

<p>SUBJECT:</p>	<p>Paid Safe and Sick Time Leave</p>	
<p>PROCEDURE:</p>	<ul style="list-style-type: none"> • 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 ESSL 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 with the employee is the equivalent of a family relationship or who is a household member. <p>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:</p> <ol style="list-style-type: none"> 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. c) Meet with an attorney or social service provider to obtain information and advice related to custody; visitation; matrimonial issues; orders of protection; immigration; housing; discrimination in employment, housing or consumer credit. d) File a domestic incident report with law enforcement or meet with a district attorney's office. <p>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.</p> <p>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.</p>	
<p>Distribution: All Employees</p>	<p>Effective Date: May 5, 2018 Revised: January 1, 2021 Revised: July 19, 2021</p>	<p>Sheets: 2 of 3</p>
<p>Vice President, Human Resources: </p>		

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PROCEDURE:	<p>The Medical Center shall keep information about the employee or its family member confidential unless the employee consents to disclosure in writing or disclosure is otherwise required by law. Failure by the employee to provide the reasonable written documentation no less than seven days after the employee returns to work, if requested, may result in disciplinary action and/or denial of sick and safe pay.</p> <p>Compensation for accrued and unused paid safe and sick time is not provided upon separation from employment for any reason. If an employee is rehired by the Medical Center within six months of separation from employment, previously accrued but unused safe and sick time will be immediately reinstated.</p> <p>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.</p> <p>Examples of retaliation include, but are not limited to, any threat, discipline, discharge, demotion, suspension, or reduction in hours or any other adverse employment action against an employee for exercising or attempting to exercise any right guaranteed under the law.</p> <p>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.</p>	
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Vice President, Human Resources: <i>Dean Ciritello</i>		