OREGON SICK TIME RULE GUIDANCE FOR
CLACKAMAS EDUCATION SERVICE DISTRICT
Substitutes & Temporary Professional Employees (TPE)

Clackamas Education Service District offers sick time in accordance with OL Ch. 537. Sec. 9 and described in Oregon Administrative Rules Chapter 839, Division 7.

A substitute is defined as an individual employed by Clackamas ESD, for the purpose of accepting on-call assignments or a specific assignment lasting less than 60 days, and who is not recognized by a collective bargaining agreement. The individual is paid on an hourly, stipend, or salary basis, and for whom withholding is required under Oregon Revised Status (ORS) 316.162-316.221.

A temporary professional employee (TPE) is defined as an individual hired to perform a specific set of services outlined in a mutually agreed upon contract. Temporary professional employees are not personal service contractors, or district personnel recognized under a collective bargaining agreement.

Substitutes and TPEs are eligible to use sick time on the 91st calendar day after their hire date. A Clackamas ESD substitute’s and TPE’s hire date is the first day of physical work performed, not when the substitute becomes eligible to accept Clackamas ESD sub assignments or when a TPE is drafted and signed.

The district will terminate a substitute’s employment for periods of inactivity in excess of four (4) or more weeks, provided the substitute has not communicated with a district HR representative regarding their continued period of inactivity. If a substitute separates from Clackamas ESD, they are not entitled to a payout or transfer of sick time balance. A TPE sick leave will only be available for the term of the signed contract.

A substitute or TPE who is terminated, or whose contract agreement has ended, is allowed to have their previously accrued sick time restored if they are re-employed by the District within 180 calendar days of the separation date.

Method of Earning Sick Time | Accrual
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Earning Rate | 1 hour for every 30 worked
Application | Individuals will be credited any earned sick time per pay period following the processing of payroll
Minimum Usage Increments | 1 hour increments for Classified Substitutes and TPEs
| 4 hour increments for Licensed Substitutes
Maximum Accrual/Usage Per Year and Maximum Carryover | 40 hours
How to claim Sick Time | 1. Must be previously scheduled to work, and must cancel from substitute assignment, or TPE work day, at least one day in advance, except in emergency circumstances
| 2. Complete and submit Sick Time Request form

Applicable Reasons
Sick time may be used for the individual’s or a family member's mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive care, or for reasons consistent with the Family Medical Leave Act (FMLA) or OFLA. Sick time may also be used in the event of a public health emergency.

Claiming Sick Time
Sick time should be requested on the Sick Time Request form at least 24 hours in advance, except in emergency circumstances.

Reporting
Available sick time balances will be listed in the Attendance section of the iVisions portal.

Abuse
If Clackamas ESD reasonably suspects that an individual is abusing sick time, including engaging in a pattern of abuse, the employer may require verification from a health care provider of the need to use sick time. The ESD reserves the right after three (3) consecutive days of absence, to require proof of personal illness or injury, including a medical examination by a physician chosen and paid for by the ESD. A individual refusing to submit to such an examination or to provide other evidence as required by the ESD, shall be subject to appropriate disciplinary action, up to and including dismissal or termination of contract.