

COBEA Negotiations
7.28.2016
City Combined Counterproposal

Q- Donation on Sick leave

ARTICLE 20 - SICK LEAVE

Section 1. COBEA members shall earn sick leave at the rate of eight (8) hours for each full month of service. Sick leave may be accumulated to a total of not more than two thousand hours. Part time employees will earn sick leave at the minimum rate of 1.33 hours for every 40 hours worked.

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Section 2. Sick leave payment shall be for a period no longer than the employee has sick leave credit. No compensation for accrued sick leave shall be allowed for any employee when he is separated from City service. Sick leave shall not accrue during any period of leave of absence without pay.

Section 3. Employees may utilize their allowances of sick leave when unable to perform their work duties by reason of illness or injury, necessity for medical, vision or dental care, exposure to contagious disease under circumstances in which the health, of the employees with whom associated or members of the public necessarily dealt with would be endangered by attendance of the employee. Such sick leave may be utilized only for the benefit of the employee and members of his immediate family. For the purpose of this article, immediate family is defined as provided by OFLA (OAR 839-009-0210(7)). ~~shall mean spouse, parents, children, children of the spouse or registered domestic partner, step parents, registered domestic partners (as defined by State and local regulations), grandparents, grandchildren, siblings, or other relatives living in the employee's household.~~ Sick leave, to a maximum of five (5) days or forty (40) hours, may also be used at the employee's option for a death in the immediate family.

Unless otherwise required by law, leaves for illness or injury of the employee and/or immediate family member shall be used in the following sequence:

- (a) Sick leave until it is exhausted;
- (b) Vacation leave, saved holiday, or compensatory time, sequenced at the employee's option, until they are exhausted;
- (c) Leave without pay.

Section 4. Verification of illness by a doctor's certificate may be required if the City has reason to believe the employee is abusing the sick leave privileges.

Section 5. Excessive Absenteeism. The parties recognize that every employee has a duty to be reliably present at work, and that failure to confine sick leave usage to accrued and available sick leave may result in discipline for excessive absenteeism. Such cases are subject to systemic evaluation of the relevant factors such as legal

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COBEA - will talk about Sick Band
Bargaining Team Mtg.

requirements, tenure and work history of the employee, likelihood of improvement, and specific attendance requirements of the position.

Section 5. Unused accumulated sick leave will be credited upon retirement for the purposes of the Oregon Public Employees Retirement System or Oregon Public Service Retirement Plan (OPSRP) pursuant to the regulations governing PERS.

~~Section 6.~~ If an employee becomes disabled and an opening exists within the City, for which the employee is qualified and is capable of performing, the employee shall be given preference in filling the opening. [Bargaining Note: Refer to Article 22, Section 7]

Section 7. Leave Credit Following Reemployment. An employee who is reemployed following a layoff or an expiration of leave without pay shall have sick leave credits accrued during the previous employment restored. An employee who is reinstated within one (1) year after a voluntary separation may, at the discretion of the department head, have all or a portion of his sick leave credits restored.

~~Section 8.~~ The City will provide access to a Flexible Spending Plan that complies with IRC Section 125 requirements. This plan will allow for childcare costs to be paid from the employee's pre-tax earnings. If IRC regulations for these programs change, this contract provision may be reopened by either party. [Bargaining Note: Moved to Article 22, New Section 10]