POLICY: HR5 – Leave
APPROVAL DATE: 01/01/1982
REVISION DATE: 11/20/2018

Purpose
To set forth the District’s policies for the accrual and use of leave for all employees.

Scope
Applies to all District employees

Employees who are scheduled to work fewer than 20 hours per week and temporary employees working for less than three (3) months do not accrue leave and are not eligible for other leave use, unless otherwise noted.

All other employees shall accrue and may use leave as follows.

5.1 Holiday Leave
Holidays designated by the Board of Trustees, as listed below, will be observed by Spokane County Library District. Eligible employees will be compensated for eight (8) hours holiday time on designated holidays. This time shall be prorated for part-time eligible employees.

When a holiday falls on a Sunday, it will be observed on the following Monday. Annually, no later than November, a review of upcoming holidays will be conducted to determine whether to close library branches for the holiday on the actual, observed, or both days. Once approved the holiday schedule will be posted in December for the following calendar year.

When an observed holiday falls on an employee’s scheduled day off, holiday hours may be taken by the employee on another day within the pay period in which the holiday falls.

If the holiday is not taken within the pay period in which it occurs, compensated holiday hours will be converted to vacation leave and added to the employee’s vacation leave balance after January 1 of the following year.

A holiday occurring during an employee’s vacation, sick leave, or other paid leave, shall be paid as holiday time.

A holiday occurring while an employee is on leave without pay shall not be paid as holiday time.

Designation of Holidays
Holidays designated by the Board of Trustees are:

NEW YEAR’S DAY January 1
MARTIN LUTHER KING JR DAY January - third Monday
PRESIDENTS’ DAY February - third Monday
MEMORIAL DAY May - last Monday
INDEPENDENCE DAY  
July 4
LABOR DAY  
September - first Monday
VETERANS DAY  
November 11
THANKSGIVING DAY  
November - fourth Thursday
DAY AFTER THANKSGIVING  
November - Friday after fourth Thursday
CHRISTMAS EVE DAY  
December 24
CHRISTMAS DAY  
December 25

UNPAID HOLIDAYS FOR REASONS OF FAITH OR CONSCIENCE:  Under Washington law (RCW 1.16.050(3)), all District employees are entitled to two unpaid holidays per calendar year for a reason of faith or conscience or an organized activity conducted under the auspices of a religious denomination, church, or religious organization.

An employee must submit the request to use these days as far in advance as is practicable. The employee will be allowed to take the unpaid holidays on the days they have selected unless the absence would unduly disrupt operations or impose an undue hardship. The unpaid holiday leave shall not be deemed approved unless it has been authorized in writing by the employee’s supervisor.

The two unpaid holidays allowed by this section must be taken during the calendar year, if at all; they do not carry over from one year to the next.

5.2 Vacation Leave
Employees may use accrued vacation leave following the satisfactory completion of the Probation period. Vacation leave may be used in minimum units of one-quarter hour. Should an employee become ill while on vacation, they may request to substitute sick leave for vacation. The District may require medical certification to support this request.

All requests for vacation leave should be made to the supervisor in advance of the effective date. In deciding whether to grant requests for vacation leave, the supervisor should consider the needs of the employee, as well as the needs of the work unit.

Vacation leave may be used to care for a sick minor child with a routine illness, for a spouse, registered domestic partner, parent, parent-in-law or grandparent with a serious or emergency health condition or for a sick adult child who is incapable of self care because of a physical or mental disability.

Eligible employees who are in pay status for fifty percent or more of a payroll period shall be credited with the following vacation leave accruals:

FLSA Exempt employees begin accruing vacation at the rate of 128 hours per year prorated over all payroll periods to the nearest one-hundredth of an hour. An additional 4 hours of vacation leave per year shall be accrued for each full year of employment up to a maximum rate of 192 hours per year.

FLSA Eligible Nonexempt employees begin accruing vacation at the rate of 116 hours per year prorated over all payroll periods to the nearest one-hundredth of an hour. An additional 4 hours of vacation leave per year shall be accrued for each year of employment, up to a maximum rate of 180 hours per year.
Eligible part-time employees shall have their vacation leave accrued and computed to the nearest one-hundredth of an hour on a prorated basis based upon the weekly hours worked.

Vacation Leave will be posted to an employee’s account at the end of each payroll period in which the vacation hours are earned. Vacation leave may not be used before it is accrued and posted. If the employee submits vacation leave in excess of their accrued balance, the Business Office will charge the excess leave to leave without pay (LWOP) and notify the employee’s supervisor and Human Resources.

Vacation Leave balances will carry over from one calendar year to the next, up to a maximum of 240 hours. If an employee’s accrued vacation leave exceeds 240 hours on December 31, the balance will be reduced to 240 hours on January 1, and the employee will permanently forfeit and not be compensated for the excess hours.

If accrued vacation leave exceeds 240 hours during the year in which the employee leaves the District, the employee must use any vacation leave in excess of 240 hours before their last day of employment, or risk forfeiture of excess leave.

Changes in Accrual Rates

The date for beginning vacation leave accrual shall be the initial hire date to a position entitling the employee to benefits.

When an employee is promoted, demoted, or reclassified, the date used for vacation accrual will remain as above. If an employee moves to a position with a different accrual rate, the accrual rate will be adjusted effective as of that date.

An employee’s vacation accrual rate shall advance on an annual basis to the next increment for the full payroll period in which the employee’s hire or anniversary date occurs, whichever is appropriate, until the maximum accrual rate is reached.

Vacation Leave Cash Out

Vacation leave may be cashed out under the following circumstances:

- Annually staff may cash out a portion of their accrued vacation, with the following restrictions:
  - During the month of December, full-time staff may request to cash out up to 40 hours of leave. This amount shall be prorated for part-time staff.
  - Full-time staff must have used a minimum of 80 hours of vacation leave during the current calendar year. This amount shall be prorated for part-time staff.
  - Following the cash out, a minimum balance of 200 hours must remain. This amount shall be prorated for part-time staff.

- When an employee separates from employment, unused accrued vacation leave and any earned, but unused holiday leave (up to a total maximum of 240 hours), shall be compensated by a single payment included in the last paycheck.
  - New employees who separate from employment for any reason before the successful completion of their Probation period will not be compensated for any accrued vacation leave.
5.3 Sick Leave

All employees will accrue sick leave and may maintain up to 960 hours of sick leave.

Full-time employees who are in pay status for the complete payroll period shall accrue 96 hours of sick leave per year, prorated over all payroll periods.

Part-time employees will have their sick leave prorated based on the actual number of hours in a pay status in the pay period, but will not earn less than 1 hour of leave for every 40 hours worked.

Earned sick leave will be posted to an employee's account at the end of each payroll period. Employees are responsible for monitoring their leave accruals and ensuring they have the necessary leave accrual before using it. If the employee submits sick leave in excess of their accrued and posted balance, the Business Office will charge the excess leave to vacation leave or leave without pay (LWOP).

General Sick Leave Rules

Sick leave may be used after completion of the first payroll period when the accrued leave has been posted.

Sick leave with pay may be taken for the following reasons:
- Injury, illness, or medical care of the employee.
- To care for a sick minor child with a routine illness, for a spouse, registered domestic partner, parent, parent-in-law or grandparent with a serious or emergency health condition or for a sick adult child who is incapable of self care because of a physical or mental disability.
- Disability of the employee, including disability due to pregnancy or childbirth, or for a spouse or state-registered domestic partner to attend to their spouse or domestic partner, and/or children, while the employee’s spouse or domestic partner is disabled due to pregnancy or childbirth.

The District may require medical certification of the need for leave from a health care provider whenever:
- The employee has missed three or more consecutive work days due to illness or injury.
- The employee requests sick leave to care for a family member as referenced above.
- There is a pattern of sick leave usage in terms of the time and frequency of use.

It is the employee’s responsibility to inform the District of the need to use sick leave no less than thirty (30) minutes prior to the employee’s scheduled start time. An employee may be denied the use of sick leave by failing to contact either the employee sick line (as designated), or notifying their immediate supervisor or manager, as required. Employees are required to provide this notice of the need for sick leave every day sick leave is taken, unless the employee’s supervisor or manager has agreed to waive this requirement.

Sick leave may be used in minimum units of one-quarter hour.
Sick Leave Cash Out

When an employee separates from the District, accrued sick leave, up to a maximum of 960 hours, may be cashed out as follows. To be eligible for sick leave cash out, an employee must meet the following condition.

A sick-leave eligible employment period of at least three (3) years, which was continuous and unbroken by resignation, termination or retirement. An unpaid leave of absence neither breaks the continuous employment period nor applies toward the minimum years of work requirement.

The sick leave cash out will be calculated as follows, and the amount included on the employee’s final paycheck:

- Three (3) to fifteen (15) years of eligible service – one (1) hour will be cashed out for every three (3) hours of available leave.
- Fifteen (15) years of eligible service and greater – one (1) hour will be cashed out for every two (2) hours of available leave.

5.5 Shared Leave

Shared Leave is available to all District employees who have successfully completed their Probation period. Temporary employees (less than three (3) months) are not eligible for Shared Leave.

An employee who is suffering from a severe, extraordinary or life-threatening illness, injury, or condition that results in an extended absence from work, and would cause the employee to take leave without pay, or is not eligible for paid leave, may participate in the shared leave program.

Shared leave may also be used to care for a sick minor child, spouse, registered domestic partner, parent, parent-in-law or grandparent with a serious or emergency health condition or for a sick adult child who is incapable of self care because of a physical or mental disability.

All paid leave must be exhausted before an employee will be eligible to use Shared Leave.

An employee may be eligible for Shared Leave under the following conditions:

- The employee is not eligible for wage replacement benefits due to a workplace injury under RCW 51.32. If such benefits are approved at a later time, any donated leave shall be returned to the donors, and the employee will return any and all overpayments to the District.
- The employee or family member (as defined above) is suffering from a severe, extraordinary or life-threatening illness, injury or condition that will cause the employee to take leave without pay (LWOP) for at least one full pay period before being able to return to work.
- The employee must submit a request for Shared Leave to the Human Resources Department accompanied by a medical certification by a health care provider verifying the condition and the expected duration of the need for leave. The Executive Director has final approval authority for Shared Leave requests. If the request is approved, Human Resources will notify employees of the request.
• Donations of sick leave must be made in one-hour increments.
• The names of those who donated sick leave will be kept confidential.
• Use of Shared Leave will be limited to a maximum of 480 hours per calendar year for full-time employees and this limit will be prorated for part-time employees.
• Employees must maintain a balance of at least 80 hours of sick leave following the donation. These requirements shall be prorated for part-time employees.
• Shared Leave compensation is ineligible earnings for calculating PERS contributions and service credit for the recipient, pursuant to WAC 415-108-468.

5.6 Wage Replacement Benefits (Time-Loss)
The Department of Labor and Industries (L&I) is responsible for determining eligibility for wage replacement benefits if an employee is unable to work due a workplace injury.

Until eligibility for wage replacement benefits is determined by L&I, the employee may use accrued paid leave, if available, or may choose to be placed in leave without pay (LWOP) status.

If L&I approves the employee’s claim, employees may choose one of the following options:

• Be placed in LWOP status and wage replacement benefits from L&I for the duration of the leave.
• Receive their full salary using available sick or vacation leave until such time as the employee exhausts all their available paid leave. Once the employee exhausts all available paid leave provided by the District, then they shall be placed on Leave without Pay.

If an employee chooses this option, they must submit payment to the District in the amount of any wage replacement payments received.

5.7 Administrative Leave
Administrative leave is available to all District employees.

Administrative Leave is paid leave authorized at the discretion of the Executive Director, or designee. It may be used in extraordinary circumstances not covered by other defined leave benefits.

5.8 Bereavement Leave
Bereavement leave is available to all District employees.

Paid bereavement leave may be taken by employees for the death of an immediate family member. Employees may be allowed up to four consecutive calendar days (regularly scheduled hours) of bereavement leave per occurrence, subject to the approval of their supervisor. Documentation may be required, at the discretion of the supervisor.

Bereavement Leave may be:

• Used before an employee has attained regular employment status.
• Extended by use of accrued vacation or sick leave.

There is no limit on how frequently an employee may use Bereavement Leave.
5.9 **Court-Related Leave**

Eligible employees absent from duty when called upon to serve as a juror or as a witness for the District in their official capacity in any federal, state, or local court of law, shall not suffer a loss of pay.

Court-related Leave is allowed when:

- The employee is required to serve as a juror or appear as a witness in a matter other than one personal to the employee; and
- The employee serves on a day which would have been a regularly scheduled work day.

Court-related leave is not allowed in matters in which the employee is a litigant such as a petitioner, respondent, plaintiff, or defendant. Employees may be required to submit proof of days and hours of service whenever court-related leave is claimed. Any fees or allowances paid to an employee by the court may be retained by the employee.

Employees released from court-related responsibilities (as referenced above) during their regularly scheduled work hours are required to immediately report to work. Failure to do so may result in disciplinary action up to and including termination.

5.10 **Military Leave**

The District will comply with Washington state law regarding military leave for public employees (RCS 38.40.060). Employees serving as members of the Washington National Guard or of any organized reserve or armed forces of the United States, shall be entitled to and granted up to twenty-one (21) days of paid military leave per year (beginning October 1, and ending the following September 30) when ordered to report for required military duty, training, or drills, including those in the National Guard or state active status (RCW 38.40.060).

Employees must provide at least five (5) days’ notice of their intent to take leave whenever possible and must present a copy of their military orders to the appropriate supervisor or manager before commencing military leave.

Military Leave calculation is based on scheduled work days rather than calendar days.

The District will abide by the provisions of the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) for employees called to active duty for longer than twenty-one (21) days.

5.11 **Washington State Family Military Leave**

The District will comply with Washington’s Family Military Leave (RCW 49.77). Employees who work twenty (20) or more hours per week are eligible for WFML.

Employees who are spouses or state-registered domestic partners of military personnel about to be deployed, or on leave from deployment, during times of military conflict as declared by the President or Congress, may take up to fifteen (15) days of unpaid leave to be with their spouse or state registered domestic partner.

Employees may use accrued leave for this type of absence, as applicable.
During Family Military Leave, the District will continue to pay its portion of the employee’s health insurance premiums. Employees are responsible for arranging payment of their portion of the health insurance premiums while on leave. Failure to do so may result in cancellation of the employee’s health insurance benefits.

The employee must provide their supervisor notice of intent to take leave within five (5) business days of receiving official notice that the employee’s spouse or state-registered domestic partner is about to deploy, or will be on leave from deployment.

5.12 Leave for Victims of Domestic Violence
The District will comply with the Washington State Domestic Violence Leave law (RCW 49.76). Employees who are victims of domestic violence, sexual assault, or stalking may take reasonable leave from work to take care of legal or law enforcement needs, seek physical and/or mental health treatment, obtain services from a shelter or social services program, obtain mental health counseling, participate in safety planning, relocate, or take other actions to increase safety from future incidents. Family members of a victim may also take reasonable leave to help the victim seek treatment or obtain help and services.

Employees should give advance notice for the need for leave if possible. The District may require documentation to support the request for leave. This may include:

- A police report indicating the employee or employee’s family member was a victim.
- A court order providing protection to the victim.
- Documentation from a healthcare provider, advocate, clergy, or attorney.
- An employee’s written statement that the employee or employee’s family member is a victim and needs assistance.

Family relationship may be determined by birth certificate, court document or other similar record or a statement from the employee. For purposes of this leave type, family members include a child, spouse, state registered domestic partner, parent, parent-in-law, grandparent, or person the employee is dating.

5.14 Leave without Pay
The Executive Director may approve up to twelve (12) months of leave without pay (LWOP).

Leave without pay may be considered for unusual circumstances requiring an absence.

Leave without pay may be granted under other circumstances, as required by federal or state law.

An employee requesting leave without pay must submit a written request to their supervisor as far in advance as possible. The request must include the projected beginning and ending dates of LWOP, as well as the reason(s) for the request.

An employee requesting leave without pay must use all accrued vacation leave, and, if applicable, all sick leave prior to taking LWOP. The employee’s anniversary date(s) will be adjusted by the length of leave in excess of one pay period.

For LWOP periods of longer than 30 days, benefits-eligible employees will be terminated from group coverage and may be eligible for health coverage directly from the District benefits provider, under the Consolidated Omnibus Reconciliation Act (COBRA).
At the end of leave without pay, the employee may be allowed to return to either their original position, or to an available position for which the employee is qualified. The Executive Director has final authority to reinstate and will consider any applicable state or federal laws and the operational requirements of the District.

An employee returning from LWOP may be eligible for a special enrollment period for health benefits, if the leave was for a period of longer than 30 days and group benefits were terminated. The Human Resources Department shall be responsible for notifying employees so affected.

5.15 Federal & State Family and Medical Leave
The District provides leaves of absence to eligible employees in keeping with the requirements of the federal Family and Medical Leave Act (FMLA) and the Washington State Family Leave Act (FLA).

For purposes of this policy, the following definitions apply:

- **Child**: Will include a biological, adopted, foster child, stepchild, legal ward, or a child of an employee standing in loco parentis (i.e., in place of a parent), who is under 18, or older than 18 if incapable of self care because of a mental or physical disability.
- **Parent**: Biological, adoptive, or step-parent, or individual who stood in loco parentis to an employee when the employee was a child.

Continuation of Pay and Benefits while on FMLA

During FMLA leave, the District will continue to pay its portion of the health insurance premiums. The employee is responsible for arranging payment of their portion of the health insurance premiums while on FMLA leave. Failure to do so may result in cancellation of the employee’s health insurance benefits.

5.16 Emergency Leave
The Executive Director or their designee has sole authority to determine closures due to emergency circumstances.

If all District buildings are closed, employees will be paid for the hours they were scheduled during the closure, up to a maximum of three days.

If some facilities are closed and others open, staff may be temporarily assigned to another location. If this is not possible, regularly scheduled employees will be paid for the hours they were scheduled during the closure, up to a maximum of three days.

When employees are reassigned, they may either report to the temporary assignment or request approval to use paid leave.

The Executive Director will establish administrative procedures necessary to implement this policy. Any appeal of an administrative action under this policy will first be made in writing to the Executive Director and then to the Board of Trustees.
The District will make a good faith effort to implement this policy in a fair and consistent manner.

In the event of the amendment of any law, regulation, or ordinance incorporated into these policies or upon which this manual relies, these policies shall be deemed amended in conformance with those changes. In cases where these policies conflict with any local ordinance, state or federal law, the terms of that law, and its underlying rules or regulations shall prevail. In all other cases, these personnel policies and practices prevail.