

NYC and Westchester County Paid Safe and Sick Leave

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.01 Policy Statement

Pace University provides eligible employees with paid sick and safe leave in accordance with the New York City Earned Safe and Sick Time Act (“the NYC Sick Time Act”) and the Westchester County Earned Sick Leave Law. Under these Acts, eligible employees who are hired to work at the New York City and/or Westchester County campus may accrue and use up to 40 hours of accrued paid sick and safe time in a single calendar year in accordance with the provisions set forth below.

.02 Eligibility

This policy is applicable to part-time staff who work more than 80 hours within a calendar year and 120 days after the commencement of employment.

Full-time staff employees will continue to utilize the current paid sick time off for their own personal illnesses.

Full-time staff employees who require time off to care for family members or who need time off for any of the safety provisions stated below may utilize their vacation and personal days for such purposes.

Certain positions will accrue sick time based on credit hours (see section “.05 Accrual”)

1. This policy does not apply to University employees subject to a collective bargaining agreement (“CBA”) that: (i) was in effect on July 1, 2018, until that CBA expires.

This policy does NOT apply to Federal Work-Study Students, independent contractors, consultants, and other non-employees.

.03 Collective Bargaining

This policy will not apply to employees subject to a collective bargaining agreement in effect prior to April 10, 2019, until the date of the termination of the agreement.

For employees covered by a valid collective bargaining agreement that came into effect on or after April 10, 2019, the policy does not apply if the collective agreement expressly waives the law’s provisions and the agreement provides a comparable benefit for the employees.

This policy is not intended to, nor shall it be interpreted to, conflict with any portion of a collective bargaining agreement. Employees are referred to the terms of their collective bargaining agreements for usage and exceptions to the Paid Sick Leave Policy.

.04 Effective Date

Eligible employees will begin to accrue paid sick and safe time under this policy on their first day of employment.

.05 Accrual

Full-time employees that receive paid time off (vacation and personal time) or are not subject to a reduction in salary due to time off taken for reasons in section .06 will not accrue sick time.

All other eligible employees accrue one hour of paid sick time for every 30 hours actually worked by the employee (accrual does not occur during paid or unpaid time off), up to a maximum of 40 hours paid sick time at their regular rate of pay per calendar year. For purposes of this policy, "calendar year" is defined as a regular and consecutive twelve-month period from January 1 through December 31 of each year.

*** Qualified Student Employees**

A covered student employee will accrue 1 hour of sick leave for every 30 hours worked, up to a maximum of 40 of accrued sick leave in an academic year (i.e., September through August). A covered student employee may not begin to use their accrued sick leave until the one-hundred twentieth calendar day following their commencement with the University.

If a covered student employee is rehired by the University within six months of separation from employment but had not satisfied the 120 calendar day requirement at the time the employee separated from employment, upon rehire, the employee shall be credited their previous calendar days towards the 120 calendar day requirement.

Carryover. A covered student employee may carry over up to a maximum of 40 hours of unused, accrued sick leave into the next academic year. As noted above, at no time, however, may a covered student employee use more than 40 hours of sick leave in an academic year.

Paid sick time does not accrue during holidays or any time that a location is closed due to a public disaster.

Eligible employees who have accrued, but unused sick time at the end of a calendar year may carry over the accrued, unused sick time to the next calendar year, but irrespective of any carry-over, still may only use up to 40 hours of paid sick time in any single calendar year. Eligible employees will not be paid for any accrued, unused sick time at the end of the calendar year, or at the time of termination, resignation, retirement or other separation from employment.

An eligible employee who is separated from employment, but is rehired by Pace University within 6 months of their separation will have their previously accrued, unused sick time reinstated. The employee will begin accruing sick leave immediately and will not have a waiting period before they can use their accrued leave.

.06 Use

Eligible employees may use up to 40 hours of accrued, paid sick time for absences from work during any single calendar year (January 1 – December 31) for any of the following reasons:

1. The covered employee's own (i) mental or physical illness, injury or health condition, or elective surgery, including organ donation; (ii) need for preventive medical care or medical diagnosis; or (iii) for the care or treatment of a mental or physical illness, injury or health condition.
2. 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 preventive medical care. Family members are defined under the Act as any individual whose close association with the employee is the equivalent of family, Child (biological, adopted, or foster child; legal ward; child of an employee standing in loco parentis); Grandchild, Spouse, Domestic Partner, Parent, Grandparent, Child or Parent of an employee's spouse or domestic partner, Sibling (including a half, adopted, or step sibling), and, any other individual related by blood to the employee.
3. Closure of the assigned employee's place of work at the University 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.
4. An employee or an employee's family member may be the victim of any act or threat of domestic violence or unwanted sexual contact, stalking, or human trafficking and the employee needs to take actions necessary to restore the physical, psychological, or economic health or safety of the employee or their 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 services program
 - Participate in safety planning, relocating, enrolling a child in a new school or taking other actions to protect their safety or that of their family members
 - Meet with an attorney or social service provider to obtain information and advice related to custody; visitation; matrimonial issues; orders of protection; immigration; housing; and discrimination in employment, housing, or consumer credit.
 - File a domestic incident report with law enforcement or meet with a district attorney's office.

An eligible employee may determine how much accrued sick time they need to use for any of the reasons listed above, but an employee must use a minimum of 4 hours of accrued sick time during any qualified absence.

Absence for illness exceeding the amount of accrued sick leave will be considered leave without pay. Persons who have leave without pay status do not accumulate sick leave while in that status. With prior approval from supervisors, employees needing to use sick leave may offset the length of their absence by a temporary change in the employee's work schedule within the same

work week. An eligible adjunct professor may work such additional credit hours at any time during the applicable academic term.

An eligible employee who uses paid sick time for any reason other than one of the reasons listed above may be subject to appropriate disciplinary action.

Written Documentation: When an eligible employee uses paid sick time for any of the reasons set forth above, the employee must provide their supervisor with written confirmation that the employee used sick time pursuant to this policy, which must include how many accrued hours were used. It is the employee's responsibility to indicate that eligible sick time is being used.

Reasonable Notice: Supervisors may establish procedures in their departments regarding notification of need for sick leave consistent with this policy and employees are expected to comply with those requirements. An eligible employee must give their supervisor 7 calendar days' notice of the absence where the need for sick leave is foreseeable. If the need for the sick leave is not foreseeable, the employee must promptly notify their supervisor as soon as the need for the leave arises. Eligible employees should ensure that their supervisor is notified each day the employee will be absent.

Medical Documentation: Where an eligible employee is absent for more than three consecutive work days due to their own injury, illness or medical condition or for the treatment, or the injury, illness, or medical condition or treatment of a family member, the employee must provide their manager documentation from a licensed health care provider indicating the need for, and amount of sick time taken. (An employee is not required to specify the nature of the employee or family member's injury, illness or condition, unless otherwise required by law.) Details relating to an eligible employee or a family member's medical condition will be kept confidential.

This policy will be administered in accordance with the NYC Earned Safe and Sick Time Act and Westchester County Earned Sick Leave Law.

.07 Non-Retaliation

The University will not in any way retaliate against an employee for exercising or attempting to exercise his/her rights under the NYC Earned Safe and Sick Time Act and Westchester County Earned Sick Leave Law. These rights include (but are not limited to):

- Using paid sick leave.
- Informing an employer, union or legal counsel about alleged violations of the Act.
- Filing a complaint about alleged violations of the Act.
- Participating in an investigation of alleged violations of the Act.
- Informing other employees of their rights under the Act.

.08 Contact

Human Resources
100 Summit Lake Drive
Valhalla, NY 10595
914-923-2730

This policy may be amended periodically as determined by the University.