

Sick and Safe Time Leave Policy

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Policy owner: Chief Human Resources Officer

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SECTION I. PURPOSE

This policy describes the University's practices for providing sick and safe time leave in accordance with state law and Minneapolis and St. Paul city ordinances.

SECTION II. SCOPE AND APPLICABILITY

This policy governs all faculty, staff and student workers, including temporary staff and on-call staff.

SECTION III. DEFINITIONS

- a. ***Sick and safe time leave*** is paid time off work that can be used for:
 1. the employee's own illness, injury or health condition, or medical appointments (e.g. the flu; strep throat; treatment of a chronic condition; hospitalization; a mental health crisis; and significant distress associated with a traumatic event, including identity-based trauma);
 2. an illness, injury or health condition of, or medical appointments for a member of employee's family or household;
 3. time off occasioned by domestic abuse, sexual assault or stalking (e.g., absences required for medical attention, obtaining victim services or counseling, relocation or securing an existing home, or legal process) for the employee, a member of the employee's family or household or a person with a close association equivalent to a family relationship;
 4. the need to make arrangements for or attend funeral services or a memorial or address financial or legal matters that arise after the death of a family member;
 5. workplace closure due to weather or public emergency or the employee's need to care for a family member whose school or place of care is closed for such reasons;
 6. when there is a public emergency, the employee is unable to work or telework due to employer restrictions relating to possible transmission of a communicable disease or because the employee is seeking or awaiting a diagnosis due to exposure or employer request;
 7. when determined by a health authority or health care professional that an employee or their family member is at risk of infecting others with a communicable disease; or
 8. to supplement pay during a Minnesota Paid Family & Medical Leave (PFML) (applicable only to regular exempt (salaried) staff and regular faculty).
- b. ***Family member***, for purposes of this policy, is an employee's:
 1. child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis;
 2. spouse or registered domestic partner;
 3. sibling, stepsibling, or foster sibling;

4. biological, adoptive, or foster parent, stepparent, or a person who stood in loco parentis when the employee was a minor child;
5. grandchild, foster grandchild, or stepgrandchild;
6. grandparent or stepgrandparent;
7. a child of a sibling of the employee;
8. a sibling of the parents of the employee;
9. a child-in-law or sibling-in-law;
10. any of the family members listed above of a spouse or registered domestic partner;
11. any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and up to one individual annually designated by the employee.

SECTION IV. GENERAL PROVISIONS APPLICABLE TO ALL EMPLOYEES

A. Notice

Employees must notify their supervisor about their need for sick and safe time leave at least seven (7) days prior to the absence, when the date of absence is known, or as soon as possible when the absence is not planned or anticipated. Employees are expected to take reasonable measures to minimize the impact of their absences on their students, co-workers and departments, including, when possible, scheduling planned medical appointments at times of the day that minimize disruption and that do not conflict with classes or regularly scheduled meetings.

B. No Monetary Value

Sick and safe time has no monetary value and unused sick and safe time is not paid out when employment ends.

C. Impact on Other Leaves

Sick and safe time will run concurrently with other available forms of leave for which the employee may be eligible, such as Family Medical Leave Act (FMLA) leave and PFML.

D. Absences of More than Three Days

The Benefits Office may require reasonable documentation of the need for sick and safe time leave of more than three (3) consecutive scheduled work days. Reasonable documentation may consist of a signed statement from a health care professional or the employee's written statement if a signed statement from a health care professional cannot reasonably be obtained. Other forms of documentation as defined by applicable sick and safe time laws will also be permitted.

E. No Retaliation; Complaints

St. Thomas prohibits retaliation against employees for requesting or using sick and safe time in good faith (or otherwise exercising their sick and safe time rights under the law) and in accordance with this policy. Any concerns about retaliation or improperly denied time should be addressed to Human Resources. If an employee believes they have been retaliated against or improperly denied earned sick and safe time, they can file a complaint with the Minnesota Department of Labor and Industry (and/or applicable city department) or a civil action.

F. Other Provisions

1. **Notice to Employees.** St. Thomas will provide employees with notice of their sick and safe time rights and status as required by applicable law.
2. **Employee Transfer or Separation.** Except as further provided below, employees who have been transferred to another position will retain their accrued but unused sick and safe time. Employees who have been rehired within 180 days of separation (and who have not been paid out for such leave) will retain their previous accrued but unused sick and safe time. Retention of sick and safe time is not available to non-exempt employees who are paid out PLT at the time of termination or who elect a payout of PLT at the time they transfer to a new position/classification that is not eligible for PLT.
3. **Rate of Pay, Benefits.** Sick and safe time will be paid at the employee's standard/base rate of pay (as defined by applicable law). St. Thomas will maintain applicable health insurance coverage for employees (and dependents) while on sick and safe time leave, provided the employee continues to pay any applicable share of the costs. Employees returning from sick and safe time leave will be entitled to the same rate of pay (plus adjustments that occurred during the leave period), benefits and seniority as required by applicable law and/or collective bargaining agreement.

SECTION V. BENEFITS

A. Regular Non-Exempt (Hourly) Employees

Regular hourly staff may use their accrued paid leave time for sick and safe time leave. See the [Paid Leave \(PLT\) for Non-Exempt \(Hourly\) Staff Policy](#) for more details.

B. Regular Exempt (Salaried) Staff, Regular Faculty and Adjunct Faculty

It is the policy of St. Thomas not to reduce the salary of full-time faculty and exempt (salaried) staff, or the contracted compensation of adjunct faculty, who take reasonable time off for sick and safe time. Faculty must work closely with their department chair/colleagues to minimize the impact on students and are expected not to schedule appointments at times that conflict with class times, except in emergency situations.

Full-time faculty, adjunct faculty and salaried staff must record sick and safe time as they use it in Employee Self-Service (Murphy On-Line or successor system). Used sick and safe time can be recorded in four (4)-hour increments. Faculty and salaried staff will have eighty (80) hours of paid sick and safe time leave available for use at the beginning of each fiscal year (July 1 to June 30). If sick and safe time exceeds eighty (80) hours in a fiscal year, further leave may be unpaid unless an alternate form of paid leave is available.

Employees who are eligible for PFML and short-term disability (STD), if applicable, may elect to use sick and safe time to supplement their wages, up to 100% of their base salary, for any approved PFML and STD leave. This will be recorded for employees when processing your PFML and STD benefit payments.

C. Employees without Regular Faculty or Staff Appointments (Student Workers, On-Call and Temporary Staff)

Student workers and hourly staff who do not have an appointment as regular full-time or part-time staff (e.g. temporary and on-call staff) accrue paid sick and safe time at a rate of one (1) hour of sick

and safe time for every thirty (30) hours worked, up to a maximum of forty-eight (48) hours per fiscal year (July 1 – June 30).

Accrued but unused sick and safe time may be carried over to the following year, provided, however, that the total amount of accrued but unused sick and safe time for the employee cannot exceed eighty (80) hours at any time.

Student workers and temporary and on-call staff begin to accrue sick and safe time on their first day of work and may begin to use it immediately after accrual.

Student workers and temporary and on-call staff must record sick and safe time as they use it. Used sick and safe time can be recorded in 15-minute increments.

SECTION VI. QUESTIONS

For questions about this policy, contact the Human Resources department at [AskHR](#) or 651-962-6510.