

SPOKANE COUNTY FIRE DISTRICT 8

Standard Operating Procedures

10.07.07 PAID LEAVES



Adopted:	12/20/16
Reviewed:	12/15/23
Revised:	12/15/23
Approved:	Lonnie J. Rash

Purpose: To outline the accrual and usage of all paid leave offered by the District.

References: Department of Labor & Industries; Minimum Wage Act, Chapter 49.46 RCW; Chapter 296-128 WAC; Initiative Measure No. 1433

Procedure:

1. Full-time Employee Annual Leave.

- a) The District provides paid annual leave to regular full-time employees. Pay is continued as if the employee were working. The District's annual leave policy is designed to refresh and invigorate its employees with time away from the job and the District encourages employees to use their annual leave.
- b) Accrual Rates:
 - i. 0-4 Years 10 Days
 - ii. 5-9 Years 15 Days
 - iii. 10 + Years 20 Days
 - iv. Union members refer to their contract for accrual rates.
- c) Annual leave will not be taken before the month in which it is accrued.
- d) Annual leave must be scheduled between the employee and his/her supervisor.
- e) Accrued annual leave over 360 hours is forfeited at the end of a calendar year, or may be donated to the Shared Leave Pool.
- f) If necessary, employees may carry over more than 360 hours of annual leave from one year to the next with recommendation of their supervisor and approval of the Fire Chief or his/her designee,
- g) Up to 360 hours of accrued annual leave will be paid to a full-time employee upon separation from the District.

2. Full-time Employee Sick Leave.

- a) The District provides paid sick leave to regular full-time employees. Accrued, unused sick leave may be used to care for themselves or a Family Member for the following:
 - i. Care for themselves or a Family Member for a mental or physical illness, injuries, or health conditions;
 - ii. Care for themselves or a Family Member for the need for medical diagnosis, care, or treatment of mental or physical illness, injuries, or health conditions;
 - iii. Use for preventive medical care for themselves or a Family Member;

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- iv. Address issues, for themselves or a Family Member, related to domestic violence, sexual assault, or stalking, as permitted by law; or
 - v. A qualifying event when the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason, excluding inclement-weather related closures.
- b) "Family Member" is defined as:
- i. A child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;
 - ii. A parent, including a biological, adoptive, de facto, or foster parent, step-parent, 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;
 - iii. A spouse; a registered domestic partner; a grandparent, a grandchild; or a sibling.
- c) Eligible full-time employees accrue sick leave at the rate of eight hours per month of employment, or as specified by Union contract or work agreement. The accrual year is January 1 through December 31.
- d) Accrued sick leave shall be carried over from year to year.
- i. There is no limit on sick leave accrual for non-represented full-time employees.
 - ii. Sick leave accrual for represented employees classified as uniformed supervisory personnel and uniformed line personnel shall be in accordance with union contract.
 - iii. Accrued sick leave is not paid upon separation of employment and is forfeited, unless specified by Union contract or work agreement. If an employee is rehired within 12 months of separation, any sick leave previously accrued will be reinstated.
 - iv. Eligible full-time employees may donate their sick leave accrual to the Shared Leave Pool upon separation of employment. Employees participating the Shared Leave Pool are solely responsible for any tax consequences.
- e) Excessive absenteeism and unapproved absences may result in corrective action up to and including discharge, even if accrued time off (annual leave, sick leave, etc.) has not been exhausted, unless otherwise required by law.

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An employee's supervisor may at any time review sick leave usage and/or require a physician's statement verifying illness.

- f) Employees shall notify the District of their absence from work in accordance to the guidelines established for their position.
- g) Employees will be provided the balance of their accrued and used leave at least monthly.

3. Part-time Employee Sick Leave.

- a) Part-time employees accrue one hour of paid sick leave for every 40 hours worked.
- b) Part-time employees are entitled to use their accrued, unused paid sick leave beginning on the 90th calendar day after the start of their employment.
- c) Part-time employees may use their accrued, unused paid sick leave hours to:
 - i. Care for themselves or a Family Member for a mental or physical illness, injuries, or health conditions;
 - ii. Care for themselves or a Family Member for the need for medical diagnosis, care, or treatment of mental or physical illness, injuries, or health conditions;
 - iii. Use for preventive medical care for themselves or a Family Member;
 - iv. Address issues, for themselves or a Family Member, related to domestic violence, sexual assault, or stalking, as permitted by law; or
 - v. A qualifying event when the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason, excluding inclement-weather related closures.
- d) "Family Member" is defined as:
 - i. A child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;
 - ii. A parent, including a biological, adoptive, de facto, or foster parent, step-parent, 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;
 - iii. A spouse; a registered domestic partner; a grandparent, a grandchild; or a sibling.

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- e) Employees shall notify the District of their absence from work in accordance to the guidelines established for their position.
 - f) The District requires employees to use paid sick leave in increments of one hour.
 - g) Employees will be paid their normal hourly compensation for each regular hour of paid sick leave used precluding overtime, holiday, and all other premium pays.
 - h) Accrued, unused paid sick leave balances of 40 hours or less will be carried over to the following accrual year.
 - i. No more than 40 hours of accrued sick leave will be carried over to the following accrual year.
 - ii. The accrual year is January 1 to December 31.
 - i) Accrued sick leave is forfeited upon separation of employment.
 - j) When there is a separation from employment and the employee is rehired within twelve months of separation, previously accrued unused paid sick leave shall be reinstated. The employee will not be required to wait an additional 90 calendar days to use their accrued, unused paid sick leave provided the employee met that requirement during their previous period of employment.
 - k) Any discrimination or retaliation against an employee for the lawful exercise of paid sick leave rights is not allowed. The District will not discriminate or retaliate against an employee for the lawful exercise of Minimum Wage Act rights. If an employee feels they are being discriminated or retaliated against for the exercise of their Minimum Wage Act right, the employee may contact the District's Human Resources Manager.
 - i. If an employee is not satisfied with the District's response, the employee may contact the Washington State Department of Labor & Industries.
 - l) At the start of employment, the District will provide employees with notice of their paid sick leave rights.
 - m) Employees will be provided the balance of their accrued and used leave at least monthly.
4. Shared Leave Pool.
- a) The Shared Leave Pool is intended to help an employee who has exhausted his or her sick leave, compensatory leave, annual leave, and any other paid leave due to a qualifying absence as provided in the District's Paid Leave Procedure. Only regular full-time employees are eligible to participate in

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the Shared Leave Pool Program. Employees participating in the Shared Leave Pool are solely responsible for any tax consequences arising from or related to their participation in the Pool.

- b) Employees who desire to donate or withdraw leave from the Shared Leave Pool may do so by submitting a Shared Leave Pool form to the Human Resources Manager.
 - ii. Requests to withdraw from the Shared Leave Pool will be authorized by the Fire Chief or his/her designee.
- c) Employees must maintain a minimum sick leave balance of 240 hours before donating to the Pool.
- d) Upon separation of employment, employees may donate their leave balance to the Shared Leave Pool.

5. Parental Leave.

- a) Employees who desire to take parental or bonding leave after the birth or adoption of a child and who are not otherwise entitled to use sick leave may use up to nineteen (19) shifts for 24-hour employees or up to twelve (12) weeks for day shift employees of sick leave for such purposes.
- b) Sick leave usage will run concurrently with any FMLA leave.
- c) Employees may take additional annual leave or unpaid leave for bonding purposes as authorized by the FMLA and District policies.

6. Administrative Leave.

- a) In special cases an employee may be granted an administrative leave of absence for a period of time as determined by the District.
- b) Administrative leave may be used as a corrective measure, to permit an investigation, to determine what corrective action will be applied, or to remove an employee from the premises for a period of time.
- c) Administrative leave may be paid or unpaid.

7. Bereavement Leave.

- a) The District provides regular, full-time employees with paid leave up to five consecutive calendar days in the event of the death of a spouse, child, parent, sibling, grandparent, grandchild, or corresponding in-laws or “step” relations.
- b) Bereavement leave may be granted for other relatives or for additional bereavement days with a manager’s approval.