responsibilities

- A. **Department Heads.** Department Heads, or their designee, shall be responsible for ensuring sick leave requests are submitted via timesheets for payroll and tracking purposes.
- B. **Human Resources Department.** The Human Resources Department is responsible for ensuring City compliance with paid sick leave laws. The Human Resources Department shall assist department heads with questions regarding eligibility and usage.
- C. **Finance Department.** The Finance Department shall be responsible for issuance, replenishment, and payment of paid sick leave.