



City of Santa Clarita
POLICY/PROCEDURE

Number III-24

**SUBJECT: PART-TIME TEMPORARY SEASONAL
WORK SCHEDULES AND PAID SICK TIME**

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EFFECTIVE: 07/01/2015

CATEGORY:
HUMAN RESOURCES

CURRENT ISSUE:

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SUPERSEDES:

RESPONSIBLE DEPARTMENT: CITY MANAGER'S OFFICE

STANDARD MANAGEMENT PROCEDURE

I. PURPOSE

This policy establishes work schedules for Part-Time Temporary Seasonal (PTS) City employees with regard to timekeeping records and overtime. This policy also establishes rules and regulations for all PTS employees regarding accrual of and use of paid sick leave in accordance with the Healthy Workplaces, Healthy Families Act of 2014.

II. DEFINITIONS

A. Part-Time Temporary Seasonal (PTS): An employee who is appointed to a non-regular position for a limited period of time. PTS employees may not work more than 1,000 hours per fiscal year or for longer than six months of continuous full-time employment without written, express prior approval of the Personnel Officer. PTS employees are at-will employees, and are not part of the competitive service.

B. Hours worked: Hours worked shall include all time when an employee is required to be on duty or to be on the City's premises or at a prescribed workplace, and all time when an employee is suffered or permitted to work. Paid sick time is not considered time worked.

C. Immediate Family: Immediate family means: biological, adopted or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis; biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor; spouse; State of California registered domestic partner; grandparent; grandchild; sibling.

III. RECORDKEEPING

PTS employees are required to submit their time worked by the designated deadline using an approved City timecard. Timecards are official, legal City records used to compensate employees properly. Each employee's timecard must be an accurate account of the hours worked each week. Sick time must also be accurately recorded by an employee on the timecard.

Falsification of timecards is a violation of City policy and rules and may result in the PTS employee being released from employment or other disciplinary action.

The supervisor who approves the timecard is expected to have personal knowledge of the hours worked by the employee. Specifically, for each employee in their work area, supervisors are expected to monitor: start and stop time for each work day; start and stop time for each meal period; whether any meal periods are missed, and any time actually worked outside the employee's regular shift. Supervisors may not change employee timecards to add more hours than were actually worked nor may they reduce the number of hours an employee actually worked.

To ensure the accuracy of all time records, each employee shall sign a statement attesting their time and hours were recorded accurately and fully identify all time worked during the pay period, whether authorized or unauthorized.

IV. WORKWEEK

All PTS employees shall be assigned a work schedule by their supervisor as required by the needs of the City. Except in the cases of emergency, the City shall give PTS employees five calendar days written notice prior to changing their work schedule. The City has determined the following PTS employee workweek:

A. PTS Employee Workweek: Saturday at 12:00 a.m. through the following Friday at 11:59 p.m.

V. MEAL PERIODS

All PTS employees who work more than five hours in a workday are required to take at least a 30-minute unpaid meal period. During this meal period, the PTS employee is completely relieved from duty and should not be permitted or required to perform any work. The designation of the meal period shall be determined by the PTS employee's supervisor, but generally should occur mid-way through the scheduled work day. PTS employees cannot skip meal breaks in order to shorten their scheduled work hours. The meal period cannot be used to start the workday late or leave early. Meal periods taken in accordance with this section shall not constitute hours worked.

All PTS employees and their supervisors shall take reasonable measures whenever feasible to avoid the need for work to be performed during meal periods. Where required, time spent on such work shall be kept to a minimum, and may only occur with the prior authorization of the supervisor. Non-exempt employees who work during their meal periods shall be paid for time worked.

VI. REST PERIODS

All PTS employees are permitted, but not required, to take a 15-minute paid rest period for every four hours worked or major fraction thereof. If the PTS employee chooses to take a rest period, the 15-minute rest period must be taken during the four-hour period and cannot be combined with another 15-minute rest period. PTS employees are encouraged to take their rest periods as close to the middle of the four-hour period as possible. Rest periods cannot be combined with the meal period or other rest period and cannot be used to start the workday late or leave early. Authorized rest periods shall constitute hours worked.

During an emergency, the City may require rest periods (or a portion thereof) be suspended. If a rest period is suspended or is not taken by an employee for any reason, the rest period will not accumulate, nor will it be carried over to another day. Further, the employee will not receive additional compensation for a missed rest period in any way.

VII. OVERTIME PAY

A. Generally: Each PTS employee shall be entitled to overtime compensation at the rate of one and one-half times the regular rate of pay for all hours worked in excess of 40 hours in any one workweek.

1. Paid sick time does not count as hours worked, and will not be used in the calculation of overtime.

B. Advanced Permission Required: All PTS employees are required to seek and obtain the approval of their immediate supervisor prior to working more than 40 hours in a workweek or performing work outside of, including before or after, their regularly scheduled work hours, during meal periods, and other work performed “off the clock” including work performed at home.

C. Payment for Overtime: Employees shall be paid for overtime in accordance with applicable state and federal law. Employees shall only receive a cash payment for overtime. Employees shall not have the option to accumulate compensatory time off instead of direct payment for overtime hours worked.

VIII. PAID SICK TIME

A. Accrual of Paid Sick Time: Sick time is accrued at the rate of one hour of sick time for every 30 hours worked. Hours worked includes regular and overtime hours.

1. PTS employees become eligible to accrue sick leave on July 1, 2015, or on the first day of employment if hired after July 1, 2015.
2. PTS employees qualify for paid sick leave by working at least 30 days within a year on or after January 1, 2015. PTS employees who work less than 30 days within a year are not entitled to paid sick leave.
3. PTS employees may begin to use their accrued sick time after completing 90 days of employment. PTS employees who work less than 90 days are not entitled to take any paid sick leave. For PTS employees who separate from the City and return to the City within 12 months from their previous separation, days worked prior to the previous separation will count toward the 90 day qualification period.
4. The PTS employee’s paystub displays the number of paid sick hours available. This same information is also available on the Employee Access Center.
5. The City will not “lend” sick leave to a PTS employee before it has been accrued.

B. Sick Time Rate of Pay: PTS employees shall be compensated for sick time at their regular rate of pay.

C. Annual Sick Time Accrual: PTS employees may accrue up to 24 hours of sick time during a calendar year.

D. Accrued Sick Time Carry-Over: Unused sick time may be carried over from calendar year to calendar year with a maximum sick time leave bank of 48 hours.

E. Minimum Sick Time Use: The minimum amount of sick time a PTS employee may use is one hour per work day.

F. Use of Sick Time: Upon the verbal or written request of an employee, the City shall permit an employee to use paid sick days for the following purposes:

1. Diagnosis, care, or treatment of an existing health condition of, or preventative care for, an employee or an employee's family member.
2. For PTS employees who are victims of domestic violence, sexual assault, or stalking, for the purposes described in subdivision(c) of Section 230 and subdivision (a) of Section 230.1 of the California Labor Code.

G. PTS Employee Responsibility:

1. PTS employees are not responsible for finding other employees to cover shifts due to their use of sick time.
2. PTS are required to immediately contact their immediate supervisor when they are unexpectedly unable to work for purposes described in this policy.
3. Whenever feasible, PTS employees are required to provide 5 days advance notice of pre-scheduled medical examinations for which they will require sick time.

H. Inappropriate use of Sick Time: Inability to work due to intemperance is not an authorized reason for sick leave.

I. Unused Sick Time: No PTS employee shall be compensated for, or allowed to exhaust any accrued sick leave upon resignation, including retirement, termination, layoff, or death.

J. Sick Leave Accrual Upon Termination of Employment: Unused accrued sick leave at termination shall be reinstated upon return to active status occurring within no more than 12 months of termination.

K. Sick Leave Accrual Upon Promotion to Regular Benefited Status: Sick leave accrued while in PTS status shall remain intact upon promotion to a regular position, and will thereafter be subject to all rules and policies governing sick leave for regular employees.

L. Inspection of Records: Upon reasonable request, and within 21 calendar days after the request, the City shall afford current and former PTS employees the right to inspect or copy records pertaining to their hours worked and paid sick days accrued and used.

M. Violations of Policy: Violations of the policy may result in termination of employment.

IX. EXCEPTIONS

There are no exceptions to this Policy without the express authorization of the City Manager.

X. AUTHORITY

By the authority of the City Manager.

Kenneth W. Striplin
City Manager