



THE JOINT INDUSTRY BOARD OF THE ELECTRICAL INDUSTRY
JIB SERVICES LLC/JIB MEDICAL P.C.
EDUCATIONAL & CULTURAL TRUST FUND
PAID PERSONAL, SAFE AND SICK LEAVE POLICY

PURPOSE

The Joint Industry Board of the Electrical Industry recognizes that employees may occasionally need time off from work due to personal and/or family medical needs. This Personal, Safe and Sick Leave Policy applies only to full time, part time, seasonal, and temporary employees (excluding those employed by a Staffing Agency) who work more than 80 hours per calendar year in New York City *and* are not covered by a Collective Bargaining Agreement. If your employment is covered by a Collective Bargaining Agreement or a separate Employment Agreement, please refer to that Agreement for your leave benefits.

ACCRUAL AND AMOUNT OF PERSONAL, SAFE AND SICK LEAVE

Employees accrue paid and combined Personal, Safe and Sick leave as follows:

- All regular full-time employees shall accrue Personal, Safe and Sick leave from the date of hire for a combined total eight days (56:00 hours) workdays per calendar year, which shall mean the 12-month period from January 1 through December 31 (the "Calendar Year").
- Employees who work more than 80 hours per Calendar Year shall accrue Personal, Safe and Sick leave time from the date of hire at the rate of not less than one-hour for every 30 hours of actual work performed during the Calendar Year.
- At the beginning of each Calendar Year, employer shall front-load the Personal, Safe and Sick leave for eligible full-time employees provided you have completed the required 1680 hours of employment.
- There shall be no carryover of the balance of any unused Safe, Sick, or Personal Leave to the next Calendar Year for non-union staff.
- Eligible union employees shall be paid pursuant to their collective bargaining agreement for unused balance of an employee's prior Safe, Sick and/or Personal Leave, and shall receive payment at the beginning of the following Calendar Year.

PERMISSIBLE USE OF PAID PERSONAL, SAFE & SICK LEAVE

Personal, Safe and Sick leave may be used in accordance with the following provisions:

- If an employee's Personal, Safe and Sick Time is exhausted, vacation time and if applicable, birthday leave will be used in its place, if available.
- Personal/Safe/Sick Time may be used in fifteen minutes increment. Time shall be used as it is accrued.
- Personal/Sick Leave. An eligible employee shall be entitled to take personal or sick leave (a) for such employee's mental or physical illness, injury or health condition or need for medical diagnosis, care or



PAID PERSONAL, SAFE AND SICK LEAVE POLICY

treatment of a mental or physical illness, injury or health condition or need for preventive medical care; or (b) to 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; or (c) due to the closure of such 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 Leave.** An eligible employee shall be entitled to use safe time leave for absence from work due to any of the following reasons when the employee or a family member has been the victim of a family offense matter, sexual offense, stalking, or human trafficking: (a) 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; (b) 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 from future family offense matters, sexual offenses, stalking, or human trafficking; (c) to 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; (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 other actions necessary to maintain, improve, or restore the physical, psychological, or economic health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.
- If the employee is on paid or unpaid leave under the Federal Family and Medical Leave Act ("FMLA"), paid sick leave or paid vacation leave must be used initially as part of the FMLA leave and will run concurrently with FMLA.
- If the employee is eligible for leave under NYS Paid Family Leave or NYS Disability Benefits, additional information and forms are required and subject to final review by the Insurance Carrier. Duplication of benefits is not authorized.
- An employee who has a Personal or Sick leave absence in excess of three (3) consecutive workdays must present acceptable medical documentation for such absence and any continued absence, including, but not limited to, documentation by their health care provider attesting to the employee's, or their family member's, need for the amount of sick leave, or other proof permitted by law. Employer shall reimburse the employee for health care provider charges for the provision of documentation requested by their employer, such employer shall reimburse the employee for such fee.
- An employee who has a NYC Safe leave absence in excess of three (3) consecutive workdays must present acceptable documentation for such absence and any continued absence, which may include signed documentation which explains the need for such leave from a victim services agency, attorney,



PAID PERSONAL, SAFE AND SICK LEAVE POLICY

clergy member, or medical or professional services provider, a police or court record, or a notarized letter from the employee, or other proof permitted by law. Employer shall reimburse the employee for all reasonable costs or expenses incurred for the purpose of obtaining such documentation.

- Any of the above required documentation must be submitted no less than five (5) days after the employee returns to work. Your employer is not responsible for any cost(s) associated with an employee obtaining the required documentation. Failure to timely provide the required documentation to your employer may be treated as an unexcused absence and can result in disciplinary action.
- Unforeseeable Leave. If the employee requires leave unexpectedly due to personal or a family member's illness or as otherwise permitted by law, the employee should notify his or her immediate supervisor or the Director of Human Resources as soon as reasonably possible. Please refer to the JIB Employee Handbook's Call-in procedure.
- Advance Notice. If the employee's need for authorized leave is foreseeable, the employee must provide reasonable notice (no less than seven (7) calendar days) of the need for such foreseeable leave by contacting their immediate Supervisor/Manager and complete the required Leave Use form – see attached.

*"Family member" shall mean (i) an employee's child, spouse, domestic partner, parent, sibling, grandchild or grandparent (ii) the child or parent of an employee's spouse or domestic partner; (iii) any other individual related by blood to the employee; and (iv) any other individual whose close association with the employee is the equivalent of a family relationship. A "parent" further includes 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. A "child" further means a biological, adopted or foster child, a legal ward, or a child of an employee standing in *loco parentis*.

RATE OF PAY FOR SICK LEAVE AND LEAVE STATEMENT

- Compensation for using accrued personal and sick leave will be at the regular rate of pay at the time of use.
- Upon exhausting an employee's accrued Personal, Safe and/or Sick time, an employee shall use accrued vacation time unless the leave/condition is eligible for benefit under the NYS Disability Law Benefit for employees, in which case a separate eligibility review will be conducted upon submission of the required NYS Disability Claim Form.
- Employer shall provide a leave statement documentation each pay period with amounts of accrued and used leave and the total balance of accrued leave.

INTERACTION WITH NYS PAID SICK LEAVE LAW & NYC EARNED SAFE AND SICK TIME ACT

This policy satisfies all requirements under the New State Paid Sick Leave Law, New York City's Temporary Schedule Change Law, and New York City's Earned Safe and Sick Time Act. The paid time off benefits in this Policy is comparable or greater to the benefits required by law in the form of leave, compensation, or other benefits.