



# County of San Diego

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## LETTER OF UNDERSTANDING BETWEEN THE COUNTY OF SAN DIEGO AND THE PUBLIC DEFENDER ASSOCIATION OF SAN DIEGO COUNTY (PD AND PM UNITS)

### PAID LEAVES - USE OF SICK LEAVE

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- I. This attests to and records the agreement of the parties to amend the Memorandum of Agreement (MOA) regarding Paid Leaves.

### ARTICLE 6. PAID LEAVES

#### Section 4. Sick Leave

Sick leave is paid leave earned and granted to an eligible employee for absences from work caused by personal illness or injury, for emergency or routine medical or dental appointments, and for reasonable travel time to and from health care facilities. An employee who is incapacitated for work because of pregnancy may be granted sick leave upon presentation of satisfactory evidence from a physician verifying the incapacity.

An employee may also be granted up to a maximum of sixty (60) hours of paid sick leave in a twelve (12) month period for the purpose of caring for a member of his/her immediate family (as defined in Paragraph C below) who is ill or injured. In addition, if the employee requests paid sick leave in excess of sixty (60) hours in order to care or arrange care for a member of his/her immediate family who is critically or terminally ill, additional sick leave is available to the employee when granted by the appointing authority upon receipt of satisfactory verification from a physician.

#### **A. Eligibility**

Employees eligible to earn sick leave are those employees who are paid at a biweekly rate, and who have regularly scheduled paid service of not less than one-half ( $\frac{1}{2}$ ) of the standard eighty (80) hour pay period.

**B. Earnings**

Eligible employees shall earn sick leave credit at the rate of five percent (5%) of the employee's regularly scheduled hours per pay period. The hour/day approximate equivalent sick leave accrual for full-time employees over one (1) year (26 pay periods) is one hundred and four (104) hours, or thirteen (13) days. Sick leave is credited in units of one-tenth (1/10th) of one (1) hour, up to a maximum of four (4) hours, at the beginning of the pay period following the one (1) in which it was earned.

Paid holidays immediately preceding, immediately following, or wholly within the period for which sick leave is granted, shall not be regarded as part of such period of sick leave.

**C. Definition of Immediate Family**

Immediate family includes husband, wife, domestic partner, child, stepchild, grandchild, brother, stepbrother, sister, stepsister, parent, guardian, stepparent, foster parent or grandparent or any person serving as a parent, or who has served as a parent, or any other person living in the same household as the employee.

**D. Use of Sick Leave**

Sick leave is available the first day of the pay period following the pay period in which it was earned, and is taken in units of one-tenth (1/10) of one hour. Use of sick leave is subject to the approval of the appointing authority. Upon request of an employee, the appointing authority may allow the substitution of five (5) or more days of sick leave for paid vacation, ~~provided the employee furnishes a doctor's statement or other satisfactory evidence that the employee was ill or injured for three (3) or more consecutive days if the employee was ill or injured.~~

**E. Request for Sick Leave**

Each request for sick leave shall set forth the reasons for the request and such further information as may be required. For employees who have used fifty-two (52) or more hours of sick leave in a calendar year, each ~~Each subsequent request for more than five (5) consecutive work days of sick leave~~ shall be accompanied by a doctor's verification or other evidence satisfactory to the appointing authority which demonstrates the employee's incapacity to return to work or necessity to be absent. A request because of the death of a member of the employee's immediate family will not require such verification.

Upon request of the appointing authority, an employee shall be required to provide the above-described verification of the proper use of sick leave at any time prior to

the expiration of five (5) consecutive work days, if the appointing authority has good cause to require such earlier verification and has so informed the employee.

- III. This amendment is contingent upon adoption of an amendment to the County Compensation Ordinance by the County Board of Supervisors.

**FOR THE COUNTY OF SAN DIEGO**

**FOR THE PUBLIC DEFENDER  
ASSOCIATION OF SAN DIEGO COUNTY  
(PD AND PM UNITS)**



BRAD RANKIN  
Deputy Director, HR



JO E. SUPER  
President

Date: 12/7/15

Date: 12/29/15