

The City will provide paid Sick and Safe Leave (“SSL”) to covered employees in accordance with the terms of this policy and the Maryland Healthy Working Families Act (the “Act”). The provisions below set forth the coverage of this policy, the requirements for accrual and use of SSL, and other procedures governing the request for and use of SSL.

Section I – Permitted Uses of Paid Sick and Safe Leave

Paid SSL may be used for the following purposes:

1. To care for or treat the employee’s own or family member’s mental or physical illness, injury, or condition;
2. To obtain preventive medical care for the employee or employee’s family member;
3. Maternity or paternity leave; and
4. If the absence from work is necessary due to domestic violence, sexual assault or stalking committed against the employee or the employee’s family member; and the leave is being used:
 - (a) by the employee to obtain for the employee or the employee’s family member:
 - (i) medical or mental health attention that is related to the domestic violence, sexual assault, or stalking;
 - (ii) services from a victim services organization related to the domestic violence, sexual assault, or stalking; or
 - (iii) legal services or proceedings related to or resulting from the domestic violence, sexual assault or stalking; or
 - (b) during the time that the employee has temporarily relocated due to the domestic violence sexual assault, or stalking.

Section II – Definition of Family Member

This policy defines a “family member” to include a:

1. Child: biological child, adopted child, foster child, stepchild, child for whom the employee has legal or physical custody or guardianship, or child for whom the employee is the primary caregiver regardless of the child’s age;
2. Parent: biological, adoptive, foster, or stepparent of the employee or of the employee’s spouse, legal guardian of the employee, or person who served as the primary caregiver of the employee when the employee was a minor;
3. Spouse;

4. Grandparent: biological, adoptive, foster, or step-grandparent of the employee;
5. Grandchild: biological, adopted, foster, or step-grandchild of the employee; and
6. Sibling: biological, adopted, foster, or step-sibling of the employee.

Section III – Notice Requirements

If an employee's need to use SSL is foreseeable, the employee must provide notice seven (7) days prior to the date on which the leave would begin. If an employee's need to use SSL is not foreseeable, the employee must provide notice as soon as practicable. For absences lasting longer than one (1) scheduled day, the employee must notify their department on the first day absent from work and each day thereafter, unless on Leave of Absence as defined in Policy 206.00.

If an employee uses SSL for three (3) or more consecutive days, documentation will be required to support the use of leave.

Section IV – Full Time Employee Eligibility and Accrual

Full time employees who are scheduled to work forty (40) hours per week are eligible for SSL as follows:

1. Employees will earn the equivalent of twelve (12) SSL days per year, accruing at 1.8462 hours/ week (40 hours). For union employees, refer to the governing bargaining agreement to determine specific accrual rates.
2. Employees may accrue a maximum of 1,160 hours of SSL.
3. Accrued SSL hours exceeding the maximum of 1,160 hours, will be "recorded and banked" in the SSL bank. All SSL hours, including those "banked" hours, will be used as justification if it becomes necessary to petition the City Administrator for an extension of SSL benefits. A maximum of 800 hours may be "banked" in the SSL bank. Banked leave may be used when all available leave has been exhausted. Employees who participate in the Maryland State Retirement System are also eligible to receive additional creditable service for unused SSL.

Section V – Sick and Safe Leave Conversion Program for Full Time Employees

Full time employees who work the entire six months prior to the conversion period are eligible to participate in the SSL Conversion Program as follows:

1. An employee who uses less than one full day of SSL between January 1 and June 30 may convert one (1) SSL day to vacation leave. The Human Resources Department will make the conversion request forms available by July 1 and completed forms are due back to the

Human Resources Department by July 15.

2. An employee who completes the entire calendar year using less than one full day of SSL may convert an additional three (3) days of SSL to vacation leave. The Human Resources Department will make the conversion request forms available by January 1 and completed forms are due back to the Human Resources Department by January 15.

Section VI – Part time, Temporary, and Seasonal Employee Eligibility

Part time, Temporary and Seasonal employees who work at least twelve (12) hours per week are eligible for SSL as follows:

1. Employees will receive forty (40) hours of SSL on the first day of employment and the first day of the year thereafter, to use during the calendar year.
2. There is no carryover of SSL into a subsequent year.

Section VII - Separation

1. Upon retirement, a full time employee is paid the total amount of accrued SSL from the “active” SSL balance. (“Banked” SSL is excluded for the purposes of this calculation.) Credit for SSL will be given in accordance with the applicable retirement plan. SSL is paid at the employee’s final rate of pay up to a maximum of \$12,000.
2. Upon leaving City service for reasons other than retirement, a full time employee will be paid for one half (1/2) of accrued SSL hours at the employee's final rate of pay up to a maximum of \$6,000, provided the employee has been employed by the City for a minimum of five consecutive years.
3. When a part time, temporary, or seasonal employee leaves City service for any reason, SSL balances will not be paid out at the time of separation.
4. If a full time employee is terminated for cause, SSL balances will not be paid out at the time of separation.

Section VIII – Reinstatement

1. If the City reinstates a part time, temporary, or seasonal employee within 37 weeks of their separation date:
 - a. the City will reinstate the employee with any unused earned SSL leave that the employee had at separation if reinstatement occurs within the same calendar year as the date of separation.
 - b. because part time, temporary, or seasonal employees do not carryover leave into the next year, if reinstatement occurs within a different calendar year than the date of separation there is no SSL to reinstate. However, the City will provide the employee with 40 hours of SSL for the current calendar year.

Section IX - Other

1. Approved SSL absences will run concurrent with approved Family Medical Leave absences, if applicable.
2. The City may deny an employee's request to take SSL when it is causing a disruption to the workforce. The Director of Human Resources may review SSL documentation in order to approve the use of SSL in the event the employee has been reprimanded for repeated absences.
3. When an employee has exhausted all available SSL and requires additional leave for one of the permitted uses of SSL, the employee must use any available unused vacation time, comp time and personal holiday time for the absence.
4. To request leave when an employee has no paid leave available, the employee must complete and submit a Leave of Absence form, and if approved, the employee will be placed on a leave of absence without pay.

In accordance with the Act, the City will not retaliate against an employee by taking adverse action against an employee who exercises his/her right to use Sick and Safe Leave, or who makes a complaint, brings an action, or testifies in an action regarding a violation of the Act.

Employees have the right to report an alleged violation of the Act by the City to the Commissioner of Labor and Industry or to bring a civil action against the City as permitted by the Act.

I acknowledge that I have received, read, and understand the Sick and Safe Leave policy of the City of Hagerstown.

Print Name

Signature

Date