

ADMINISTRATIVE POLICY & PROCEDURE

Earned Paid Sick Time for Personal Care Assistants

Effective Date: July 1, 2017

Purpose:

The purpose of this document is to outline Ability360 Home Care Services' Earned Paid Sick Time Policy for Personal Care Assistants and to ensure compliance with applicable law.

Policy:

It is the policy of Ability360 Home Care Services' to provide Personal Care Assistants with accrual and use of Earned Paid Sick Time ("Sick Time") without loss of pay or benefits according to policy and procedures and applicable law.

Procedures:

Personal Care Assistants hired before July 1, 2017 will be able to use accrued Sick Time immediately. Personal Care Assistants hired on or after July 1, 2017 are eligible to use accrued Sick Time after they have completed their new hire period, which is the first 90 days of continuous employment.

Available accrued Sick Time is paid at the Employee's current base hourly rate and can be used in increments of 15 minutes.

The amount of accrued Sick Time available to the employee, the amount of sick time taken by the employee to date in the year, and the amount of pay the employee has received as Sick Time will be recorded in, or on an attachment to, the employee's regular paycheck.

Sick Time may be used for all reasons allowed under state and federal law including without limitation, short-term illnesses, medical appointments, the employee's own physical or mental illness, to care for the employee's family member who has a physical or mental illness, a public health emergency, and to ameliorate the effects of domestic violence, sexual violence or stalking of the employee or employee's family member, or any individual whose close association with the employee is the equivalent of a family member.

Accrual Rates:

Personal Care Assistants will earn Sick Time based on the number of hours worked. Effective July 1, 2017 Personal Care Assistants will earn one hour of Sick Time for every 30 hours worked, up to 40 hours of Sick Time per accrual year. The accrual year is based on employee's hire date.

Personal Care Assistants may accrue a maximum of 40 hours of paid Sick Time a year and may use up to 40 hours of paid Sick Time a year.

Sick Time accrual will be recorded in compliance with applicable law. Unused sick time will be recorded per U.S. Generally Accepted Accounting Principles.

Personal Care Assistants may not use Sick Time for periods they are not scheduled to work. Personal Care Assistants may not use Sick Time for unpaid leaves of absence. Personal Care Assistants will not earn Sick Time for unpaid periods of time.

Sick Time Rollover:

Personal Care Assistants will not lose unused accrued Sick Time. All unused accrued sick Time will be rolled over on the first day of the pay period following the employee's anniversary date. However, employees are not permitted to use more than 40 hours of Sick Time a year, regardless of the amount of accrued Sick Time available.

Sick Time Payout:

At separation from Ability360 Home Care Services, employees will not be paid for any remaining accrued Sick Time balance.

If an employee is rehired within nine (9) months of separation, the employee's unused accrued Sick Time will be reinstated and the employee can use that balance immediately upon rehire.

Management Discretion to Send an Employee home:

Management may send a Personal Care Assistant home or cancel their work schedule for the day if the employee arrives for their assigned schedule ill or based upon a reasonable belief and objective criteria appears to be ill or develops/exhibits an illness or medical condition while working, which in the judgment of Management impairs the ability of the employee to perform the essential functions of his/her job and/or which creates a direct threat to the health or physical safety of coworkers, consumers, or the public. Employees may use, or be required to use, accrued Sick Time, if available, for income replacement if sent home for the day.

Earned Paid Sick Time Requests:

Sick Time may be requested in increments of 15 minutes.

When the use of accrued Sick Time is foreseeable, the employee must request the Sick Time in advance and must make a reasonable effort to schedule the use of Sick Time in a manner that does not unduly disrupt the care of the consumer. When sick time is not foreseeable, the employee must give at least 3 hours advance notice before your scheduled shift. Management will not count paid Sick Time as a cause for action that leads to any form of discipline or retaliation. However, Management will document date and time and circumstances of an employee's Sick Time requests.

For any Sick Time of three or more consecutive days, the employee must provide reasonable documentation that the Sick Time has been used for the purposes described in this policy.

In cases of illness, medical procedure or injury that caused an employee to be out of work for three consecutive days, Ability360 Home Care Services will request documentation from a health care professional indicating that Sick Time is/was necessary. If employee requests Sick Time for their own illness or medical procedure the employee must provide documentation from a healthcare professional that the employee may return to work. For Sick Time not related to a medical event, Ability360 Home Care Services may request a signed statement from the employee, a witness, an attorney, domestic violence or other assistance program, a police report, a protective order or other reasonable documentation. Ability360 Home Care Services will not require employees to disclose details of the health condition of the employee or their family or any details relating to domestic violence, sexual violence, abuse, or stalking.