

# **New York City Earned Sick Time Act**

**Effective Date: April 1, 2014**

## **Policy Statement**

Columbia University complies with the New York City Earned Sick Time Act by providing eligible faculty and staff the ability to accrue up to a maximum of 40 hours per fiscal year in paid sick time, which can be used for illness or preventative care of one's self or one's family members (defined under the Act to mean the employee's child, spouse, domestic partner, parent, sibling (including a half sibling, step sibling, or sibling related through adoption), grandchild, grandparent, or the child or parent of an employee's spouse or domestic partner). Any earned but unused sick time under this policy will be carried forward from year to year; however, a maximum of 40 hours of accrued time under this Act can be used in any given fiscal year (though an employee may be eligible for additional paid medical leave under other University policies), and Columbia University does not pay out unused sick time under this or any other policy at termination.

## **Who is Governed by this Policy**

All Columbia University Employees who work in New York City, and who work more than 80 hours a fiscal year (July 1 – June 30).

Staff rights and obligations under applicable collective bargaining agreements are not affected by this policy. Staff covered by collective bargaining agreements are governed by the provisions of their respective contract. Collective bargaining agreements may be found in the CUHR website under <http://hr.columbia.edu/union-contracts>.

## **Exclusions and Special Situations**

This policy does not apply to individuals excluded by the Act, such as employees who work fewer than 80 hours per fiscal year, individuals covered by a collective bargaining agreement, individuals who work for Federal Work Study programs, and individuals for hours worked by or through qualified scholarships.

## **Policy Text**

Columbia University complies with the New York City Earned Sick Time Act by providing eligible employees the ability to accrue up to a maximum of 40 hours per fiscal year in paid sick time which can be used for illness or preventative care of one's self or one's family members (defined under the Act to mean the employee's child, spouse, domestic partner, parent, sibling (including a half sibling, step sibling, or sibling related through adoption), grandchild, grandparent, or the child or parent of an employee's spouse or domestic partner). Any earned but unused sick time will be carried forward from year to year; however, a maximum of 40 hours of accrued time under this Act can be used in any given fiscal year (though an employee may be eligible for additional paid medical leave under other University policies), and Columbia University does not pay out unused sick time under this or any other policy at termination.

## **Use of the paid sick time**

Sick time covered by this policy can be used for the following reasons set forth under the Act:

- 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.

An employee's use of paid sick time under this policy automatically runs concurrently with use of paid sick time under any other applicable University policy. University Officers may now use up to forty (40) hours of paid sick time under the Medical Leave of Absence (Full-Time Officers of Administration) policy for the reasons described in this policy. Beyond forty hours, requirements under other University medical leave policies apply.

### **Documentation**

For absences of more than three consecutive work days under this policy, a department may require reasonable documentation signed by a licensed health care provider indicating the need for the amount of sick time taken. The employer will not require that such documentation specify the nature of the employee's or the employee's family member's injury, illness or condition, unless requested in connection with concurrent leave under another applicable University policy.

In addition, a department may require an employee to provide written confirmation that the employee used sick time in accordance with this policy.

### **Scheduling and Notification**

Sick time used for medical and dental appointments should be scheduled with the employee's supervisor or department at least a week in advance (except when emergency treatment is needed).

Upon mutual agreement of the employee and manager, an employee who is absent for a qualifying reason under the Act may work additional hours to make up for lost time during the immediately preceding seven (7) days if the absence was foreseeable or in the immediately subsequent seven (7) days from that absence without using paid sick time accruals.

For officers of instruction, upon mutual agreement of the officer of instruction and the Department Chair, the officer of instruction can make up for lost time at any point during the applicable semester without using paid sick time accruals.

Please see the "Fiscal Year Accrual Schedule and Other Information for NYC Paid Sick Time" at the end of the policy for more information.

### **Accrual**

For eligible employees who are employed as of April 1, 2014 (the effective date of this policy), sick time under this policy will begin to accrue on April 1, 2014. For eligible employees hired after April 1, 2014, sick time under this policy will accrue starting on the date of hire. Eligible faculty and staff accrue up to 40 hours per fiscal year of sick time, based on their position and hours worked. Please see the "Fiscal Year Accrual Schedule and Other Information for NYC Paid Sick Time" at the end of the policy for more information. Earned and unused sick time will carry over from one fiscal year to the next in accordance with applicable law. However, only 40 hours can be used in any given fiscal year under this Act (see "Use of the paid sick time" section).

An eligible employee may begin using sick time after accruing sick time under this policy for one hundred twenty (120) calendar days (or on July 29, 2014 for eligible employees who are employed as of April 1, 2014). Eligible employees who are rehired by the University within 6 months of termination may use any accrued but unused sick time from their prior position at Columbia without waiting the 120 days, but must wait the 120 days to use newly accrued sick time.

### **Termination of Employment**

Any accrued but unused sick time under this policy will not be paid out upon termination. Upon termination for any reason, any unused sick time under this policy will be recorded and if the employee is rehired within 6 months of termination, the prior accrued time will be reinstated and can be used at any time.

### **Record Keeping**

In accordance with the University policy on time records, officers of administration will track use of their sick time under this policy through the Officer Time Off tracking worksheets. Academic Officers (officers of instruction, officers of research, and officers of the Libraries) will track use of sick time under this policy in accordance with their existing department practices.

Support Staff will use the applicable time sheets to record and track the use of sick time under this policy.

## Fiscal Year Accrual Schedule and Other Information for NYC Paid Sick Time:

Employment Category	NYC Paid Sick Time Earned	Additional Notes	Tracking
<b>Full time academic officers</b> including officers of instruction, officers of research, and officers of the libraries.	40 hours per year (included in <a href="#">6-month salary continuation plan</a> )	If an officer of instruction chooses to make up for lost time in lieu of using paid sick time, missed class time can be made up at any point in the current semester, based on mutual agreement between the faculty member and Department Chair.	Based on individual department practices.
<b>Part time academic officers</b> including officers of instruction, officers of research, and officers of the libraries.	40 hours per year	If an officer of instruction chooses to make up for lost time in lieu of using paid sick time, missed class time can be made up at any point in the current semester, based on mutual agreement between the faculty member and Department Chair.	Based on individual department practices.
<b>Full time officers of administration</b> including regular officers, 11- month officers, and temporary officers whose appointment period is 4 months or greater.	40 hours per year (included in 6-month salary continuation under <a href="#">Medical Leave of Absence policy</a> )	Must be taken in a minimum increment of 4 hours per day, and in 30-minute intervals for time above 4 hours. A maximum of 40 hours can be used in a year.	Earned sick time will be tracked on the <i>Tracking Full-Time Officer Time-Off</i> worksheet.
<b>Part time officers of administration</b> including all officers whose standard hours are less than 35 hours per week, participate in the 9-month or 10-month employment program, or who have a full-time temporary assignment for less than 4 months.	40 hours per year	Must be taken in a minimum increment of 4 hours per day, and in 30-minute intervals for time above 4 hours. A maximum of 40 hours can be used in a year.	Earned sick time will be tracked on the <i>Part-Time Officer Time-Off</i> worksheet.
<b>Variable-hour officers</b>	1 hour for every 30 hours worked, up to a maximum of 40 hours in a year	Must be taken in 1-hour increments. A maximum of 40 hours can be used in a year.	Earned sick time will be tracked on the <i>Record of Hours Worked</i> timesheet.
<b>Full time non-union support staff</b> excluding casuals and student casuals	40 hours per year	Must be taken in 1-hour increments. A maximum of 40 hours can be used in a year.	Earned sick time will be tracked on the <i>Record of Hours Worked: Bi-weekly Support Staff</i> timesheet.
<b>Part time non-union support staff</b> excluding casuals and student casuals	40 hours per year	Must be taken in 1-hour increments. A maximum of 40 hours can be used in a year.	Earned sick time will be tracked on the <i>Record of Hours Worked: Bi-weekly Support Staff</i> timesheet.
<b>Casuals and student casuals</b>	1 hour for every 30 hours worked, up to a maximum of 40 hours in a year	Must be taken in 1-hour increments. A maximum of 40 hours can be used in a year.	Earned sick time will be tracked on the <i>Record of Hours Worked: Bi-Weekly Casual</i> timesheet.