

**Changes and additions to Whitman sick leave plans**

**January 2018**

A new state law affects Whitman employees, beginning January 1, 2018. The law requires employers to offer paid sick leave benefits to all nonexempt employees, **including students, and temporary employees**. Some minor changes will be extended to exempt staff to assure consistency between groups. The change in law does not affect Faculty leave plans, but faculty supervising students and temporary employees need to be aware of it.

Under the Minimum Wage and Paid Sick Leave Law, nonexempt employees accrue paid sick leave for all hours worked, including overtime. At least one hour of paid sick leave is required for every 40 hours worked.

* Student and Temporary workers accrue 0.025 of one hour in sick leave for every hour worked This would be the equivalent of 52 hours per year if a student or temporary employee worked full time.
* Regular nonexempt employees at Whitman already accrue at a higher rate of one day per month, which equates to .046 of one sick leave hour for each hour worked. For full time staff this is either 7 hours, 7.5 hours or 8 hours per month, depending on work schedules. A full time employee who works 40 hours per week will accrue 96 hours per year.

The Whitman plan for regular staff is more generous than the new regulation, and the current sick leave accrual rate will continue. Beginning in January 2018 for non exempt employees it will also be earned on any overtime hour worked.

In order to calculate and display this for view, we are making some set up and programming changes through the payroll system and the earnings statement view on [my.whitman.edu](https://my.whitman.edu/). A few additional programming improvements will occur over the next couple of months. For temporary, hourly and student employees, the payroll system will accrue a small increment of time for every hour worked.

Salaried employees will accrue a fixed monthly amount, and adjustments will be added separately for overtime hours. The earnings statement view on my Whitman will reflect the account balance at the time payroll is processed, which mean it will include the prior month’s paid leave usage. Paid leave used during the period of earnings statement isn’t received until the following month and will be reflect on that following month’s earning statement. As an example, the January earning statement will reflect vacation and sick leave used from December. In a few instances, due to timing, you may also notice a difference in the balance showing on the my.whitman widget because the data is pulling from different locations. If you have specific questions, you can contact payroll or human resources for a current balance.

As Washington Labor and Industries has developed administrative requirements for the paid sick leave law, some changes to the existing policy, which extends to both exempt and nonexempt staff, are necessary. You can view the revisions in the Staff Handbook sections on [Sick Leave](https://www.whitman.edu/human-resources/faculty/staff/staff-handbook/benefits#sick), [Family and Medical Leave](https://www.whitman.edu/human-resources/faculty/staff/staff-handbook/leaves-of-absence#family) and Domestic Violence Leave. The [Staff Handbook](https://www.whitman.edu/human-resources/faculty/staff/staff-handbook/leaves-of-absence) is available on the HR Website under the Staff and Faculty Resources tab, or by searching for Staff Handbook from the Whitman.edu website.

The primary changes include:

* The Whitman plan currently allows a maximum sick leave accrual of 60 days. The new law prohibits this type of maximum accrual, but permits a maximum carryover. In the future, you might accrue more than 60 days during a year, but you can only carry over to the next year up to 60 days of sick leave.
* The rule prohibits anything that would discourage or penalize an individual from using sick leave. Whitman has historically granted a bonus paid leave day to those who maintained outstanding attendance (1 day or less of sick leave) over 12 months. Labor and Industries has stated they will considers programs like the bonus day for outstanding attendance as a “penalty” to those who use sick leave. Therefore, the college must discontinue this program.
* The rule requires restoring sick leave balances to staff rehired within 12 months of employment terminating.

The law includes notification requirements, including policy updates referenced above, a special notice for new employees, and additional information about your individual accrual, usage and balances posted on the my.whitman website.

Whitman College has also designed [**Student Employee Sick Leave program**](https://www.whitman.edu/human-resources/student-employment/student-employee-paid-sick-leave) and [**Temporary Employee Sick Leave programs**](https://www.whitman.edu/human-resources/temporary-employee-paid-sick-leave) to meet the minimum new requirements of the law. Whitman supervisors should note that there are **some differences compared to the regular staff sick leave plan**. The student sick leave policy is described in the Student Employment Handbook, and the Temporary employee sick leave policy is also available on the HR website under Staff and Faculty resources.

Follow this link to learn more about [Initiative 1433 Washington Paid Sick Leave](https://lni.us.engagementhq.com/?utm_medium=email&utm_source=govdelivery).

One final note, last year, Washington voters also approved a new [paid family and medical leave insurance program](http://app.leg.wa.gov/RCW/default.aspx?cite=50A.04). The Employment Security Department (ESD) website says , “the program “will be funded by premiums paid by employers and employees and administered by the Employment Security Department (ESD). We are the fifth state in the nation to provide this benefit to workers. ESD is developing the program now. As directed by the Legislature, **premium assessment begins on Jan. 1, 2019** and **benefits will be available on Jan. 1, 2020.”** As more information about the new paid family leave becomes available from ESD, Whitman will be looking at the impact of new taxes, and for overlap and/or integration strategies with existing staff and faculty paid leave programs,

Follow this link to learn more about the future [Washington Paid Family and Medical Leave program](https://esd.wa.gov/paid-family-medical-leave).

Please feel free to review the policies in more detail on the Whitman HR website, and contact the HR office if you have questions about the new regulations.