

**RESOLUTION NO. 2018-22**

**A RESOLUTION OF THE MASON TRANSIT AUTHORITY BOARD  
ADOPTING A REVISED WASHINGTON SICK LEAVE POLICY.**

**WHEREAS**, pursuant to Resolution No. 2017-43, Mason Transit Authority adopted a Paid Sick Leave Policy in connection with Initiative 1433, Washington State's new paid sick leave law; and

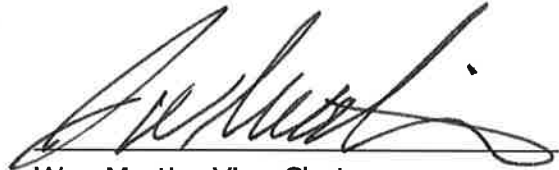
**WHEREAS**, since the adoption of that resolution, it became necessary to revise policy to only apply to the hours of sick leave earned under Initiative 1433;

**NOW THEREFORE, BE IT RESOLVED BY THE MASON TRANSIT PUBLIC TRANSPORTATION AREA AUTHORITY BOARD** that the revised Paid Sick Leave Policy, which is attached hereto and incorporated herein, be established and adopted.

Adopted this 18<sup>th</sup> day of December, 2018.



Kevin Shutty, Chair



Wes Martin, Vice-Chair



John Campbell, Authority Member

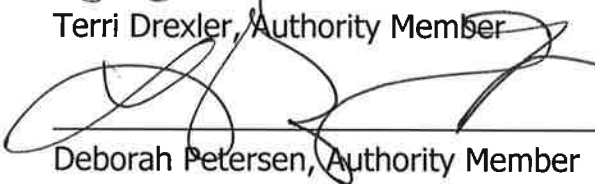
Kevin Dorcy, Authority Member



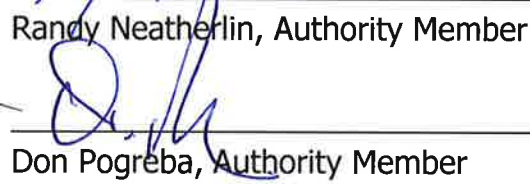
Terri Drexler, Authority Member



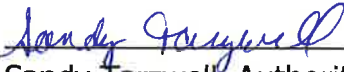
Randy Neatherlin, Authority Member



Deborah Petersen, Authority Member



Don Pogreba, Authority Member



Sandy Tarzwell, Authority Member

APPROVED AS TO CONTENT:



Danette Brannin, General Manager

APPROVED AS TO FORM:   
Robert W. Johnson, Legal Counsel

ATTEST:  DATE: December 18, 2018  
Tracy Becht, Clerk of the Board



<b>Title:</b>	Washington Paid Sick Leave Policy
<b>Number:</b>	309
<b>Effective:</b>	January 1, 2019; REVISED December 18, 2018
<b>Cancels:</b>	N/A
<b>Prepared by:</b>	LeeAnn McNulty, Administrative Services Manager
<b>Approved by:</b>	Authority Board Resolution No. 2017-43; 2018-22

## **POL-309 WASHINGTON PAID SICK LEAVE POLICY**

This policy applies to all Mason Transit Authority (MTA) employees.

### **1.0 Purpose**

- 1.1** Washington Paid Sick Leave (WPSL) is available for all employees to use for qualifying reasons per state law.

### **2.0 Policy**

#### **2.1 Qualifying Reasons to Use Washington Paid Sick Leave**

WPSL may be used for the following reasons:

- An employee's mental or physical illness, injury, health condition and/or preventive care, diagnosis, or treatment, such as a medical, dental, and optical appointment;
- Care of a family member with a mental or physical illness, injury, health condition and/or preventive care, diagnosis, or treatment, such as a medical, dental, or optical appointment;
- Closure of the employee's place of business or child's school/place of care by order of a public official for any health-related reasons; or
- To address issues related to domestic violence, sexual assault, or stalking when the employee or the employee's family member is a victim  
Qualifying activities include seeking legal or law enforcement assistance or court relief, counseling or treatment by a health care provider, and obtaining support services (e.g., shelter, crisis outreach, safety planning, relocation assistance).

#### **2.2 Accrual of Washington Paid Sick Leave**

All employees accrue WPSL at the rate of one hour for every 40 hours worked (including overtime). All full-time employees accrue WPSL at the rate of one hour for every 40 hours worked but in no case accrue less than two hours per pay period (e.g. a full-time employee working 37 hours per week during a two-week pay period will accrue two hours of WPSL.)

Part time, Seasonal, Worker/Driver and Temporary employees will earn Washington Paid Sick Leave at a rate of .025 per hour for each hour worked.

MTA's accrual period is from January 1st through December 31st.



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All employees begin accruing WPSL at the commencement of employment.

At the start of employment, all employees will receive information about the WPSL Policy.

### **2.3 Eligibility to Use Accrued Washington Paid Sick Leave**

All employees are eligible to use accrued WPSL beginning on the 90th day of their employment.

WPSL accrued during a pay period may not be used until the following pay period.

### **2.4 Reasonable Notice for the Use of Washington Paid Sick Leave**

Employees must provide reasonable notice, as described below, to his or her team manager regarding the use of WPSL whenever possible, along with a Paylocity Time-Off Request stating Qualifying Reason (see 2.1). If no advance notice is possible, then the request must be submitted on the day following the employee's return to work. If possible, the request should include the expected return date. Information provided will be kept confidential.

**Foreseeable Absences.** If the absence is foreseeable, the employee must notify his or her team manager at least 10 days, or as early as possible, before the first day WPSL will be used.

**Unforeseeable Absences.** If the absence is unforeseeable, the employee must notify his or her team manager as soon as possible.

- If advance notice is possible, the employee must provide such notice no later than one (1) hour before the employee's scheduled start time.
- If advance notice is not possible, the employee or a person on the employee's behalf, must provide such notice, as soon as possible.

### **2.5 Verification for Absences Exceeding Three Days**

An employee may be required to provide verification of a qualifying reason for using WPSL for absences exceeding three (3) consecutive days during which the employee is/was required to work.



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If verification is requested, verification must be provided to the manager no less than 10 calendar days of the first day an employee used WPSL. If an employee believes that obtaining verification for use of WPSL would result in an unreasonable burden or expense on the employee, the employee must submit a completed verification form or contact the Administrative Services Manager. MTA will consider the employee's information and respond with alternatives for verification if needed. If the employee is not satisfied with the MTA's alternatives, it may contact the Washington State Department of Labor & Industries. For contact information, see below.

**For the employee's own health care or the care for a family member.**

Acceptable verification may include:

- A signed statement by a health care provider indicating that the use of WPSL is necessary to take care of the employee or an employee's family member; or
- A written or oral statement from the employee indicating that the use of WPSL is necessary to take care of himself or herself or a family member.

**To address issues related to domestic violence, sexual assault, or stalking when the employee or the employee's family member is a victim.** Acceptable verification may include:

- A written statement that the employee or an employee's family member is a victim of domestic violence, sexual assault, or stalking, and that the leave was taken to address related issues.
- A police report indicating that the employee or the employee's family member was a victim of domestic violence;
- Evidence from a court or prosecuting attorney showing that the employee or the employee's family member appeared, or is scheduled to appear, in court in connection with an incident of domestic violence, sexual assault, or stalking;
- A court order of protection;



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- Documentation from any of the following persons from whom an employee or an employee's family member sought assistance in addressing the domestic violence situation indicating that the employee or the employee's family member is a victim:
  - An advocate for victims of domestic violence, sexual assault, or stalking;
  - An attorney;
  - A member of the clergy; or
  - A medical professional.

**For the closure of the employee's place of business or child's school/place of care.** Acceptable verification includes the notice of closure by a public official that the employee received regarding the employee's child's school or place of care.

## **2.6 Increments of Use for Washington Paid Sick Leave**

Employees must use WPSL in increments of one (1) hour.

## **2.7 Payroll**

Employees will be notified of their WPSL accrued, usage, and current balances for each pay period on a direct deposit statement and/or Paylocity's Time-Off section of the Self-Service Portal.

## **2.8 Rate of Pay When Using Washington Paid Sick Leave**

Use of WPSL hours will be compensated at an employee's regular rate of pay, excluding withholdings and overtime rates, where applicable. Use of WPSL will not count towards the calculation of overtime.

## **2.9 Carryover of Washington Paid Sick Leave Hours**

At the end of the accrual year, up to 40 hours of accrued, unused WPSL will be carried over to the next accrual year. For regular full-time employees, any accrued, unused WPSL over 40 hours will carry over to the employee's Mason Transit Authority Sick Leave (MTASL) balance. For example, at the end of the accrual year a regular full-time employee has 48 hours of WPSL, 40 hours will



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carry over to the WPSL balance and 8 hours will carry over to the employee's MTASL balance. For all other employees, any accrued, unused WPSL over 40 hours will be forfeited.

### **2.10 Separation from Employment**

If an employee separates from employment, the employee forfeits all accrued, unused WPSL.

### **2.11 Reinstatement of Employment**

If an employee separates from employment and is rehired within 12 months of the separation, any accrued, unused WPSL will be reinstated to the employee's WPSL balance. Prior employment at the MTA will be credited toward the 90-day requirement before an employee can begin using accrued, unused WPSL.

### **2.12 Retaliation Prohibited**

Any discrimination or retaliation against an employee for lawfully using WPSL is not allowed. Employees will not be disciplined for the lawful use of WPSL.

If an employee feels that he or she is being discriminated or retaliated against, the employee may contact the General Manager.

If an employee is not satisfied with the company's response, the employee may contact the Washington State Department of Labor & Industries:

Online: [www.Lni.wa.gov/WorkplaceRights](http://www.Lni.wa.gov/WorkplaceRights)

Call: 1-866-219-7321, toll-free

Visit: [www.Lni.wa.gov/Offices](http://www.Lni.wa.gov/Offices)

Email: [ESgeneral@Lni.wa.gov](mailto:ESgeneral@Lni.wa.gov)

## **3.0 Definitions**

- "Family member" is defined as a child (including biological, adopted, foster, step, in loco parentis, or legal guardian) or parent (including biological, adopted, foster, step, de facto, or legal guardian) to the employee or the employee's spouse/registered domestic partner, a spouse, registered domestic partner, grandparent, grandchild, or sibling.





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- "Health-related reason" means a serious public health concern that could result in bodily injury or exposure to an infectious agent, biological toxin, or hazardous material. Health-related reason does not include closures for inclement weather.
- "Absences exceeding three days" means absences exceeding three consecutive days an employee is required to work. For example, assume an employee is required to work on Mondays, Wednesdays, and Fridays, and then the employee uses WPSL for any part of each of those three work days in a row. If the employee uses WPSL again on the following Monday, the employee would have absences exceeding three days.
- "Commencement of employment" means no later than the beginning of the first day on which the employee is authorized or required by the employer to be on duty on the employer's premises or at a prescribed workplace.
- "Verification" means evidence that establishes or confirms that an employee's use of WPSL is for a qualifying reason under RCW [49.46.210\(1\)\(b\)-\(c\)](#).