

SICK LEAVE POLICY

CMP's paid sick leave plan is a part of the benefits package extended to full-time, year-round staff members, and full-time, school-year, certificated employees working in certificated teaching/administrative assignments. This benefit is designed to provide employees with a degree of income protection in the event of unforeseen absence from work due to the employee's own illness or other medically related absence. As provided under California law, up to 50% of accrued sick leave may be used to attend to the medical care of a sick child or other member of employee's immediate family.

As indicated by this policy, CMP maintains a bona-fide sick leave plan, which is not to be construed as Vacation or PTO benefits. Sick leave benefits may be used as accrued, and may accrue during employee's active service without limitation. Upon separation of employment or reduction in eligibility status, accrued sick days are not paid out, but instead expire at the end of employee's employment term or eligible work assignment.

Sick days are available for employee's use based on the following schedule:

Certificated employees regularly scheduled and working 30 hours or more per week (.75 FTE) and 185 or more days per year :

In the first year of full-time employment with CMP, employee shall be eligible to accrue up to 5 paid sick days. Employee shall be eligible to accrue one additional sick day per year for each additional full year of full-time employment, up to a maximum of ten sick days per year. Absences from work will be charged to accrued leave in ½ day or full day increments, not to exceed employee's available time accrued.

Certificated employees working less than 40 hours per week but at least 30 hours per week shall receive a pro-rated benefit to coincide with employee's designated work schedule.

Classified employees who are licensed professionals and are required to hold state certification other than a California State Teaching Credential to fulfill their designated work assignment, shall be categorized under the "Certificated Employee" provision for purposes of this sick leave benefit. An example of such classified designation would be: State-Board Certificated and Licensed Occupational Therapist.

Classified employees regularly scheduled and working 30 hours or more per week (.75 FTE) and 250 or more days per year:

In the first year of full-time employment with CMP, employee shall be eligible to accrue up to 5 paid sick days. Employee shall be eligible to accrue one additional sick day per year for each additional full year of full-time employment, up to a maximum of ten sick days per year. Absences from work will be charged to accrued leave in ½ day or full day increments for exempt employees and in hour-for-hour increments for non-exempt employees, not to exceed employee's available time accrued.

Classified employees working less than 40 hours per week but at least 30 hours per week, year-round, shall receive a pro-rated benefit to coincide with employee's designated work schedule.

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Eligible days shall only be accrued during continuous, active employment periods. Eligible employees who work only a portion of the creditable work period shall accrue a pro-rated percentage of leave in direct proportion to the total number of days of full time active service completed during the fiscal year. Eligible employees begin to accrue paid sick leave benefits from the first day of regular employment and may begin to use accrued time as soon as it is available. ~~Employees may not use paid sick leave before the benefit has accrued. In the event that an employee experiences an unforeseen need for sick leave prior to the accrual date, an employee may request permission to go into a negative balance up to the employee's annual benefit allowance, without incurring financial impact. Should an employee separate employment prior to the accrual of the used sick leave benefit, the overpayment and reconciliation of actual time worked will be recaptured in the employee's last pay period as outlined in the employee's employment agreement.~~

For purposes of sick leave allowance calculation and accrual, only full years of full-time service shall be included in service credits for this section. Unused sick days at the end of the year may be carried over and available for use the following year. In the event that employee is no longer eligible for benefits under this section, eligibility for continued accrual of all such health and welfare benefits ends on the last full-time day worked.

As a charter school, CMP does not accept transfer of unused, accrued time from previous districts. At employee's separation of employment, and upon written request, CMP shall provide a written report of any unused sick time for potential consideration by employee's next employer.

Absences lasting more than three days:

In the event that employee is unable to report to work after more than three days absence from work due to illness or injury, employee shall obtain a medical certification of absence. In the case of contagious illness or an injury that prevents employee from being able to complete the essential duties of his/her job, employee shall obtain a health care providers' certification of release to return to work. (See also *Employee's Guide to Medical and Family Leave*)

In the event that employee's illness or injury lasts more than five days, employee shall utilize sick leave for the first five days of absence, which is the waiting period for state disability benefits. In the event that employee's illness or injury lasts more than five days that is initiated by a hospital stay, employee may apply for state disability benefits immediately with no waiting period and will not be charged sick leave time out of employee's accrued sick leave bank. (See also www.EDD.ca.gov)

In the event that employee's illness or injury is deemed to be work related, employee shall utilize sick leave for up to the first three days of absence, which is the waiting period for worker's compensation benefits. Thereafter, if found eligible for worker's compensation benefits, employee shall receive temporary disability benefits through the School's worker's compensation carrier and will not be charged sick leave time out of the employee's accrued sick leave bank. (See also CMP's policies and procedures on worker's compensation.)

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In the instance where an employee is absent from work and covered under alternative benefits such as EDD or worker's compensation, and no accrued paid time off is used as a result of the alternative benefit, employee shall be off work on a non-paid basis to preserve employee's eligibility for the alternative benefit program.

Personal Necessity:

As noted above, CMP maintains a bona-fide sick leave policy, which is not to be construed as Vacation or PTO time. In the event that an employee is absent from work for an unforeseen non-health-related emergency or for personal business that cannot be scheduled outside of the employee's regular work schedule (to include evenings, weekends, and intersession periods), employee may apply for the use of accrued sick leave under this Personal Necessity provision.

Personal Necessity requests are to be reserved for extreme and/or unique circumstances. Guidelines for Personal Necessity requests are as follows:

- a) Requests based on recreation, vacation, or other social circumstances, or to otherwise extend an already established break period, do not qualify as Personal Necessity.
- b) Except for unforeseen emergencies, employees must submit request at least 48 hours in advance of absence. In the event of an emergency request, employee shall submit the request as soon as the need for time off is known.
- c) Examples of Personal Necessity include, but are not limited to:
 - a. Unforeseen home or auto issues that prevent employee from reporting to work, and/or require employee's immediate presence at home to include flooding, electrical fires, utility appointment to trouble-shoot or re-start critical home services, or inability to report to work due to extreme weather or other natural disasters;
 - b. Funeral attendance or participation in religious activities that are not otherwise covered under applicable CMP policy;
 - c. Court appearances or other personal business/appointments of a time sensitive nature that cannot be scheduled during the employee's non-work hours;
 - d. Business or appointments related to the employee's own academic activities, or that of the employee's child, including conferences or meetings with the employee's or child's school, that cannot be scheduled during the employee's non-work hours;
 - e. Bereavement leave extending past CMP policy guidelines, where the additional leave is recommended for the employee's own well-being, and where employee and supervisor agree that the time off is in the best interest of both the employee and the School;
 - f. Critical illness of a family member where there is serious doubt concerning the survival of the patient.
 - g. Other Personal Necessity circumstances will be reviewed on an individual basis and are subject to the approval of CMP's Executive Director.

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- h. In the event that the Executive Director has reason to request Personal Necessity leave, such request shall be submitted to the President of the Governing Board for consideration and approval utilizing the same standards and guidelines as other CMP employees.

Employees submitting a request for Personal Necessity leave shall complete the designated time off request form and indicate the specific reason for such request. Requests shall be reviewed by the Executive Director, or his/her designee, with one copy returned to the employee and one copy submitted to the Human Resources Department, reflecting the disposition of said request. Personal Necessity requests which are not approved shall be administrated as non-paid time off.

Employees may request a maximum of one-half of the employee's annual sick leave benefit to be applied under the Personal Necessity provision, not to exceed five days per year. Note: Application for and approval of the use of accrued sick leave benefits for personal necessity purposes does not change or affect this policy and the terms of CMP's bona-fide sick leave plan.

Previously Accrued Sick Leave

This Sick Leave Policy is effective July 1, 2012, and valid for all employment and benefits beginning July 1, 2012 forward. All previously accrued sick leave which is unused as of June 30, 2012, shall be converted into a PTO (Personal Time Off) bank to be used by the employee as needed. Said PTO bank will be administered under CMP's policies and procedures for paid time off and will continue to be maintained in the same record keeping fashion as previous accrued time. Said PTO bank will be administered under the labor laws of the State of California and thus is a vested benefit.