

Memorandum of Understanding

By and between

Thurston 9-1-1 Communications

And the

IAFF Local 468 Dispatch Supervisors

Article 12 – Sick Leave

The purpose of this Memorandum of Understanding is to recognize the Washington Paid Sick Leave (WPSL) law that takes effect on January 1, 2018, and to incorporate the provisions of the law into the existing collective bargaining agreement.

The parties agree to amend Article 12.1, 12.2, and 12.5 of the Collective Bargaining Agreement as follows:

ARTICLE 12 – SICK LEAVE

12.1 SICK LEAVE ACCRUAL

TCOMM911 shall maintain two sick leave banks for regular employees: the Washington Paid Sick Leave (WPSL) bank and the TCOMM911 Sick Leave bank. Regular employees shall accrue eight (8) hours of sick leave for each completed calendar month worked, which will be accrued as four (4) hours per pay period. Such leave will accrue at midnight on the last day of each pay period month, and may not be used until the first day of the following pay period month (no “negative” leave use during the pay period month in which it was earned). Leave may accrue to a maximum of one thousand one hundred and twenty (1120) hours.

The Washington Paid Sick Leave (WPSL) bank is effective on January 1, 2018. Any existing sick leave accruals as of December 31, 2017, will be placed into the TCOMM911 sick leave bank. All bargaining unit employees are eligible to accrue and use WPSL and TCOMM911 sick leave.

Each pay period, the sick leave accrual will be divided into the two banks in a manner that ensures each employee will accrue WPSL at a rate required by law, which is one hour of WPSL per forty (40) hours worked. For accrual purposes, hours worked means actual working time, and does not include paid or unpaid leave. WPSL will accrue in .025 increments, and begins on an employee’s first day of work. The amount of WPSL earned per pay period will be placed in the employee’s WPSL bank, with the remaining balance of the pay period accrual placed into the employee’s TCOMM911 sick leave bank.

For example, a regular, full-time employee is entitled to accrue paid sick leave at the rate of eight (8) hours per month, or four (4) hours per pay period. If the employee works ninety (90) hours in a pay period, 2.25 hours will be placed into the WPSL bank, and 1.75 hours will be placed into the TCOMM911 sick leave bank. If the employee works sixty (60) hours in a pay period, 1.50 hours will go into the WPSL bank, and 2.50 hours will go into the TCOMM911 sick leave bank.

At the end of each calendar year, non-exempt employees may carry over a maximum of forty (40) hours of WPSL to the following year. Any accrued WPSL in excess of the forty-hour carry-over will be transferred to the employee’s TCOMM911 sick leave bank, as long as the combination of both banks does not exceed 1,120 hours.

12.2 SICK LEAVE USAGE

A. WPSL

Employees may use WPSL sick leave only for the reasons identified below, and will be used in increments of fifteen (15) minutes:

- The employee's own illness, injury, or health condition; to accommodate the need for medical diagnosis, care or treatment of a health condition; or preventive medical care.
- The employee's care for a family member with an illness, injury or health condition; care for a family member who needs medical diagnosis, care or treatment; care for a family member who needs preventive medical care. For the purposes of this subsection, family members include an employee's child (whether biological, adoptive, foster, step-child, or child for whom employee stands in loco parentis, is a legal guardian for, or is a de facto parent and regardless of age or dependency status); parent (whether biological, adoptive, in-law, de facto, step-parent, legal guardian or person who stood in loco parentis to employee when employee was a child); spouse or registered domestic partner; grandparent; grandchild; or sibling.
- Closure of the employee's workplace or child's school/place of care by order of a public official for any health-related reasons.
- Absences covered when the employee or the employee's immediate family member is a victim of domestic violence, sexual assault, or stalking.

Where the need to use WPSL is foreseeable, employees should submit written notice of the need for leave to their supervisor at least 10 days in advance of the leave date(s); for unforeseeable leave, employees must contact their supervisor as soon as the need for leave becomes known. The Executive Director or designee may require the employee to provide a written statement from a medical professional to verify the employee is medically able to return to work for absences of more than three (3) consecutive workdays. The written statement need not disclose the nature of the medical condition causing the need for leave. Employees will have ten (10) calendar days to provide this verification, unless such verification imposes an unreasonable burden or expense to the employee. Employees must provide an explanation as to why verification would cause an unreasonable burden or expense to the Deputy Director, who shall evaluate the request in light of the circumstances.

Illnesses and injuries shall be reported at the beginning of any period of sick leave to the immediate supervisor or other designated person. Employees who use sick leave for any unauthorized purpose or establish a pattern of abuse may be subject to disciplinary action. Employees will not be disciplined for the lawful use of sick leave.

B. TCOMM911 Sick Leave

Employees may use TCOMM911 sick leave only for the reasons identified below, and will be used in increments of fifteen (15) minutes:

- The employee's own illness, injury, or health condition; to accommodate the need for medical diagnosis, care or treatment of a health condition; or preventive medical care. The use of sick leave for pre-scheduled, preventive health care appointments must be pre-approved. The employee shall make every effort to schedule such appointments during off-duty time.
- The employee's care for a family member with an illness, injury or health condition; care for a family member who needs medical diagnosis, care or treatment; care for a family member who needs preventive medical care. For the purposes of this subsection, family members include an

employee's child (whether biological, adoptive, step-child, is a legal guardian for); parent (whether biological, adoptive, in-law, step-parent); spouse or registered domestic partner; grandparent; grandchild; or sibling, or any relative living in the employee's household. The use of sick leave for pre-scheduled, preventive health care appointments must be pre-approved. The employee shall make every effort to schedule such appointments during off-duty time.

- Closure of the employee's workplace or child's school/place of care by order of a public official for any health-related reasons.
- If the employee or the employee's immediate family member is a victim of domestic violence, sexual assault, or stalking.
- When on worker's compensation, to make up the difference between the worker's compensation payments and the employee's regular rate of pay.

Illnesses and injuries shall be reported at the beginning of any period of sick leave to the immediate supervisor or other designated person. The Executive Director or designee may require the employee to provide a written statement from a medical professional to verify the employee is medically able to return to work for absences of more than three (3) consecutive workdays.

Employees who use sick leave for any unauthorized purpose or establish a pattern of abuse may be subject to disciplinary action.

~~Leave with pay may be allowed only for any of the following reasons, where facts are established to the satisfaction of the Employer.~~

- ~~1. For the illness or injury of the employee or a member of the immediate family (as defined in Article 12.5 Family Member).~~
- ~~2. Leave by reason of exposure to contagious disease during such period as the employee's attendance at work would jeopardize the health of fellow workers or the public. Absence from work with pay under this subsection may be recommended and authorized by the County Health Officer.~~
- ~~3. For doctor or dental appointments of the employee or member of the employee's immediate family when the employee's attendance is required. The employee shall make every effort to schedule such appointments during off duty time.~~
- ~~4. Employees shall report illness at the beginning of any period of sick leave to the Deputy Director or designee. For absences of three (3) days or more, the Employer may require a medical certificate from a health care provider. Further, nothing in this Section shall prevent the Employer from placing an employee on notice that a medical certificate may be required for future illnesses to ensure the employee is not misusing sick leave, provided there is documented suspicion of the above which has been discussed with the employee.~~

C. Sick leave with pay shall in no case be used to extend or replace annual leave with pay, and such misuse of sick leave with pay may be cause for disciplinary action, up to and including termination.

D. Employees are authorized to receive severance pay for accumulated sick leave at the rate of one-half (1/2) of the accumulated sick leave upon retirement after five (5) years of service, but in no event to exceed three hundred and sixty (360) hours. The severance pay shall be paid only if the employee is

eligible to retire under the Public Employee's Retirement System or retires due to illness or injury, or in the event of the death of the employee.

E. Reinstatement of Employment – WPSL

If an employee leaves employment and is rehired within one (1) year, any accrued, unused WPSL that existed at the time of separation will be reinstated, providing that if the rehire occurs in the following calendar year, reinstatement of the balance will be limited to forty hours. If applicable, the employee will not be required to wait another ninety (90) days to use the accrued sick leave if the employee met that requirement during the previous period of employment. If the employee did not previously meet the ninety (90) day requirement prior to separation, the period of employment at TCOMM911 will count towards the ninety (90) days for the purposes of determining the employee's eligibility to use sick leave.


12.5 FAMILY MEMBER

For the purpose of this subsection, **Unless otherwise noted**, immediate family shall include only persons related by blood, marriage, or legal adoption in the degree of consanguinity of grandparent, parent, wife, husband, brother, sister, child, grandchild, and any relative living in the employee's household.

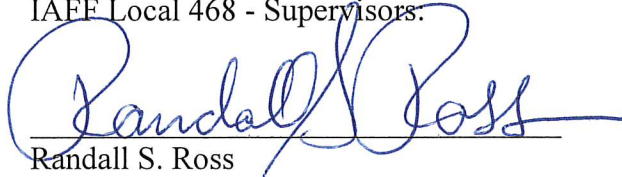
This memorandum of understanding is effective January 1, 2018.

Thurston 9-1-1 Communications:

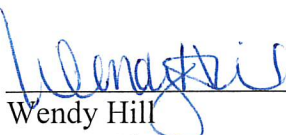
IAFF Local 468 - Supervisors.




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December 19, 2017

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