

Kings Community Action Organization

Administrative Policy

AP 3200

Human Resources: Leaves

CALIFORNIA PAID SICK LEAVE (“CA PSL”)

Purpose: To provide a policy compliant with the Healthy Workplaces, Healthy Families Act (“HWHFA”) of 2014.

Effective July 1, 2015 employees were entitled to up to 24 hours, or the equivalent of three (3) days, of California Paid Sick Leave (“CA PSL”).

Effective January 1, 2024 employees will be entitled to up to 40 hours, or the equivalent of five (5) days, of California Paid Sick Leave (“CA PSL”), whichever is more.

Employees will be awarded CA PSL on an annual basis.

Initial award of hours:

Newly hired employees after January 1, 2024 will be awarded 40 hours, or the equivalent of five (5) regularly scheduled work days, whichever is more, of CA PSL on the date of hire. Employees are entitled to use CA PSL following completion of 90 days of employment as long as employee has worked at least 30 days.

Expiration and migration of unused hours; award of new hours on hire date anniversary:

For the purposes of administering this policy, prior to January 1, 2024, every current or newly hired employee’s hire date would define the beginning of an employment year and hours would be frontloaded at each hire date anniversary.

Effective January 1, 2024, hours will be frontloaded every January first, going forward. At that time:

- All unused CA PSL will expire.
- An employee eligible for KCAO Sick Leave will receive an award of hours applied to the KCAO Sick Leave accrual bank in an amount equal to the unused and expired CA PSL hours.
- 40 new hours, or the equivalent of five (5) regularly scheduled work days, whichever is more, of CA PSL will be awarded.

Thereafter, this cycle of expiration, migration, and award of PSL will continue based upon the start of a calendar year.

Use of CA PSL:

An employee shall notify the immediate supervisor of the need to be absent as soon as such a need is known. Absences due to illness or injury must also be documented by completing the appropriate CA PSL time off request on the online Time and Attendance module. In cases where there is advance knowledge of the absence (such as a doctor's appointment), the online request must be completed prior to the absence. In cases where the employee experiences an unanticipated illness or medical emergency, the online request must be completed as soon as practical upon return to work.

An employee may use CA PSL for the diagnosis, care or treatment of an existing condition, or preventive care, for the employee or for a family member or designated person. CA PSL can also be taken by an employee who is a victim of domestic violence, sexual assault, or stalking.

Family members include a child (biological, adopted, foster, step), legal ward, child to whom the employee stands in loco parentis; parent (biological, adoptive, step), legal guardian of employee or employee's spouse or registered domestic partner, person who stood in loco parentis when employee was a minor; spouse; registered domestic partner; grandparent; grandchild; and sibling.

A designated person includes a person identified by the employee at the time the employee requests paid sick days, in accordance with the HWHFA. Each employee is permitted to designate one "designated person" per 12-month period.

When using CA PSL, employees must use a minimum of two (2) hours.

Unused CA PSL will not be paid to the employee at the separation of employment. However, if the employee is rehired within one year of the date of separation, previously accrued but unused CA PSL will be reinstated at rehire.

When used, CA PSL will be paid at the employee's then-hourly straight time rate of pay. For employees paid different hourly pay rates within the last 90 days before taking CA PSL, the rate of pay will be calculated by dividing the employee's total wages, excluding overtime, by total hours worked.

A poster describing CA PSL rights is located on the employment poster in the break room or other conspicuous place. KCAO will maintain records documenting hours worked and CA PSL awarded and used. KCAO will make them available within 21 days upon request.

References:

LABOR CODE 245: Healthy Workplaces, Healthy Families Act of 2014
Senate Bill 616
Sections 245.5, 246, and 246.5 of the California Labor Code

Adopted by Board of Directors:	June 17, 2015
Revised and Adopted by the Board of Directors:	March 15, 2023
Revised and Adopted by the Board of Directors:	December 20, 2023