## SAINT JOSEPH'S MEDICAL CENTER

SAINT JOSEPH'S MEDICAL CENT			DNKERS, NEW YORK		
SUBJECT:	Paid Safe and Sic	k Time Leave			
POLICY:	Saint Joseph's Medical Center ("the Medical Center") provides paid sick leave for employees to give them protection against sudden reduction in earnings caused by absence due to illness or injury. Employees are not authorized to take paid sick leave for any purpose other than absence due to bona fide illness or injury or pursuant to New York City's Earned Safe and Sick Time Act ("ESSTA") or Westchester County's Earned Sick Leave Law ("ESLL") except as otherwise provided herein.				
PROCEDURE:	This policy applies paid sick leave:	s to the following employees in these	e categories and are eligible for		
	<ul> <li>Full-time temp than 80 hours</li> <li>Per Diem emp</li> </ul>	llar and part-time regular employees porary and part-time temporary em in a calendar year loyees who have worked more than r is measured from an employee's hi	ployees who have worked more 80 hours in a calendar year		
	It is the Medical Center's intent that employees be able to use fifty six hours of paid time in a manner that is compliant with ESSTA and/or ESLL. Accordingly, the following non- exclusive list of ESSTA and/or ESLL requirements will be applied to all eligible employees:				
	<ul> <li>Employees will begin to accrue time for ESSTA or ESLL purposes on their first day of work and will be eligible to begin using ESSTA or ESLL time 90 calendar days after the start of their employment</li> <li>Employees may not use less than four hours of sick and safe time per day</li> <li>Employees will accrue at least one hour of ESSTA or ESLL for every 30 hours worked up to at least 56 hours of ESSTA or ESLL in a calendar year to be used as accrued</li> <li>Unused ESSTA or ESLL accruals will be carried over to the next calendar year. The maximum carryover to the next calendar year is 56 hours</li> <li>The maximum amount of ESSTA or ESLL that can be used in a calendar year is 56 hours from your accrued sick bank.</li> <li>Once ESSTA or ESLL is exhausted, then employees will start exhausting (56 hour maximum) their regular sick time balances, if applicable. Applicable refers to employees' sick time balances for their own use, not for additional ESSTA or ESLL purposes.</li> </ul>				
	<ul> <li>The first 56 hours of accrued sick time used in the calendar year will be counted towards ESSTA or ESLL for the following purposes:</li> <li>For the employee's mental or physical illness, injury, or health condition; or for preventive medical diagnosis, care, or treatment of a mental or physical illness, injury, or condition.</li> <li>To care for a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or who needs preventive medical care.</li> </ul>				
<b>Distribution:</b> All Employees		<b>Effective Date:</b> May 5, 2018 Revised: January 1, 2021 Revised: July 19, 2021	Sheets: 1 of 3		
Vice President, Human Resources: Dean Civitello					

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PROCEDURE:	• When Saint Joseph's Medical Center business closes due to a public health emergency or the employee needs to care for a child whose school or child care provider closed due to a public health emergency.				
	• For a family member ESSTA and ESLL is defined as an employee's child, grandchild, spouse, domestic partner, parent, grandparent, child or parent of an employee's spouse or domestic partner, or sibling, or any individual whose close association wit the employee is the equivalent of a family relationship or who is a household member				
	Employees may use sick days to take "safe" leave under ESSTA when the family member may be the victim of any act or threat of domestic violence or unwanted sexual contact, stalking, or human trafficking. An employee shall be entitled to use safe leave for absence from work when to the employee or a family member has been the victim of a family offense matter, sexual offense, stalking, or human trafficking in order to:				
	a) Obtain services from a domestic violence shelter, rape crisis center, or other services program.				
	b) Participate in safety planning, relocate, or take other actions to protect their safety or that of family members.				
	<ul> <li>c) Meet with an attorney or social service provider to obtain information and advide related to custody; visitation; matrimonial issues; orders of protection; immigration housing; discrimination in employment, housing or consumer credit.</li> <li>d) File a domestic incident report with law enforcement or meet with a district attorney's office.</li> </ul>				
	Employees must provide seven days' notice if the need for safe and sick time is foreseeable ( <i>i.e.</i> , expected or planned). When the need for safe and sick time is unforeseeable, the Medical Center does not require advance written notice, but employees should provide notice as soon as practicable and may be required to document their request for safe and sick time and/or provide written confirmation that they used safe and sick time for purposes permitted under this policy. To provide notice of the need to use safe and sick time, employees should contact Human Resources at Ext. 7608 in Yonkers and Ext. 5211 in Harrison.				
	In the case of an absence for more than three consecutive days for safe leave purposes, the Medical Center may require reasonable documentation from an employee. The ESSTA prohibits the Medical Center from requiring a health care provider to specify the medical reason for sick leave or requiring safe leave documentation to specify the details of any act or threat of domestic violence or unwanted sexual contact, stalking, or human trafficking. The Medical Center cannot require that the employee or his or her health care provider disclose personal health information or the details of the matter for which an employee requests leave.				
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Vice President, Human			<u>.</u>		
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PROCEDURE:	confidential unles otherwise require documentation no	ter shall keep information about the employee or its family member ass the employee consents to disclosure in writing or disclosure is red by law. Failure by the employee to provide the reasonable written to less than seven days after the employee returns to work, if requested, ciplinary action and/or denial of sick and safe pay.			
	separation from e Center within six	or accrued and unused paid safe and sick time is not provided upon a employment for any reason. If an employee is rehired by the Medical ax months of separation from employment, previously accrued but unused ne will be immediately reinstated.			
	Employees have the right to request and use safe and sick time. The Medical Center will not retaliate or tolerate retaliation against any employee who seeks or obtains safe and sick time under this policy, who makes a good faith complaint about a possible ESSTA violation or who communicates with any person about such a violation. In addition, the Medical Center will not retaliate against any employee who informs another person about the rights under the ESSTA.				
	Examples of retaliation include, but are not limited to, any threat, discipline, disch- demotion, suspension, or reduction in hours or any other adverse employment act against an employee for exercising or attempting to exercise any right guaranteed the law.				
	Employees cannot use safe or sick time as an excuse to be late for work without advance notice of a proper use. Employees who use sick or safe leave for purposes other than those provided for by ESSTA or ESLL, will be subject to disciplinary action, up to and including termination. If a Department believes that an employee is misusing ESSTA or ESLL, they are to contact Human Resources for guidance.				
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