# Clatskanie School District 6J

Code: GCBDD/GDBDD
Adopted: 5/11/20
Revised/Readopted: 2/03/25
Orig. Code(s): GCBDD/GDBDD

## Oregon Sick Time

"Employee" means an individual who renders personal services at a fixed rate to the district if the district either pays or agrees to pay for personal services or permits the individual to perform personal services. The definition does not include volunteers, ~~or~~ independent contractors or others excluded by law.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district and are eligible to use sick time beginning on the 91st calendar day of employment with the district and may use sick time as it is accrued.

[The district employs {[1]}10 or more employees and therefore shall allow an eligible employee to access up to 40 hours of paid sick time per year. [Paid sick time shall accrue at the rate of at least one hour of paid sick time for every 30 hours the employee works, or 1-1/3 hours for every 40 hours the employee works.] ~~[Paid sick time of 40 hours shall be {[2]}front-loaded to an employee at the beginning of each year.]~~] **Sick time is prorated based on an employee's FTE.**

**OR**

~~[The district employs {[3]}10 or more employees and has established and invokes the "undue hardship" exception of ORS 653.621 (1)(b); therefore, 56 hours of paid sick time shall be {[4]}front-loaded to an eligible employees at the beginning of each year.]~~

**OR**

~~[The district employs fewer than 10 employees and therefore shall provide access for an eligible employee of at least 40 hours of unpaid sick time or unpaid time off. [Unpaid sick time or time off shall accrue at the rate of at least one hour of paid sick time for every 30 hours the employee works, or 1-1/3 hours for every~~

[1] {If the district is located in a city with a population exceeding 500,000, the threshold is whether the district employs at least six employees working anywhere in this state.}

[2] {For employees employed by an employer for less than a full year, "front-load" means to assign and make available to an employee as soon as the employee becomes eligible to use sick time a number of hours of sick time that is the pro rata percentage of the hours the employee would be entitled to for an entire year based on the number of hours the employee was actually employed by the employer for the year. ORS 653.601(5)(b)}

[3] {If the district is located in a city with a population exceeding 500,000, the threshold is whether the district employs at least six employees working anywhere in this state.}

[4] {For employees employed by an employer for less than a full year, "front-load" means to assign and make available to an employee as soon as the employee becomes eligible to use sick time a number of hours of sick time that is the pro rata percentage of the hours the employee would be entitled to for an entire year based on the number of hours the employee was actually employed by the employer for the year. ORS 653.601(5)(b)}

40 hours the employee works.] [Unpaid sick time or time off shall be {[5]}front-loaded to an employee at the beginning of each year.] ]

The employee may carry up to **ALL** ~~to 40 hours of~~ unused sick time from one year to the subsequent year. ~~[{[6]}An employee is limited to [accruing no more than 80 hours of sick time ] [and ] [using no more than 40 hours of sick time in a year].]~~

~~[Sick time shall be taken in hourly increments] [{[7]}Sick time shall be taken in increments of more than [one] hour[s]]~~ [Sick time may be used in increments of less than one hour**]** and may be used for the employee's or a family member's[8] mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition, or need for preventive care, or for reasons consistent with qualifying Family and Medical Leave (FMLA), Paid Family and Medical Leave Insurance (PFMLI) or Oregon Family Leave (OFLA). Sick time earned by an employee may also be used for the following reasons:

1. In~~n~~ the event of a public health emergency compliant with Oregon Revised Statute (ORS) 653.616;

2. [{[9]}To donate accrued sick time to another employee if the other employee uses the donated sick time for a purpose consistent with ORS 653.616 and the Collective Bargaining Agreement;]

3. To donate blood in connection with a voluntary program for the donation of blood that is approved or accredited by the American Association of Blood Banks or the American Red Cross; or

4. For~~for~~ leave to address domestic violence, harassment, sexual assault, bias, or stalking under ORS 659A.272 (safe leave).

~~[. When sick time is used to care for, or to deal with the death of, an individual related by blood or affinity whose close association with the district employee is the equivalent of a family relationship, the district requires an attestation form signed and submitted by the employee.].¶~~

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

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[5] {For employees employed by an employer for less than a full year, "front-load" means to assign and make available to an employee as soon as the employee becomes eligible to use sick time a number of hours of sick time that is the pro rata percentage of the hours the employee would be entitled to for an entire year based on the number of hours the employee was actually employed by the employer for the year. ORS 653.601(5)(b)}

[6] {If the district chooses to limit the accrual or usage, the district must choose language in the bracketed sentence and keep this sentence in policy. The application of these limits need not be applied to employers with less than 10 employees and who front-load at least 40 hours of unpaid sick time or unpaid time off at the beginning of each year used to calculate the accrual and usage of sick time or time off. (ORS 653.606 (1)(d))}

[7] {This bracketed option only applies if the public charter school claims "undue hardship" (as is defined in OAR 839-007-0000(7)) and front-loads 56 hours of paid sick time per year. The school may require the employee to use paid sick time in increments of more than one hour; however in the case of front-loading 56 hours of paid sick time, the school cannot require an employee to use sick time in increments that exceed four hours, however the employee may choose to do so. OAR 839-007-0025}

[8] "Family member" is defined in OAR 839-007-0000.

[9] {The district must first have a policy that allows an employee to donate sick time to a coworker for this purpose. Do not keep this language if there is no policy authorizing this process.}

The district reserves the right, after an employee uses sick time for more than [~~three~~{[10]}~~five~~ **FIVE** consecutive scheduled workdays, to require verification or certification in accordance with law of the need for the sick time, including a medical verification or certification[11] paid for by the district. If an employee fails to provide verification or certification or fails to provide other evidence as required by the district, the employee shall be subject to appropriate disciplinary action, up to and including dismissal.

When the reason for sick time is consistent with FMLA or PFMLI or OFLA leave, sick time leave and qualifying FMLA or PFMLI or OFLA leave may run concurrently.

When the reason for sick time is consistent with ORS 332.507, sick time leave and leave pursuant to ORS 332.507 may~~must~~ run concurrently.

If the reason for sick time is a foreseeable absence, the district requires an employee to provide advance notice of the intention to use sick time {[12]} ~~10 days prior to when the requested sick time is to begin or~~ as soon as otherwise practicable. When an employee uses sick time for a foreseeable absence, the employee shall take reasonable effort to schedule the sick time in a manner that does not unduly disrupt the operations of the district (e.g., grading deadlines, inservice training, mandatory meetings). [The district may discipline an employee if the employee fails to make a reasonable effort to schedule leave in a manner that does not unduly disrupt the operations of the district.]~~.~~

If the reason for sick 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]~~ ~~[at least 24 hours in advance]~~ [before the start of the employee's shift], or when circumstances prevent the employee from providing notice as required, as soon as practicable.

[The district may discipline an employee for violating workplace policies and procedures if the employee fails to provide notice as required.]~~.~~

The district shall establish a standard process to track the eligibility for sick time of a substitute.

END OF POLICY

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**Legal Reference(s):**

[10] {This number can be increased, but not decreased. Review any applicable collective bargaining agreements.}

[11] In the case of need for leave under ORS 659A.272, the district may not require the verification or certification to explain the nature of the illness or details related to the domestic violence, sexual assault, harassment, bias, or stalking, which necessitates the use of sick time.

[12] {ORS 653.621(3): "…not to exceed 10 days"}

ORS 332.507
ORS 342.545
ORS 342.610
ORS 653.601 - 653.661
ORS 659A.150 - 659A.186
OAR 839-007-0020 – 007-0065

Americans with Disabilities Act/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12213 (2024); 29 C.F.R. Part 1630 (2025); 28 C.F.R. Part 35 (2025).
Family and Medical Leave Act, 29 U.S.C. §§ 2601-2654 (2024); Family and Medical Leave Act, 29 C.F.R. Part 825 (2025).¶
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