



SUBJECT: Healthy Workplace/Healthy Families Act of 2014 and Paid Sick Leave of 2024.

PURPOSE: To provide paid sick leave to all employees in compliance with the Healthy Workplace/Healthy Families Act of 2014 and Paid Sick Leave of 2024.

GENERAL POLICY:

The City of Indio will provide paid sick leave to an employee who, on or after January 1, 2024, works for 30 or more days within a year from the first day of employment. Sick or accident leave shall not be considered as a right to which an employee may use at his/her discretion but shall be allowed by the City only in cases of actual sickness or disability which make it impossible for the employee to perform his/her normal work assignment or as otherwise allowed in this policy.

PROVISIONS:

1. An employee that is subject to a Memorandum of Understanding (MOU) for a particular bargaining unit, ICEA, IWAEA, SEIU, IPOA or PCU will be provided with sick leave in accordance with the applicable MOU.
2. An employee that is subject to the Compensation and Benefit Plan for Management, Confidential and Unrepresented Employees will be provided with sick leave in accordance with the applicable plan.
3. In accordance with California Paid Sick Leave law, all designated part-time or temporary employees of the City of Indio will be provided with 40 hours of paid sick leave beginning on the first day of employment or January 1, 2024, whichever is later. On an annual basis, either January 1 for employees hired prior to January 1, 2024, or on the anniversary date for employees hired after January 1, 2024, the sick leave reserve will reset to 24 hours.

a. Sick Leave Entitlement

Earned sick leave may be used after ninety (90) calendar days from the first day of employment and 30 days of actual work. Earned sick leave will be paid out at the employee's regular rate of pay. Any unused sick leave balances will not carry over to the next year.

b. Sick Leave Usage

In order to receive compensation while absent from duty on sick leave, the employee must have the time available to them and may not borrow against future unearned time. The employee must also notify or cause to be notified their immediate supervisor prior to the time set for the beginning of the employee's regular daily duties. Physician's certificate or work release form may be requested by the immediate supervisor if a potential sick leave abuse pattern appears to be developing. In this situation, the City may ask for a physician's certificate for sick leave absences of any duration. Violation of sick leave privileges may result in disciplinary action and/or loss of pay when, in the opinion of the immediate supervisor, the employee has abused such privileges.

Employees may use their accumulated sick leave for absence due to the following specified reasons:

- Illness or injury to the employee.
- Exposure of the employee to a contagious disease.
- Employee may use their annual accrual of sick leave for the illness of their children, parent, spouse or domestic partner, grandparent, grandchild or sibling.
- Sick leave may also be used for an employee who is a victim of domestic violence, sexual assault, or stalking.
- Other reasons as approved by the City Manager or designee.

Employees who have called in sick and are on authorized sick leave may be called at home if their supervisor needs information from them to proceed with normal work processing.

c. Separation

Any unused sick leave hours that are not used prior to the employee's last day of employment are lost at the time of separation and will not be paid out to the separating employee. If an employee is rehired within (1) year of the date of separation, any lost sick leave will be reinstated and available for the rehired employee to use. The employee shall not be required to wait 90 days from their rehire date before sick leave hours can be used.

4. Retaliation or discrimination against an employee who requests paid sick days, uses paid sick days, or both is prohibited. An employee can file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the employee.

If you are unclear whether this policy may apply to you, or if you have questions regarding the provisions of this policy, please speak with a member of the Human Resources Department.