



YESHIVA UNIVERSITY'S SICK LEAVE POLICY

Yeshiva University is in compliance with the New York City (NYC) Earned Safe and Sick Time Act (Paid Safe and Sick Leave Law) which requires employers to provide the following notice to all current employees, as well as new employees at the commencement of their employment: [Notice of Employee Rights](#)

Yeshiva University currently has a generous sick leave policy; however, under NYC's Earned Safe and Sick Time Act, employees can now use up to forty (40) hours for the reasons described below. An employee's use of paid safe and sick time under this Law automatically runs concurrently with use of paid sick time under any other applicable University policies. Anything beyond forty (40) hours is subject to the requirements under the University's sick leave policies.

This law requires that all eligible faculty and staff (who work more than 80 hours within a calendar year and 120 days after the commencement of employment) have the ability to accrue up to a maximum of 40 hours per calendar year in paid safe and sick time, which can be used for:

1. An 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.
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 preventative medical care. Family members are defined under the Act as an employee's child, spouse, domestic partner, parent, sibling, grandchild, grandparent, or the child or parent of an employee's spouse or domestic partner.
3. 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.
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, relocate, enroll a child in a new school or take 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.

Who is governed by this Policy?

All Yeshiva University employees who work in New York City, and who work more than 80 hours within a calendar year (January 1 – December 31).

Exclusions:

This policy does not apply to individuals excluded by the Act, such as employees who work fewer than 80 hours per calendar year; individuals covered by a collective bargaining agreement, i.e. SEIU1199. (The amended law will apply when the collective bargaining agreement (CBA) terminates. Once the CBA terminates, or a new CBA is executed, the law will apply to CBA-covered employees unless the CBA expressly waives the law's requirements and provides employees a comparable benefit in the form of paid days off.); students who work under Federal Work Study programs; and, individuals for hours worked by or through qualified scholarships.

Notice Requirements:

For safe and sick leave time that is foreseeable (i.e. medical, dental, court appointments or any other schedule service that applies under the law) must be requested, in advance, with your supervisor or department at least seven (7) days in advance. If the need is unforeseeable, the University requests that employees give notice as soon as practicable.

Documentation:

For absences of more than three consecutive work days under this policy, the University requires:

- Employees who use sick leave must provide medical documentation signed by a licensed health care provider or reasonable documentation for instance of sick leave usage.
- Employees who use safe leave must provide reasonable documentation by a signed agent of an organization, through which the employee received assistance; a

member of the clergy, or an attorney; or, a notarized letter from the employee explaining the need for the use of a safe leave.

The University cannot require an employee or an employee's health care provider to disclose details of the employee's or employee's family member's injury, illness, or condition that required the use of safe or sick leave, except as required by law, i.e. FMLA

Accruals:

Employees begin to accrue safe and sick leave on their first day of employment. Employees who were not previously eligible to accrue leave, including student employees, temporary employees and adjunct faculty members, will now accrue safe and sick leave time at the rate of 1 hour for every 30 hours worked, up to a maximum of 40 hours of safe and sick leave per calendar year. All other employees will continue to accrue sick leave (now including safe leave) time at the rate of one day per month, up to a maximum of 130 days. Part-time employees who are eligible to accrue safe and sick leave will accrue leave time on a pro-rated basis. Earned and unused safe and sick leave time will carry over from one calendar year to the next, in accordance with applicable law. However, no more than 40 hours of safe and sick leave can be used in any given calendar year for the reasons illustrated above. Please note that for most employee classifications the University's existing sick leave policies are more generous than that required under the new law.

Eligible employees may begin using:

- Sick leave 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).
- Safe leave time on May 5, 2018 or 180 days after they begin employment, whichever is later.

Termination of Employment:

Any accrued but unused safe or sick leave time under this policy will not be paid out upon termination. Terminated employees are not entitled to a reimbursement of unused accrued safe or sick time.

Retaliation:

The University cannot retaliate against employees for requesting or using safe or sick leave.

Record Keeping:

University departments must keep and maintain records documenting the safe and sick leave reasons, forty hours (40) in compliance with the law, for at least three years. For Kronos users, please use the pay code, 'Sick Family' when using sick leave for the reasons noted in number 2 above. Academic areas that are not using the Kronos must track

(manually or otherwise) the accrual and use of sick leave reasons, under this law, for all faculty (including adjunct) who meet the eligibility requirements.

All safe and sick leave related information must be kept confidential unless the employee permits the University to disclose their information or disclosure is required by law. All records must be made available to the New York City Department of Consumer Affairs upon notice.