

Sick Time Policy

It is the policy of the Library to grant sick time with pay to full and part-time employees in accordance with the guidelines set forth below and applicable law.

The established benefit year is the calendar year January 1 through December 31. Sick time will be pro-rated during the employee's first year of employment-based upon the date of hire, but in any event, will not be less than one hour of leave for every 30 hours actually worked. Sick time will carry over from year to year. Hours that accrue beyond 250 hours for any staff member may, at the employee's option, be deposited into the sick time donation pool.

- Full-time employees who work 70 hours per pay period will be granted 40 hours of NYS paid sick leave and 44 hours of sick time per calendar year and will accrue same on January 1 of each year.
- Full-time employees who work 60 hours per pay period will be granted 40 hours of NYS paid sick leave and 32 hours of sick time per calendar year and will accrue same on January 1 of each year.
- Full-time employees who under a prior Employment Status policy and work at least 50 hours per pay period will be granted 40 hours of NYS paid sick leave and 20 hours of sick time per calendar year and will accrue same on January 1 of each year.
- Part-time employees who work 20 or more hours per pay period will be granted 40 hours of NYS paid sick leave per calendar year and will accrue same on January 1 of each year.
- Part-time employees who work less than 20 hours per pay period will accrue one hour of NYS paid sick leave for every 30 hours actually worked, to a maximum of 40 hours of sick time per calendar year.
- Sub employees will accrue one hour of NYS paid sick leave for every 30 hours actually worked, to a maximum of 40 hours of sick time per calendar year.

Sick leave may be used for the employee him/herself or for a family member for whom the employee is providing care or assistance with care. The term "family member" means an employee's child ("child" means a biological, adopted or foster child, a legal ward or a child for whom the employee is standing in loco parentis), spouse, domestic partner, parent ("parent" means a biological, foster, step, or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child), sibling, grandchild, grandparent, or the child or parent of an employee's spouse or domestic partner.

Sick leave may be used for the following reasons:

1. For a mental or physical illness, injury, or health condition, regardless of whether the illness, injury, or health condition has been diagnosed or requires medical care at the time the employee requests the leave.

2. For the diagnosis, care or treatment of a mental or physical illness, injury or health condition of, or need for medical diagnosis of, or preventive care.

3. For an absence from work due to any of the following reasons when the employee or employee's family member has been the victim of domestic violence, a family offense, sexual offense, stalking or human trafficking:

a. to obtain services from a domestic violence shelter, rape crisis center or other services program;

b. to participate in safety planning, temporarily or permanently relocate, or take any other action to increase the safety of the employee or the employee's family members;

c. 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;

d. to file a complaint or domestic incident report with law enforcement;

e. to meet with a district attorney's office;

f. to enroll children in a new school; or

g. 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.

The reasons outlined in 3(a) through 3(g) above must be "related to" the domestic violence, family offense, sexual offense, stalking, or human trafficking. The individual who commits the offense(s) is not eligible for these leave benefits.

Upon return to work, an employee will be restored to the same position that he or she held prior to using sick leave, with the same pay and other terms and conditions of employment.

The Library reserves the right to require verification of sick leave eligibility from the employee's health care provider for illnesses lasting three or more consecutive workdays or shifts.

Employees who have accrued NYS paid sick leave on December 31st may exercise the voluntary option of using and receiving payment for NYS paid sick leave (up to a maximum of 40 hours) prior to the end of a calendar year and may carry over the unused accrued NYS paid leave ; or employees may carry over unused accrued NYS paid sick leave. The carryover of accrued NYS

paid sick leave is not subject to a cap. There is a maximum payment of 40 hours of accrued NYS paid sick annually.

Any full-time employee who exercises their option to be paid out time that has been earned as per the NYS sick leave law up to 40 hours on December 31, of the year in which it was earned, loses its eligibility to a sick bonus if the payout of NYS sick leave time is greater than \$500. All other non-unit full-time employees who do not choose the payout option, or their payout of NYS sick leave is less than \$500 will not lose their eligibility for the sick bonus if it applies. The sick bonus is \$500 for any full-time employee who does not use any sick time in a calendar year.

Unused sick time will not be paid out upon involuntary termination. Unused sick time, which is not categorized as NYS paid sick leave up to 250 hours* will be paid out upon voluntary separation from Library employment, provided that the employee gives the required amount of notice to the director, in writing, as set forth below:

Full-time staff: 4 weeks' notice.

Part-time staff: 2 weeks' notice.

*For employees who have accrued less than 250 sick time hours as of their last year of employment, the amount of hours accrued in the last year of employment for which the employee may be paid out will be prorated by the number of completed months of service at the time of voluntary separation from Library employment.

Sick Time Donation Program

SICK LEAVE/CATASTROPHIC PROPERTY DAMAGE POOL

Employees may volunteer to donate sick leave hours to the Sick Leave/Catastrophic Property Damage pool once per year. The number of hours donated may not reduce the donating employee's sick leave balance to less than 84 hours for full-time employees and 25 hours for part-time employees. Employees who have accrued more than 210 hours of sick time must annually donate the excess sick leave hours to the pool. Employees who are on a leave of absence are ineligible to donate to the pool. If an employee perceives that there is a discrepancy in the Library's records of her/his accrued sick time, the employee must first contact the Head of Finance or her/his designee to attempt to resolve the dispute.

Any employee who wishes to use the pool will submit a written request to the Executive Director, which will then determine, in its sole, non-reviewable discretion, whether the employee will be granted access to the pool.

Employees must meet all of the following conditions in order to be eligible to receive donated days from the Sick Leave/Catastrophic Property Damage Pool:

a. Part-time employees must have previously made a one-time donation of at least two hours of sick leave to the pool and full-time employees must have previously made a one-time donation of at least five hours to the pool; and

b. The employee must have suffered or must be suffering from a catastrophic loss to her/his personal or real property, due to either a natural disaster or fire, that has caused the employee to be absent for at least 10 consecutive scheduled workdays; or

c. The employee or a member of her/his immediate family (defined as a spouse, parent, child, or other family member living in the employee's household) suffers from a medically certified illness, injury, impairment, or physical or mental condition that has caused the receiving employee to be absent for at least 10 consecutive scheduled workdays; and

d. The employee has exhausted her/his accumulated sick leave and other paid time off.

5. Each qualifying employee may receive up to 250 hours per calendar year of donated time for sick leave pursuant to this policy. For catastrophic property damage leave pursuant to this policy, each qualifying employee may receive up to two weeks per calendar year of donated time. The Executive Director's determinations will not be subject to review pursuant to the grievance procedure or in any other forum.

6. Eligible employees who wish to use this Pool during a Family and Medical Leave Act (also known as "FMLA") leave of absence may do so after first exhausting all accrued paid time off, including sick leave.

If the Pool falls below 100 hours, each part-time employee must donate two sick leave hours, and each full-time employee must donate five sick leave hours, to the Pool. This mandatory donation may be made using non-sick PTO and will not be subject to the 84-hour threshold for full-time employees and the 25-hour threshold for part-time employees, as noted in the first paragraph of this Article.

Upon returning from a leave of absence pursuant to this policy, employees will be advanced one week's worth of sick leave time that would otherwise have accrued in the following year, to be used until December 31 of the year in which the leave was initiated. All unused, advanced sick leave time will be permitted to be used in the following calendar year, but no additional sick leave time will be granted beyond the employee's annual sick leave allotment, absent extenuating circumstances. Any advanced sick leave time is subject to be recouped on a prorated basis by the Library if an employee terminates her/his employment in the year from which the days were advanced.

Adopted by the Board of Trustees: January 1997

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