

Paid Safe and Sick Leave Policy

Effective: June 9, 2021

Revision History:

Executive Summary:

Barnard College provides eligible employees the ability to accrue paid safe/sick time, pursuant to the New York State Sick Leave law and the New York City Earned Safe and Sick Time Act (together the “Paid Safe and Sick Leave Laws”).

Reason for the Policy:

In compliance with the Paid Safe and Sick Leave laws, this policy outlines the College’s employees’ rights and benefits with regards to safe and sick time.

Who is Responsible for This Policy:

Responsible Office: The Office of Human Resources

Who is Governed by This Policy:

Subject to the exclusions listed below, all full-time and part-time employees of the College are governed by this policy, including student employees.

This policy does *not* apply to:

- Staff covered by applicable collective bargaining agreements are governed by the provisions of their respective contract.
- Faculty members (who shall consult with the appropriate chairperson as to the applicable policy on sick leave).

Definitions:

Year: The College’s fiscal year begins July 1 and ends June 30.

Family member: the employee’s child, spouse, domestic partner, parent, sibling (including half sibling, step sibling, or sibling related through adoption), grandchild, grandparent, the child or parent of an employee’s spouse or domestic partner, or any other individual related by blood to the employee, and other individuals whose close association with the employee is the equivalent of a family relationship.

Policy Statement:

Under the Paid Safe and Sick Leave Laws, eligible employees accrue one hour of safe and sick leave for every 30 hours worked, up to 56 hours per year.

Under the Paid Safe and Sick Leave Laws, employees begin to accrue safe and sick leave on their first day of employment and may begin using such leave immediately. An employer may also choose to frontload all or part of the employees' paid safe and sick leave time.

Barnard College provides sick leave benefits that meet and in some situations, may exceed the requirements of the Paid Safe and Sick Leave laws. See below for specific details on accrual for each employment type.

Who is eligible?

All employees of the College are eligible, subject to the exceptions listed above.

When may Safe and Sick time be used?

Sick time may be used by the employee for the care and treatment of herself/himself or a family member. Safe time may be used to seek assistance or take other safety measures if the employee or a family member may be the victim of any act or threat of domestic violence or unwanted sexual contact, stalking or human trafficking.

SICK TIME covered by this policy can be used for the following reasons:

- Employee's own mental or physical illness, injury or health condition or need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventative medical care.
- Care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or who needs preventative medical care.
- Closure of an employee's place of business by order of a public official due to a public health emergency or such employee's need to care for a child whose school or childcare provider has been closed by order of a public official due to a public health emergency.

SAFE TIME covered by this policy can be used for the following reasons :

- When an employee or an employee's family member is be the victim of any act or threat of domestic violence or unwanted sexual contact, stalking, or human trafficking and needs to take actions necessary to restore the physical, psychological, or economic health or safety of the employee or the employee's family members or to protect those who associate or work with the employee , including to:
 - Obtain services from a domestic violence shelter, rape crisis center, or other shelter or services program for relief from a family offense matter, sexual offense, stalking, or human trafficking;
 - Participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future family offense matters, sexual offenses, stalking, or human trafficking;
 - Meet with a civil attorney or other social service provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding, including but not limited to, matters related to a family offense matter, sexual offense, stalking, human trafficking, custody, visitation, matrimonial issues, orders of protection, immigration, housing, discrimination in employment, housing or consumer credit;
 - File a complaint or domestic incident report with law enforcement;

- Meet with a district attorney's office;
- Enroll children in a new school; or
- 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.

Minimum Increment

Unless otherwise indicated, a covered full time employee may not use sick leave in increments of less than 3.5 hours, and a covered part time employee may not use sick leave in increments of less than 1 hour.

Accrual and Usage:

- Full-time Administrative & Confidential Positions:

Accrual

Full-time Administrators working 12 months per year will receive 56 hours (8 days) of sick leave at hire and 70 hours (10 days) of sick leave on each subsequent July 1st.

Usage

Full-time Administrators working 12 months per year **may use up to 105 hours** (15 days) of safe/sick time per year. Safe and sick leave may be used for the reasons described in this policy. Beyond such hours, requirements under other College leave policies may apply.

Carryover

A full-time Administrator working 12 months per year may carry over all unused, accrued sick leave into the next year. However, the employee may not use more than 105 hours (15 days) per year of sick leave under this policy.

- Full Time 9/10 Month Administrative Positions:

Accrual

Full-time Administrators working 9/10 months per year will receive 56 hours (8 days) of sick leave at hire and 56 hours (8 days) of sick leave on each subsequent July 1st.

Usage

Full-time Administrators working 9/10 months per year **may use up to 56 hours (8 days) of** safe/sick time per year. Safe and sick leave may be used for the reasons described in this policy. Beyond such hours, requirements under other College leave policies may apply.

Carryover

A full-time Administrator working 9/10 months per year may carry over all unused, accrued sick leave into the next year. However, the employee may not use more than 56 hours (8 days) per year of sick leave under this policy.

- Part-time Administrative Positions (Salaried):

Accrual

Part-time Administrators will receive 4 sick days (28 hours) at hire and 5 sick days (35 hours) on each subsequent July 1st.

Usage

Part-time Administrators **may use up to 56 hours (8 days) of safe/sick time** per year. Safe and sick leave may be used for the reasons described in this policy. Beyond such hours, requirements under other College leave policies may apply.

Carryover

Part-time Administrators may carry over all unused, accrued sick leave into the next year. However, the employee may not use more than 8 days (56 hours) of sick leave under this policy.

- Part -time Hourly Positions:

Accrual

Part time hourly employees will accrue 1 hour of sick leave for every 30 hours worked, up to a maximum of 56 hours of sick leave per year.

Usage

Part time hourly employees may use up to fifty-six (56) hours of his/her safe and sick leave per year for the reasons described in this policy.

Carryover

Part time hourly employees may carry over all unused, accrued sick leave into the next year. However, the student employee may not use more than 56 hours of sick leave under this policy.

- Student Employees:

Accrual

Student employees will accrue 1 hour of sick leave for every 30 hours worked, up to a maximum of 56 hours of sick leave per year.

Usage

Student employees may use up to fifty-six (56) hours of his/her safe and sick leave per year for the reasons described in this policy.

Carryover

A student employee may carry over all unused, accrued sick leave into the next year. However, the student employee may not use more than 56 hours of sick leave under this policy.

Separation:

Any accrued but unused safe/sick time under this policy will not be paid out upon separation from employment.

Notice:

Eligible employees will be provided with a notice of their rights under the Paid Safe and Sick Leave Laws upon hire.

Employee Summary Request:

An employee may make an oral or written request to the Office of Human Resources for a summary of the amounts of sick leave accrued and used by the employee in the current and/or previous year. The College will provide such information to the employee within three (3) business days of the request.

Misuse:

The misuse of sick leave afforded under this Policy may result in appropriate disciplinary action (up to and including dismissal).

Protection from Discrimination and Retaliation:

The College will not discriminate and/or retaliate against any employee for inquiring about, applying for, or using paid safe and sick leave as described in this policy.

Procedure:

Scheduling and Advanced Notification:

If an employee's need for safe or sick leave is foreseeable, an employee is required to provide advance notice (of up to 7 days) of the employee's intention to use such leave. If the need is unforeseeable, an employee is required to give notice as soon as practicable. Employees will use the appropriate code in their applicable timekeeping tool to use accrued paid safe and sick time. Employees will also use the timekeeping tool to view available accruals.

Documentation:

Barnard may require an employee to provide his or her supervisor with oral and/or written confirmation that the employee took sick leave for a permissible purpose. Consistent with law and other Barnard policies, the College may require appropriate documentation if an employee uses more than three consecutive workdays as safe or sick leave.

Related Policies and Documents:

New York State Sick Leave:

<https://www.ny.gov/programs/new-york-paid-sick-leave>

New York City's Earned Safe and Sick Time Act:

<http://www1.nyc.gov/site/dca/about/paid-sick-leave-law.page>

Notice of Employee's Rights under NYC's Paid Safe and Sick Leave:

<https://www1.nyc.gov/assets/dca/downloads/pdf/about/PaidSafeSickLeave-MandatoryNotice-English.pdf>

Barnard College's New York State Paid Family Leave Policy:

https://barnard.edu/sites/default/files/inline-files/paid_family_leave_policy.pdf

Barnard College's Benefits Webpage:

<https://barnard.edu/human-resources/benefits>

Barnard College Faculty Handbook

<https://my.barnard.edu/administration/Provost%20Office%20Handbooks/Faculty%20Handbook.pdf>

Website for This Policy:

<https://my.barnard.edu/BC%20Policies/Paid%20Safe%20Sick%20Leave%20Policy.pdf>