



RENTON
TECHNICAL
COLLEGE®

**MEMORANDUM OF UNDERSTANDING BETWEEN
RENTON TECHNICAL COLLEGE AND
AFT RENTON TECHNICAL COLLEGE CLASSIFIED**

Renton Technical College ("College") and the AFT Renton Technical College Classified agree to the attached language regarding Leave Sharing and Sick Leave usage to reflect updated rules and statute, effective July 1, 2018. It is also agreed to that the attached language regarding Salary Overpayment will prevail until such time it is again negotiated.

Signed this 27th Day of June, 2018.

A handwritten signature in blue ink, appearing to read "Kevin McCarthy", written over a horizontal line.

Kevin McCarthy, President

A handwritten signature in blue ink, appearing to read "Justin Monteith", written over a horizontal line.

Justin Monteith, AFT Classified President

ARTICLE 19 SICK LEAVE

19.1 Accrual Rates

19.1.1 Each employee eligible for Health Care Authority benefits as defined in Section 27.2 shall be credited with one (1) day sick leave per month as earned.

19.1.2 All employees hired for less than twelve (12) months will receive sick leave at the rate of one (1) day for each month (or portion of month) the employee is scheduled to work.

19.1.3 All employees scheduled for less than eight (8) hours per day will receive a prorated portion of sick leave.

~~19.1.3~~ 19.1.4 Employees, who have been on leave without pay which exceeds ten (10) working days in a calendar month and have worked during the month, will accrue sick leave at a rate of one (1) hour of sick leave per forty (40) hours worked up to a maximum of eight (8) hours of sick leave in a month, in accordance with RCW 49.46.210 and WAC 296.128.600.

~~19.1.4~~ 19.1.5 Sick leave provided and not taken shall accumulate from year to year. Such accumulated time may be taken at any time during the work year.

19.2 Use of Sick Leave

19.2.1 Sick leave may be used for absence due to personal mental or physical illness, injury or health condition; for doctor appointments and to accommodate the employee's need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; or an employee's need for preventative medical care.
~~, or to care for a seriously ill member of the immediate family.~~

19.2.2 Illness or preventative health care appointments of family members listed below, when the presence of the employee is required.

a. A child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;

b. A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;

- c. A spouse;
- d. A registered domestic partner;
- e. A grandparent;
- f. A grandchild;
- g. A sibling.

19.2.3 Leave for Military Family Leave as required by RCW 49.77.

19.2.4 Leave for Domestic Violence leave as required by RCW 49.76.

19.2.5 Qualifying absences for Family and Medical Leave.

~~19.2.1~~19.2.6 When the college has been closed by order of a public official for any health related reason, or when an employee's child's school or place of care has been closed for such a reason.

~~19.2.2~~19.2.7 Days used for emergency leave will be deducted from the employee's accumulated sick leave days.

19.3 **Sick Leave Buy-Back**

Employees shall be eligible to participate in the state's "Attendance Incentive" program in accordance with RCW 41.04.340 as it now exists or is hereafter amended.

19.4 **Payment Upon Separation**

At the time of separation from the College employment due to retirement or death, an eligible employee or the employee's estate shall receive remuneration at a rate equal to one (1) day's current monetary compensation of the employee for each four (4) full day's accrued leave for illness or injury.

19.5 **Legislative Revocation of Benefits**

Should the legislature revoke any benefits granted under this section, no effected employee shall be entitled thereafter to receive such benefits as a matter of contractual right.

19.6 **Certification of Illness or Injury**

19.6.1 A doctor's certificate is needed for sick leave absences lasting more than five (5) consecutive days.

19.6.2 Employees who are absent two (2) consecutive days because of an injury either on or off the job may be required to have the attending doctor certify their fitness before they return to work.

19.7 Unpaid Sick Leave

For absence beyond accumulated sick leave, a deduction of the equivalent unearned salary will be made.

19.8 Transfer of Sick Leave

Employees who have accrued sick leave while employed by another state agency in the State of Washington shall be given credit for such accrued sick leave upon employment by the College.

19.9 Leave Documentation

Employees shall report each instance of absence on an approved time and leave form. Leave used for Pregnancy Disability or Family Medical Leave Act (FMLA) (including Parental Leave) purposes should also be reported to Human Resources.

**ARTICLE 21
OTHER LEAVES**

21.1 Leave Sharing

- A. Employees may participate in the Washington State Leave Sharing Program in accordance with RCW 41.04.650 and College procedure. Under the provisions of this program, the College shall receive and process requests for leave sharing. Shared leave may be requested and shared to aid another employee who:
- a. has been called to service in the uniformed services;
 - b. who is responding to a state of emergency anywhere within the United States declared by the federal or state government;
 - c. who is a victim of domestic violence, sexual assault, or stalking;
 - d. ~~or~~ who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition; or,
 - e. employees who are sick or temporarily disabled because of pregnancy disability or for the purposes of parental leave to bond with the employee's newborn, adoptive or foster child.
- B. An employee is not required to deplete all of their sick leave before receiving shared leave for the purposes of pregnancy disability or for parental leave and may maintain up to forty (40) hours of vacation leave and up to forty (40) hours of sick leave in reserve.
- A.C. Employees may request or use shared leave for parental leave to up to sixteen (16) weeks after the birth or placement of a child.
- B.D. The College will determine the amount of leave, if any, which an employee may receive. However, an employee will not receive more than five hundred twenty-two (522) days of shared leave, except that, the College may authorize leave in excess of five hundred twenty-two (522) days in extraordinary circumstances for an employee qualifying for the program because he or she is suffering from an illness, injury, impairment or physical or mental condition which is of an extraordinary or severe nature.

26.10 Salary Overpayment Recovery - NEW

A. When the College has determined that an employee has been overpaid wages, the College will provide written notice, hand delivered or via certified mail, to the employee which will include the following items:

1. The amount of the overpayment,
2. The basis for the claim, and
3. The rights of the employee under the terms of this Agreement.

B. Method of Payback

1. The employee must choose one of the following options for paying back the overpayment:

- a. Voluntary wage deduction
- b. Cash
- c. Check

2. The employee will have the option to repay the overpayment over a period of time equal to the number of pay periods during which the overpayment was made, unless a longer period is agreed to by the employee and the agency. The payroll deduction to repay the overpayment shall not exceed five percent (5%) of the employee's disposable earnings in a pay period, unless the College and employee agree to an amount that is more than the five percent (5%).

3. If the employee fails to choose one of the three options described above, within the timeframe specified in the agency's written notice of overpayment, the agency will deduct the overpayment owed from the employee's wages. This overpayment recovery will take place over a period of time equal to the number of pay periods during which the overpayment was made.

4. Any overpayment amount still outstanding at separation of employment will be deducted from their final pay.

C. Appeal Rights

Any dispute concerning the occurrence or amount of the overpayment will be resolved through the grievance procedure in Article 33.