

4.4 NYS PAID SICK AND SAFE TIME

GENERAL INFORMATION

If an employee furnishes or causes false or misleading information to be furnished to qualify for use of the New York Sick and Safe Leave Law, disciplinary action including termination may occur.

Friendly Senior Living will not restrain, interfere with, or deny the exercise of any employee rights provided under the NYS Paid Sick and Safe Leave Law. Friendly Senior Living will not discriminate against any employee who exercises any rights under NYS Paid Sick and Safe Leave Law or makes a complaint related to NYS Paid Sick and Safe Leave Law. Employees who have questions regarding this policy should contact Human Resources.

USAGE

Beginning January 1, 2021, employees may use accrued leave, following a verbal or written request to their supervisor for the following reasons impacting the employee or a member of their family for whom they are providing care or assistance with care:

Sick Leave:

- For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or
- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care.

Safe Leave:

- For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
 - to obtain services from a domestic violence shelter, rape crisis center, or other services program;
 - to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;

Safe Leave:

- to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
- to file a complaint or domestic incident report with law enforcement;
- to meet with a district attorney's office;
- to enroll children in a new school; or
- to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

For purposes of determining eligibility for use, the following definitions apply:

- “Family member” means child, spouse, domestic partner, parent, sibling, grandchild or grandparent; and the child or parent of an employee’s spouse or domestic partner.
- “Parent” means biological, foster, step, or adoptive parent, legal guardian, or person who stood in loco parentis when the employee was a minor child.
- “Child” means biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

Sick time must be taken in hourly increments.

If an employee is out sick and does not have enough time sick time accrued in their bank, the remainder of the missed time would be unpaid.

ACCRUAL:

Sick time is calculated based upon an accrual of one hour (1) per every thirty (30) hours worked; with the usage capped at 56 hours annually. Accrual is based on actual hours worked (excludes all non-working hours). Employees can use up to 56 hours of sick time per calendar year.

TERMINATION:

Unused sick time is not paid at termination.

Carry Over:

Unused sick days will be carried over annually into the employee’s **Sick Bank**. Usage is capped at 56 hours per calendar year. Accruals earned beyond 56 hours will not be available for usage until the following calendar year.

Employees may not receive pay in lieu of using their sick days.