

Seaside School District 10

Code: GDBDD/GCBDD
Adopted: 3/15/16

SB 454 Paid Time*

“Employee” means an individual who is employed by the District and who is paid on an hourly, stipend or salary basis, and for whom withholding is required under Oregon Revised Statute (ORS) 316.162-316.221. The definition does not include volunteers or independent contractors.

Employees may use accrued SB 454 time on the 91st calendar day of employment and may use SB 454 time as it is accrued. The plan year is defined as July 1 through June 30.

The District will “front load” all regular full-time (working 30 hours or more per week) employee groups (licensed, classified, administrative, confidential) the required 40 hours of SB 454 paid time at the beginning of the plan year. All other part-time (working less than 30 hours per week) employee groups (licensed, classified, administrative, confidential) temporary, and seasonal employees will earn one (1) hour of SB 454 time for every 30 hours worked or $1\frac{1}{3}$ hours for every 40 hours worked throughout the plan year.

Employees will be allowed to use SB 454 time in hourly increments; however, substitutes for licensed staff will only be hired in four (4) hour increments. The District will allow employees to take SB 454 time for all reasons defined by the Bureau of Labor and Industry and/or negotiated contract. SB 454 time will also be concurrently deducted if it meets the same qualifying circumstance of other negotiated paid leaves. When the reason for SB 454 time is consistent with FMLA/OFLA leave, the SB 454 time and the FMLA/OFLA leave may run concurrently.

Employees may carry over up to 40 hours of unused SB 454 time from one year to the next; however, the District plans to adopt a policy that limits employees to accruing no more than 80 hours of SB 454 time or using no more than 40 hours of SB 454 time in a year. Employees will be receiving at least quarterly notifications of the amounts of accrued and unused SB 454 time. SB 454 time is not counted towards any Public Employees Retirement System calculation and is not transferable to other employers.

The use of SB 454 time may not lead to, or result in, an adverse employment action against the employee.

The District reserves the right after three consecutive days of absence, to require proof of personal illness or injury from an employee, including a medical examination by a physician chosen and paid for by the District. An employee refusing to submit to such an examination or to provide other evidence as required by the District, shall be subject to appropriate disciplinary action, up to and including dismissal.

If the reason for SB 454 time is a foreseeable absence, the District may require the employee to provide advance notice of their intention to use SB 454 time within 10 days of the requested time off, or as soon as practicable. When the employee uses SB 454 time for a foreseeable absence, the employee shall take reasonable effort to schedule the SB 454 time in a manner that does not unduly disrupt the operations of the District (e.g., grading deadlines, inservice training, mandatory meetings).

If the reason for SB 454 time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the District consistent with the reporting time established by the District as soon as practicable.

The District shall establish a standard process to track the eligibility for SB 454 time of a substitute.

The State of Oregon defines SB 454 time as SICK TIME.

END OF POLICY

Legal Reference(s):

[ORS 332.507](#)

[ORS 342.610](#)

SB 454 (2015)

[ORS 342.545](#)

[ORS 659A.150 to -659A.186](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2006).

Americans with Disabilities Act Amendments Act of 2008.