City and County of San Francisco

Gavin Newsom
Mayor

Department of Human Resources

Ted T. Yamasaki
Acting Human Resources Director

MEMORANDUM

DATE: February 5, 2007

TO: Appointing Officers
Departmental Personnel Officers

CC: Payroll and Personnel Representatives

FROM: Steve Ponder, Compensation Manager
Employee Relations Division, Department of Human Resources

SUBJECT: **Sick Leave Ordinance (Proposition F) – Administrative Code Section 12W (revised)**

In November of 2006, the voters of San Francisco passed Proposition F that provides for a minimum amount of sick leave for all employees located within the geographic boundaries of San Francisco. Effective February 5, 2007, all City employees that are not otherwise accruing SP at the 1 hour per 20 hours paid rate (i.e., almost exclusively temporary as-needed, Category 16 employees) shall now be eligible to accrue SP at the rate of 1 hour per 30 hours worked (including OT) rate.

Basic Provisions

- Employees must earn one hour of sick leave for every 30 hours of work (for a full-time employee, this is approximately 70 hours per year, or 6 hours per month).
- For new hires, sick leave must begin to accrue, and may be used, after 90 days of employment.
- Those who are employed as of 2/5/07 will begin to accrue sick leave immediately at the 1:30 rate.
- Sick leave earned under the ordinance is capped at 72 hours.
- An employee can use this sick leave to care for a "designated person," but only if the employee does not have a spouse or registered domestic partner.

Impact on City Employees

- Upon implementation, and thereafter on an annual basis, the City must notify all employees of the right to identify a "designated person" for purposes of the ordinance.
- As-Needed (TEX 16) employees will now be eligible to earn one hour of sick leave for every 30 hours of work, starting 90 days after they begin employment.
- PCS and provisional employees will have access to sick leave 90 days after they start employment, but only at the 1:30 rate provided under the ordinance. For the time period between 90 days and the six-month point at which the employee has full access to sick

leave, a full-time employee will have access to 17.4 hours of sick leave (just over two days).

- Regardless of the employee's appointment status, every employee will be able to use up to 70 hours per year of sick leave to care for an ill **grandparent, grandchild, sibling** or "**designated person**."
- Sick leave earned under the ordinance does **not** increase the total amount of sick leave earned by regular (PCS or provisional) employees.
- The 90 days referred to in the ordinance is 90 calendar days after the employee's "start work date."
- The ordinance does not expand access to the workers' compensation "shadow account" to As-Needed employees, nor does it mandate "integration" with SDI or Workers' Compensation payments.
- Usage for part-time employees should be based on the number of hours they regularly work. If this varies, determine the average worked over the last full year of employment.

Implementation

- The City will notify employees of the right to identify a designated person via payroll or similar method. Employees will submit a notice identifying their "designated person" to the departmental HR office.
- Departments will input the "designated person" information into the individual employee's PeopleSoft record, and maintain a hard copy in the personnel file.
- PPSD will track accruals for As-Needed employees on a separate basis, using the 1:30 accrual rate.
- The Civil Service Commission has adopted rules to implement the ordinance.
- Employee Relations will notice employee organizations of the City's implementation plans, and may meet and confer with them regarding application of the ordinance.
- Exempt employees will accrue sick leave pursuant to their regular work schedule.
- The ordinance does not create an employee right to use sick leave in increments of less than one hour.
- Employees who work intermittently must be pre-scheduled (or already at work) in order to use sick leave for a given absence.

If you have any questions regarding the implementation or administration of these sick leave procedures, please contact you Department of Human Resources, Client Services Representative.

SICK LEAVE ORDINANCE (PROPOSITION F)

All employees that are not otherwise accruing SP at the 1 hour per 20 hours paid rate shall now be eligible to accrue SP at the rate of 1 hour per 30 hours worked (including OT) rate (excluding Elected Officials (e.g., Mayor, Treasurer), Members of the Board of Supervisors, Board/Commission Members (Classifications 0109-1118), and retirees) pursuant to the conditions set forth below. Additionally, employees that earn SP at the rate of 1 hour per 30 hours worked (including OT) are not allowed to integrate SP with SDI/WC.

EMPLOYEE HIRED ON OR BEFORE 2/5/07

	Day 1 (Month 1) →
Usage	employee may use accrual (with some limitations managed by DPOs)
Accrual	1 hour SP for 20 hours paid *TE, AN accrue 1 hour SP for 30 hours worked (including OT) (with cap of 72 hours)

- TE, AN employee hired on 2/5/07 will begin to accrue SP (1 hour SP for each 30 hours worked (including OT)) on 2/5/07
- PCS, FT employee hired on 2/5/07 may begin to use SP on 2/5/07 (pending sufficient accrual)

EMPLOYEE HIRED ON OR AFTER 2/6/07

	Day 1 (Month 1) → Day 90 (Month 3)	**Day 91 (Month 4) →**
Usage	none	employee may use accrual (with some limitations managed by DPOs)
Accrual	1 hour SP for 20 hours paid *TE, AN do not accrue	1 hour SP for 20 hours paid *TE, AN accrue 1 hour SP for 30 hours worked (including OT) (with cap of 72 hours)

- TE, AN employee hired on 2/6/07 will begin to accrue SP (1 hour SP for each 30 hours worked (including OT)) on 5/6/07
- PCS, FT employee hired on 2/6/07 may begin to use SP on 5/6/07

SICK LEAVE ORDINANCE (PROPOSITION F)

Provision	Current	Beginning February 5, 2007
Eligibility	Upon six (6) months of continuous service (1040 hours worked within a rolling twelve months)	90 days after the start work date *Exception*: may only use 18 hours (pro-rated for PT) of sick pay for first three months of eligibility (from month four through month six of employment)
Accrual	13 days per year (1 hour SP for each 20 hours paid)	13 days per year (1 hour SP for each 20 hours paid) *Exception*: Temporary Exempt, As-Needed (Category 16) ~9 days per year (1 hour SP for each 30 hours worked (including OT))
Cap	1040 hours (unlimited for Local 21)	1040 hours (unlimited for Local 21) *Exception*: Temporary Exempt, As-Needed (Category 16) 72 hours
Sick Leave Definition	Current	Additional categories for care of legal guardian/ward, sibling, grandparent, grandchild or 'designated' person (in lieu of spouse/domestic partner) *Exception*: may only use 9 days per fiscal year for these additional categories