

Paid Sick Time Policy for Part-Time, Temporary, and Seasonal Employees Effective January 1, 2022

SCOPE AND ELIGIBILITY

This Paid Sick Time (PST) Policy generally applies to part-time, temporary and seasonal employees of the Company who are not eligible to participate in the Company's PTO policy. Employees will receive Paid Sick Time ("PST") as set forth below. The benefit "year" for purposes of Policy is January 1 to December 31.

PURPOSE

PST may be used under this Policy for the following reasons:

- An employee's existing health condition including a mental or physical illness, injury, or health condition; to allow an employee to obtain medical diagnosis, care, or treatment for the same; or for an employee's need for preventive medical care or routine medical appointments, including dental visits;
- To allow an employee to care for his/her family member with an existing health condition including a mental or physical illness, injury, or health condition; to allow an employee's family member to obtain medical diagnosis, care, or treatment for the same; or for an employee's family member who needs preventive medical care or routine medical appointments, including as described in the bullet above;
- The employee's place of business has been closed by order of a public official due to a public health emergency; to allow the employee to care for a child whose school or childcare provider has been closed for any of those same reasons, or for school or business closures as required by the individual paid sick leave jurisdiction;
- When health authorities or a health care provider determines employee's or their family member's presence in the community would jeopardize others' health because of the individual's exposure to a communicable disease, whether or not the individual actually contracted the communicable disease;
- An employee who is a victim or has a family member or dependent who is a victim of domestic violence, harassment, sexual assault, sexual abuse, or stalking, and needs time off to seek legal or law enforcement assistance for the employee or the employee's family member or dependent, or to attend to the following: treatment

by a health care provider, social services, victim services provider, counseling, safety planning, relocation, or other actions to increase safety for the employee or the employee's family member or dependent; or

• Other reasons required by a jurisdiction with a mandated paid sick leave law if an employee is scheduled to work in that jurisdiction.¹

Family Member. For purposes of this Policy, Family Member means the employee's spouse, domestic partner or equivalent designation, child, parent, sibling, grandparent, grandchild, or any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, and for any other "family member" identified by applicable law.

Designated Person. A family member also includes a "designated person" as follows:

- In San Francisco, Oakland, Berkeley, or Emeryville a family member also includes a "designated person." If an eligible employee who works in San Francisco, Oakland, Berkeley, or Emeryville does not have a spouse or registered domestic partner, the employee may designate one person as to whom the employee wishes to use PST under this Policy to aid or care for that person.
- Eligible employees working in California may designate one person for whom the employee wishes to use their available PST, at the time the employee requests to use PST. Employees are limited to having one designated person per 12-month period.
- Effective, January 1, 2024, employees working in Minnesota may annually designate one individual for whom the employee wishes to use PST.

This Policy is intended to meet or exceed the requirements of all relevant federal, state, county and local laws and regulations. In the event that any provision of this Policy conflicts with applicable laws and regulations, the applicable laws and regulations will govern.

POLICY

ACCRUAL AND CARRYOVER OF PST

Eligible employees will accrue paid sick time at the rate of 1 hour for every 30 hours worked up to a maximum bank of eighty (80) hours of PST, except if a higher accrual is required by individual sick leave jurisdictions. Once the maximum bank has been accrued, no further PST will accrue until previously accrued PST is used. Non-exempt employees will accrue PST on all hours actually worked. Exempt employees will accrue PST based on a 40 hour work week, unless their normal

¹ For eligible employees covered by Maine's Mandatory Paid Leave Law, PST can be used for any reason. For eligible employees covered by Nevada's Mandatory Paid Leave Law, PST can be used for any reason.

workweek is shorter. Accrued PST may be carried over from year to year, up to a maximum carryover amount of eighty (80) hours.²

REQUESTING LEAVE UNDER THIS POLICY

PST taken under this Policy may be used in an initial increment of one hour or in the smallest increment used by the payroll system, whichever is smaller, to cover all or just part of a work day. The rate of pay for PST taken under this Policy will be calculated in accordance with applicable law.

If the need to use PST under this Policy is foreseeable, the following applies:

Location	Foreseeable Absences
 Oregon Washington D.C. State of Washington (including Seattle and Tacoma) 	If the need to use PST under this Policy is foreseeable, the employee must provide at least 10 days advance notice – either orally or in writing – to their supervisor of the need to be absent for a PST covered reason or, if 10 days advance notice is not possible, then the employee must provide notice as early as practicable/possible.
 Allegheny County, PA Illinois (including Chicago and Cook County) Maryland Massachusetts Minnesota (including Bloomington, Duluth, Minneapolis, and St. Paul) New Jersey 	If the need to use PST under this Policy is foreseeable, the employee must provide at least 7 days advance notice – either orally or in writing – to their supervisor of the need to be absent for a PST covered reason or, if 7 days advance notice is not possible, then the employee must provide notice as early as practicable/possible.

² Eligible employees who work in Montgomery County, Maryland, the state of New York, and Washington D.C. may have a maximum bank of 112 hours. For eligible employees who work in Duluth, Minnesota, they may have a maximum bank of 144 hours. Eligible employees who work in Cook County may have a maximum bank of 100 hours. Eligible employees who work in Chicago may carryover 80 hours of PST from year to year and may have a maximum bank of 120 hours of PST. Eligible employees who work in Tacoma and Washington will not have a maximum bank, but carryover will be limited to 40 hours of PST from year to year. Eligible employees who work in Seattle will not have a maximum bank, but carryover will be limited to 72 hours of PST from year to year.

New MexicoPittsburgh, PA	
• All other jurisdictions ³	If the need to use PST under this Policy is foreseeable, an employee must provide reasonable advance notice – either orally or in writing – to their supervisor of the need to be absent for a PST covered reason.

If the need to use PST under this Policy is unforeseeable, an employee must provide notice – either orally or in writing – to their supervisor of the need to be absent for a PST covered reason as soon as practicable/possible.

In all circumstances, an employee is responsible for specifying that the time off is for PST reasons, so that the absence may be designated as a PST absence. Failure to obtain approval as soon as possible after determining the need to take PST may result in discipline.

Employees using PST under this Policy are not required to search for or find a replacement employee to cover the periods of time in which they are absent from work using PST under this Policy.

Location	
 New Mexico 	If PST is used for two or more consecutive workdays the Company may require that the employee provide certification that the PST was used for a covered purpose.
 Allegheny County, PA Arizona Connecticut District of Columbia Maryland 	If PST is used for three or more consecutive workdays, the Company may require that the employee provide certification that the PST was used for a covered purpose.

VERIFICATION/CERTIFICATION OF ABSENCES & DISCIPLINE

³ For employee who work in Maine, the Company requires they may be required to provide 4 weeks notice of planned vacations, etc. when using time under this policy. For employees who work in Nevada, for planned/foreseeable absences, they should provide between 3 to 5 days advance notice.

•	New Jersey Philadelphia, PA Pittsburgh, PA	
	Colorado Chicago Cook County Maine Minnesota (including, Bloomington, Duluth Minneapolis and St. Paul) Montgomery County, MD New York City New York State Oregon Rhode Island Seattle Tacoma Washington	If PST is used for more than three consecutive workdays, the Company may require that the employee provide certification that the PST was used for a covered purpose.
•	Massachusetts	 When the use of PST covers more than 24 consecutively scheduled work hours and/or: Exceeds 3 consecutive days on which the employee was scheduled to work Occurs within 2 weeks before the employee's final scheduled work day employment ends (unless a temporary employee) Occurs after 4 unforeseeable and undocumented absences within a 3-month period For employees aged 17 and under, occurs after 3 unforeseeable and undocumented absences within a 3-month period.

For employees who work in jurisdictions not identified above, the Company reserves the right to request such verification/certification to the extent allowed by applicable law and consistent with its customary procedures for doing so.

Depending on the circumstances, verification may include a doctor's note (for the employee's own or family member's health condition); closure order for a school, business, childcare provider, or

place of care; police report, court document, or court order of protection (indicating domestic violence, stalking, etc.); and/or other verification as permitted by applicable law. Any verification information requested by the Company should be submitted via email to Human Resources, and not to an employee's manager.

Discipline – up to and including termination – may be taken against an employee who uses PST for a purpose not covered by, or in a manner not consistent with, applicable paid sick and safe time law. In addition, discipline – up to and including termination – may be taken against an employee that violates this policy's requirements concerning requesting, using, recording, verifying, and/or documenting use of PST.

INTEGRATION WITH OTHER BENEFITS

It is the employee's responsibility to apply for any applicable benefits for which the employee may be eligible as a result of the illness or disability. An employee's PST benefits will be fully integrated with other benefits available to the employee, as permitted by applicable law.

SEPARATION FROM EMPLOYMENT & REHIRE

An employee who separates from employment with the Company will not be paid out unused PST at separation. If an employee is rehired, the Company will reinstate unused PST as required by applicable state or local law.

NO RETALIATION/DISCRIMINATION

Employees may request and use PST under this Policy without fear of retaliation or discrimination, which Company policy prohibits.

OTHER JURISDICTION-SPECIFIC INFORMATION

<u>Colorado</u>

For those employees working in Colorado, the following applies.

Public Health Emergency Leave

In addition to the PST described above, for employees who work in Colorado only, the Company will provide employees with PHEL in accordance with the terms below.

For purposes of this policy, a "public health emergency" is:

- An act of bioterrorism, a pandemic influenza or an epidemic caused by a novel and highly fatal infectious agent, for which:
 - An emergency is declared by a federal, state or local public health agency; or
 - A disaster emergency is declared by the governor; or
- A highly infectious illness or agent with epidemic or pandemic potential for which a disaster emergency is declared by the Governor.

Employees may be provided supplemental PHEL if they do not have access to sufficient PST at the time that the public health emergency is declared. The Company will provide eligible employees with supplemental PHEL on the date a public health emergency is declared, if needed, to ensure that the employee has at least eighty (80) hours of paid leave available to be used as PHEL. Employees who normally work forty or more hours in a week shall have access to up to 80 hours of total paid leave (inclusive of the Paid Sick Time). Employees who normally work fewer than 40 hours per week shall have access to paid leave equaling the greater of the number of hours the employee (a) is scheduled for work or paid leave in the 14-day period after the leave request, or (b) actually worked in the 14-day period prior to the declaration of the public health emergency or the leave request, whichever is greater.

From the declaration of a public health emergency until four weeks after the official termination or suspension of the emergency declaration, PHEL can be used for any of the following reasons:

- To self-isolate and care for oneself or a family member who is self-isolating because the employee or family member is diagnosed with, or experiencing symptoms of, a communicable illness that is the cause of a public health emergency;
- To seek or obtain for oneself or care for a family member who needs a medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency;
- To seek for oneself or a family member preventive care concerning a communicable illness that is the cause of a public health emergency;
- An employee is unable to work because the employee has a health condition that may increase susceptibility to or risk of communicable illness that is the cause of the public health emergency;
- Either the Company or a public health authority with appropriate jurisdiction determines that an employee's presence on the job or in the community would jeopardize the health of others because of the individual's exposure to a communicable illness that is the cause of a public health emergency or because the individual is exhibiting symptoms of such a communicable illness, regardless of whether the individual has been diagnosed with the illness;
- To care for a family member after either the family member's employer or a public health authority with appropriate authority determines that the family member's presence on the job or in the community would jeopardize the health of others because of the family member's exposure to a communicable illness that is the cause of a public health emergency or because the family member is exhibiting symptoms of such a communicable illness, regardless of whether the family member has been diagnosed with the illness;
- To care for a child or other family member when their child care provider is unavailable due to a public health emergency or their school or place of care has been closed due to a public health emergency (including when the school or place of care is physically closed but providing instruction remotely).

PHEL will become available on the date a public health emergency is declared and will remain available until four weeks after the official termination or suspension of the public health emergency. Employees are only eligible for these amounts of PHEL one time during the entirety of a public health emergency (even if the public health emergency is extended, amended, restated or prolonged).

When the need for PHEL is foreseeable and the workplace has not been closed, employees must notify the Company of the need for PHEL as soon as practicable. To provide notice of the need to use PHEL, employees should contact their Human Resources representative.

Employee Records Requests

Upon an employee's request, the Company will provide (in writing or electronically) documentation indicating the current amount of PST and/or PHEL available for use and the amount of such leave already used during the current calendar. Employees will be allowed to make one such request per month, except they may make an additional request when any need for PST or PHEL arises.

<u>Illinois</u>

Effective January 1, 2024, eligible employees are covered by the Paid Leave for All Workers Act if they perform work in Illinois for the Company but are not covered by either the Chicago Paid Sick Leave Ordinance or the Cook County Earned Sick Leave Ordinance ("Illinois Employees"). In lieu of the reasons for use identified in the Company's Paid Sick Time policy, Illinois employees can use their paid sick time for any reason, as Illinois Paid Leave.

<u>Minnesota</u>

Effective January 1, 2024, for those employees working in the State of Minnesota the applicable notice of employee rights and remedies is attached.

For those employees working in Bloomington, Minneapolis, or St. Paul, the applicable notice of employee rights and remedies is attached.

Montgomery County, Maryland

For those employees working in Montgomery County, Maryland, a copy of the Montgomery County notice is attached.

<u>New York City</u>

For those employees working in New York City, the Company will not ask the employee to provide details about the medical condition that led the employee to use sick leave a health-related reason, or the personal situation that led the employee to use sick leave for absences due to domestic violence, a family offense matter, sexual offense, stalking or human trafficking. Any information the Company receives about the employee's use of sick leave will be kept confidential

and will not be disclosed to anyone without the employee's permission or as required by law.for a reasonable accommodation for a victim of domestic violence, stalking or a sex offense.

Philadelphia

For those employees working in Philadelphia, a copy of the Philadelphia poster is attached.

<u>Seattle</u>

For those employees working in Seattle, the Company is a Tier 3 employer (with 250 or more employees). In addition, employees who take PST will be paid their normal hourly rate. Employees will be able to determine the amount of PST available for use by reviewing their paystubs, which will include the available amount of PST.

In addition to the reasons stated above, employees in Seattle may use PST if the Company reduces operations or closes for a health or safety-related reason.

In Seattle, for safe time absences, a "family or household member" includes children, spouses, domestic partners, parents, parents-in-law, stepparents, stepchildren, grandparents, grandchildren; former spouses, former domestic partners, persons who have a child in common (regardless of whether they have been married or lived together); any adult person related to the employee by blood or marriage and any person with whom the employee has a current or former dating or cohabitation relationship. A "parent" includes a biological or adoptive parent, or an individual who stood in loco parentis to an employee when the employee was a child. A "child" for purposes of Safe Time related to domestic violence means a biological, adopted, foster or step child, a legal ward or a child of a person standing in loco parentis who is under 18 years of age or is 18 or older but is incapable of self-care because of a mental or physical disability. For purposes of Safe Time for health-related closures, a "child" means a biological child, adopted child, foster child, stepchild or a child to whom an employee stands in loco parentis, is a legal guardian or is a de facto parent, regardless of age or dependency status.

If the Company requests verification/certification of an absence, employees must submit any required documentation within ten calendar days following the first day of PST. For employees using PTO for a PST covered reason related to the employee's or family member's status as a victim of domestic violence, sexual assault or stalking, employees must provide the requested verification in a timely manner after the Company requests it. If an employee anticipates that providing required verification will create an unreasonable burden or expense, the employee can provide a written or verbal explanation to the Company, which asserts that the use of PTO for a PST covered reasons was for an authorized purpose and explains how compliance with the verification request creates an unreasonable burden or expense on the employee. Within ten (10) calendar days of the employee providing an explanation to the Company, the Company will make a reasonable effort to identify and provide alternatives for the employee to meet the verification

requirement in a manner which does not result in unreasonable burden or expense on the employee.

Washington

For those employees working in the state of Washington, the Company will notify employees at least monthly of the amount of PST accrued since the last notification, the amount reduced since the last notification, and the amount of leave available for use.

In addition, for absences related to the employee's or family member's status as a victim of domestic violence, sexual assault or stalking, "family member" also includes an individual with whom the employee has a dating relationship.

If the Company requests verification/certification of an absence, employees must submit any required documentation within ten calendar days following the first day of PST. For employees using paid PTO for a PST reason related to the employee's or family member's status as a victim of domestic violence, sexual assault or stalking, employees must provide the requested verification in a timely manner after the Company requests it. If an employee anticipates that providing required documentation will create an unreasonable burden, the employee can provide an oral or written explanation to the Company, which asserts that the use of PTO for a PST covered reason was for an authorized purpose and explains why the requested verification creates an unreasonable burden or expense for the employee. Within ten calendar days of the employee providing an explanation to the Company, the Company will make a reasonable effort to identify and provide alternatives for the employee to meet the verification requirement in a manner that does not result in unreasonable burden or expense on the employee.

Paid Safe Leave (Westchester County)

The Company provides eligible employees with paid safe leave in accordance with the requirements of the Westchester County Safe Time Leave Law ("STLL").

Eligibility

All employees (including full-time and part-time) who are hired to work in Westchester County, New York for more than 90 days in a calendar year are eligible for paid safe leave in accordance with this policy.

Eligible employees do not include: (i) employees hired to work less than 90 days in a calendar year in Westchester County, New York; (ii) participants in a work experience program established by a social services district; (ii) individuals performing work pursuant to a federal work study program; or (iii) individuals compensated by or through qualified scholarships.

Use of Safe Leave

Eligible employees who are victims of domestic violence or human trafficking (as defined by applicable law) may take up to 40 hours of paid safe leave in any calendar year in order to:

- Attend or testify in criminal or civil court proceedings related to domestic violence or human trafficking; or
- Move to a safe location.

Paid safe leave may not be used as additional vacations days or to extend employment or to delay a termination date. An employee who uses safe leave for purposes other than those permitted by this policy will be subject to disciplinary action, up to and including termination from employment.

Paid safe leave may be used in full or partial day increments.

Employees are not required to search for or find a replacement worker to cover the hours during which they are using safe leave.

The Company does not offer pay in lieu of actual safe leave.

Requesting Safe Leave/Documentation

When the need for paid safe leave is foreseeable, employees must make a good faith effort to provide advance notice of the need to use it. When possible, the employee's request must include the expected duration of the employee's absence. Employees must also make a reasonable effort to schedule leave in a manner that does not unduly disrupt the Company's operations. To provide notice of the need to use safe leave, employees should report off to their immediate supervisor by phone or other method if so directed by the supervisor.

The Company may require employees to provide reasonable documentation that leave was used for a covered purpose. Such documentation may include any of the following:

- A court appearance ticket or subpoena;
- A copy of a police report;
- An affidavit from an attorney involved in the court proceeding relating to the issue of domestic violence and/or human trafficking; or
- An affidavit from an authorized person from a reputable organization known to provide assistance to victims of domestic violence and human trafficking.

The Company will not count employees' use of safe leave in compliance with this policy as an absence when evaluating absenteeism. Therefore, any such use of safe leave will not lead to or result in discipline, discharge, demotion, or suspension.

Rate of Pay

Safe leave is paid based on the employee's normal hourly pay rate in effect at the time the safe leave is taken and will not be less than the New York State minimum wage. Safe time is not considered time worked for the purpose of calculating overtime for the week in which the safe time was taken. Employees will not receive overtime pay for safe leave.

Confidentiality

The Company will keep confidential information about an employee that is obtained solely for the purpose of using safe leave and will not disclose such information except with the written permission of the affected employee or as otherwise required by law.

Effect on Other Rights and Policies

Employees who are the victims of domestic violence or human trafficking may be entitled to additional leave under certain federal, state and/or local laws. Paid safe leave provided in accordance with this policy is in addition to and does not run concurrently with paid sick leave provided in accordance with the Company's Paid Sick Leave (Westchester County) policy or Westchester County's Earned Sick Leave Law. In certain situations, leave under this policy may run at the same time as leave available under another federal, state or local law, provided eligibility requirements for that law are met. The Company is committed to complying with all applicable laws. Employees should contact their Human Resources representative for information about other federal, state and municipal leave and accommodation rights.

Employees who are the victims of domestic violence may also be entitled to reasonable accommodations under the Company's reasonable accommodation policies or applicable law and should consult Human Resources for additional information.

Integration with Other Benefits

If an employee elects to integrate paid safe leave with other paid benefits (such as temporary disability insurance or paid family leave insurance), the Company will integrate all paid benefits such that an employee will not be paid more than his or her regular compensation at any time.

Retaliation

Employees have the right to request and use safe leave. The Company will not take retaliatory personnel action, discriminate or tolerate discrimination or retaliation, against any employee who seeks or obtains safe leave under this policy or who makes a good faith complaint about a possible violation of the SLL or this policy or who communicates with any person about such a violation. The Company will not interfere with or punish an employee for participating in or assisting with an investigation, proceeding or hearing under the SLL. In addition, the Company will not retaliate or discriminate against an employee for informing others of their rights under the SLL.

Promoting Healthy Families and Workplaces

Chapter 9-4100 Effective May 13 2015

Requires Paid or Unpaid Leave

Examples of violations include:

Denied use of paid or unpaid sick leave; Not tracking accrual of sick leave; Not notifying employees of this benefit; Not allowing to carry over sick leave each year;

Requiring a note for two days or less; Not accepting a reasonable note; Requiring a worker to find coverage; Requiring a worker to make up hours; And not allowing sick leave for sexual assault or domestic abuse.

Employees exempted from this law:

Hired to work 6 months or less Hired for a 16 week period/ seasonal worker Independent contractor/ 1099 tax form Covered by a collective bargaining agreement Adjunct professor Pool employee or Per Diem Student intern

If you believe you have been misclassified contact our office.

Employer requirements:

Employees will earn 1 hour of sick leave for every 40 hours of work, which may be limited to 40 hours each year.

The employer will keep records of sick leave accrual and use for all employees for **2 years**.

The employer will notify all employees of their right to this benefit.

The employer will provide **unpaid** sick leave for 9 or less employees.

The employer will provide **paid** sick leave for 10 or more employees at the regular rate of pay.

The employer will allow unused sick leave time to carry over from one year to the next year or front load.

The employer will provide earned unpaid sick leave once the employee has exhausted paid sick leave.

Retaliation is prohibited under this law.

To The Alter State

The Office of Benefits and Wage Compliance 215.686.0802 paidsickleave@phila.gov

Employers Request compliance assistance by contacting the Office of Benefits and Wage Compliance Employees File a complaint by contacting the Office of Benefits and Wage Compliance

Finc

Montgomery County, Maryland EARNED SICK AND SAFE LEAVE LAW

Montgomery County Code Chapter 27 Human Rights and Civil Liberties, Article XIII

EFFECTIVE OCTOBER 1, 2016

How is Earned Sick and Safe Leave Accrued?

An employee must accrue paid leave before accruing unpaid leave in a calendar year. Paid earned sick and safe leave must accrue at a rate of at least 1 hour for every 30 hours an employee works in the County.

An employer with FEWER THAN 5 EMPLOYEES:

- Must provide each employee with both paid and unpaid sick and safe leave for work performed in the County.
- Must not be required to allow an employee to:
- Earn more than 32 hours of paid earned sick and safe leave and 24 hours of unpaid earned sick and safe leave in a calendar year; or
- Use more than 80 hours of earned sick and safe leave in a calendar year.

An employer with <u>5 OR MORE EMPLOYEES</u> must not be required to allow an employee to:

- ✓ Earn more than 56 hours of earned sick and safe leave in a calendar year; or
- ✓ Use more than 80 hours of earned sick and safe leave in a calendar year.

Permitted Uses of Earned Sick and Safe Leave:

- To care for or treat the employee's own illness (mental or physical), injury, or health condition.
- ✓ To obtain preventative medical care for the employee or their family member.
- To take care of a family member with an illness (physical or mental), injury, or health condition.
- When the employee's place of business or when the employee's family member's school or child care center has been closed by order of a public official due to a public health emergency.
- To care for a family member if a health official or health care provider determined the family member's presence in the community, due to exposure to a communicable disease, would jeopardize the health of others.
- Due to domestic violence, sexual assault, or stalking against the employee or the employee's family member. Leave must be used for medical attention, services from a victim services organization, legal services, or during the time that the employee has temporarily relocated.
- For the birth of a child or for the placement of a child with the employee for adoption or foster care.
- To care for a newborn, newly adopted, or newly placed child within one year for a newborn or adoption or placement.

An employer may not retaliate against an employee for exercising the rights granted by the Sick and Safe Leave Article.



Final

If you think you have been subjected to a violation of any rights granted by the Earned Sick and Safe Leave Article, please contact: Montgomery County Office of Human Rights 21 Maryland Avenue, Suite 330, Rockville, Maryland, 20850 240-777-8450, www.montgomerycountymd.gov/humanrights

