

RESOLUTION NO. 24-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
RIPON AMENDING THE CITY'S PART TIME EMPLOYEE
PAID SICK LEAVE POLICY

WHEREAS, on September 10, 2014, the Governor of the State of California signed the Healthy Workplaces, Healthy Families Act of 2014 (AB 1522) providing paid sick leave for covered employees; and

WHEREAS, on June 2, 2015, the City of Ripon ("City") Council adopted Resolution No. 15-40 adopting a Part Time Employee Paid Sick Leave Policy for the City of Ripon to establish a paid sick leave policy pursuant to AB 1522 for part-time, temporary, and season employees; and

WHEREAS, part-time, temporary, and seasonal employees are not covered by an existing collective bargaining agreement, benefits resolution nor any other benefits policy; and

WHEREAS, SB 616 amend California's Paid Sick Leave Law effective January 1, 2024; and

WHEREAS, the City is desirous of updating this policy to be consistent with current laws.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Ripon hereby amends the City of Ripon Part Time Employee Paid Sick Leave Policy, as attached hereto in Exhibit "A" effective January 1, 2024 and shall remain in effect until modified, terminated, or rescinded by subsequent Council action or changes by applicable State or Federal Law.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Ripon this 9th day of January, 2024, by the following vote:

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Michael Restuccia, Council Member

SECONDER: Daniel de Graaf, Vice Mayor

AYES: Zuber, de Graaf, Barton, Uecker, Restuccia

**THE CITY OF RIPON,
A Municipal Corporation**

By


LEO ZUBER, Mayor

ATTEST:

By:


LISA ROOS, City Clerk

CITY OF RIPON PART TIME EMPLOYEE PAID SICK LEAVE POLICY

The following policy applies only to part-time, temporary, and seasonal employees. The sick leave policy set forth in the City of Ripon's Merit System only applies to full-time employees.

This policy was originally effective July 1, 2015, due to California's Paid Sick Leave law, AB1522, which required the City of Ripon to provide paid sick leave to employees who work for the City 30 or more days within one (1) year subject to specific rules.

Effective January 1, 2024, SB 616 amends California's Paid Sick Leave Law to allow for 5 days or 40 hours of paid sick leave to employees.

Therefore, the City of Ripon's Paid Sick Leave Policy is being updated to be as follows:

- An employee begins to accrue paid sick leave at the applicable rate set forth below based upon the amount of hours worked within a pay period:

Hours worked per regular schedule	Sick leave accrued per pay period
• 66 - 80 hours	• 2.67 hours
• 46 – 65 hours	• 2.17 hours
• 26 – 45 hours	• 1.88 hours
• 1 – 25 hours	• 1.67 hours

- Accrued paid sick leave shall carry over to the following year of employment and is capped at 10 days or 80 hours, whichever is more.
- An employee is not eligible to begin using any accrued paid sick leave until after 90 days of employment with the Agency.
- An employee is only allowed to use up to a maximum of 5 days or 40 hours of paid sick leave in a 12-month period.
- In accordance with California's Paid Sick Leave law, an employee may use a maximum of 5 days or 40 hours of accrued paid sick leave in a 12-month period for any of the following reasons:
 - For the employee's own diagnosis, care, or treatment of an existing health condition or preventative care.
 - For the diagnosis, care, or treatment of an existing health condition or preventative care for an employee's family member, including:
 - *Child (including a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis.)*
 - *Spouse or Registered Domestic Partner*
 - *Parent (including 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.)*

- Grandparent
- Grandchild
- Sibling
- Designated person, which, means a person identified by the employee at the time the employee request paid sick days
- To obtain any relief or services related to being a victim of domestic violence, sexual assault, or stalking including the following with appropriate certification of the need for such services:
 - A temporary restraining order or restraining order.
 - Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.
 - To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
 - To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.
 - To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.
 - To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.
- An employee shall provide reasonable advance notification of their need to use accrued paid sick leave to their supervisor if the need for paid sick leave use is foreseeable (e.g., doctor's appointment scheduled in advance). If the need for paid sick leave use is unforeseeable, the employee shall provide notice of the need for the leave to their supervisor as soon as is practicable.
- Paid sick leave will not be considered hours worked for purposes of overtime calculation. An employee will not receive compensation for unused accrued paid sick leave upon termination, resignation, retirement or other separation from employment from the Agency.
- If an employee separates from Agency employment, the balance of sick leave accrued will not be paid out. However, if the employee is rehired by the Agency within one year of the date of separation, previously accrued and unused paid sick leave hours shall be reinstated to the extent required by law. However, if a rehired employee had not yet worked the requisite 90 days of employment to use paid sick leave at the time of separation, the employee must still satisfy the 90 days of employment requirement collectively over the periods of employment with the Agency before any paid sick leave can be used.
- If a part-time employee is transferred to a full-time status, their sick leave accrual balance will transfer with their status.
- If a full-time employee is rehired to a part-time status, their sick leave accrual balance will be reinstated to a maximum of 10 days or 80 hours, whichever is more.