

## STAFF SICK LEAVE

The Board recognizes that there may be times when an employee is unable to fulfill the duties of their position due to illness. Therefore, paid sick leave is provided for employees in accordance with this policy and as outlined in Schedules A, B and C.

### Accrual and use

Paid sick leave may be accumulated up to 12 days per year. Sick leave may be taken for the following reasons:

- Personal mental or physical illness, injury, or health condition or the need to obtain medical care;
- Personal medical appointments;
- The necessary care and attendance for the employee's family member or a member of the employee's immediate family who has a mental or physical illness, injury or health condition or the need to obtain medical care;
- Seeking medical attention or related services if the employee or a member of the relating employee's family has been the victim of domestic abuse, a sexual assault, or harassment;
- Centennial BOCES has been ordered to close by a public official due to a public health emergency; or
- The school or childcare provider for the employee's child has been ordered to close by a public official due to a public health emergency and the employee needs to be absent from work to care for their child.

For sick leave purposes, the term "family member" means a member of the employee's immediate family (a person who is related by blood, marriage, a civil union, or adoption), a child to whom the employee stands in loco parentis or a person who stood in loco parentis to the employee when the employee was a minor, or a person for whom the employee is responsible for providing or arranging health or safety-related care. Exceptions may be made by the executive director.

Documentation may be required for approval of taking four or more consecutive paid sick days. Any health or safety information relating to an employee or employee's family member will be maintained on a separate form and in a separate file from other personnel information, treated as confidential medical records, and will not be disclosed except to the affected employee or with the express permission of the affected employee.

For a regularly appointed part-time employee or for an employee beginning work at any time later than July 1 (either because of illness or late appointment), the sick leave entitlement shall be directly proportionate to the amount of time served.

Sick leave shall be earned on a monthly basis for employees under Benefit Schedules A, B and C.

Reports regarding employees' sick leave utilization are generated on a monthly basis and submitted to program directors to monitor usage.

Prior to the end of the employee's work year, if the employee is in arrears in sick leave, a systematic procedure to dock the employee's pay will be put in place. For each actual work day an employee loses, after both standard and additional sick leave allowances are exhausted, a deduction shall be made from his/her salary in the amount of his/her annual salary divided by the number of actual days in the employee's work year. Any employee leaving employment

before the end of the year who has used more of his/her sick leave than the fraction of the year warrants shall have the proportionate amount deducted from his/her final settlement check.

An employee may accrue the maximums as outlined in Benefit Schedules A, B and C.

**Payment upon separation**

Any employee leaving employment with Centennial BOCES will be eligible to receive a portion of their unused sick leave, at the current state minimum wage, in accordance with Schedules A, B and C.

**Reinstatement upon hiring**

If an employee separates from employment with CBOCES and is rehired by CBOCES within six months after the separation, CBOCES must reinstate any paid sick leave that the employee had accrued but not used during the employee's previous employment if that accrued paid sick leave had not been paid out at the time of the separation.

**Additional leave during a public health emergency**

In addition to the paid sick leave generally accrued, on the date a public health emergency is declared CBOCES will supplement each employee's accrued paid sick leave as necessary to ensure that full-time employees who work 40 hours or more in a week may take at least 80 hours of paid sick leave and that employees who work fewer than 40 hours in a week may take at least the greater of the number of hours the employee is scheduled to work in a 14-day period or the average time the employee works in a 14-day period. CBOCES may count an employee's unused accrued paid sick leave toward the supplemental paid sick leave.

An employee may use the supplemental paid sick leave until four weeks after the official termination or suspension of the public health emergency. Leave under this provision may be taken for the following reasons:

- self-isolation or seeking medical care or treatment due to a diagnosis or symptoms of a communicable illness that is the cause of a public health emergency;
- caring for a family member who is self-isolating or seeking medical care after being diagnosed or is experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- a determination from a local, state, or federal public official or health authority that an employee or a member of the employee's family that the employee cares poses a risk to the health of others;
- caring for a family member when the individual's school or place of care has been physically closed due to a public health emergency; or
- an employee's inability to work because of a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of a public health emergency.

Documentation is not required to take paid sick leave during a public health emergency.

**Nondiscrimination**

The Board, the executive director, other administrators and CBOCES employees will not unlawfully discriminate, take adverse action, or retaliate against any employee who takes, attempts to take, or supports taking paid sick leave in accordance with this policy, files a complaint or informs any person about an alleged violation of the Healthy Families and

Workplaces Act, or participates in an investigation, hearing, or proceeding related to such matter.

**Notice**

To reduce unlawful discrimination and to ensure a healthy workplace environment, the administration is responsible for providing notice of this policy and the poster created by the Colorado Department of Labor and Employment to all CBOCES employees. The policy must be referenced in employee handbooks and otherwise be made available to all staff through electronic or hard-copy distribution.

LEGAL REF.: C.R.S. 2-4-401 (definition of immediate family)  
C.R.S. 8-13.3-401 et seq. (Healthy Families and Workplaces Act)

CROSS REF.: GBGF, Federally-Mandated Family and Medical Leave  
GBGH, Sick Leave Bank  
GBGL, Staff Victim Leave  
GBJ, Personnel Records and Files

Revised: April 15, 2021  
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Centennial BOCES