



POLICY NAME: Earned Sick Leave (ESL) – **MODIFIED July 10, 2019**
POLICY NUMBER:
EFFECTIVE DATE: 04/01/2019

Purpose:

To outline guidelines related to earned sick leave.

Scope:

All team members of Hackensack Meridian Health.

Policy:

Hackensack Meridian Health (HMH) provides team members with Earned Sick Leave (ESL) benefits for personal or family illness. This benefit is part of our overall Paid Time Off program.

HMH's ESL Program consists of four (4) banks:

1. ESL (Earned Sick Leave)
 - All eligible team members will have a regular accrued ESL bank
 - Some team members may have an additional "frozen" ESL bank with hours accrued prior to March 23, 2019.
 - Neither of these ESL banks are paid out upon termination.
2. HIB (Historical Illness Bank) – ONLY for a selected group of team members in the North Region/Hackensack Campus hired prior to July 1, 1995
3. PSB (Palisades Sick Bank) – ONLY for a selected group of team members in the North Region/Palisades Campus hired prior to March 23, 2019 and have at least 10 years of service at the time of their retirement.
4. MSB (Meridian Historical Sick Bank) – ONLY for a selected group of team members in the South Region who had time converted as of December 31, 1997 to a cash value, based on prior policies for JSUMC team members hired before 12/1/88 or OMC or RMC team members with 10 or more years of service as of the 1998 calendar year. This benefit is available only to the participants upon termination.

ESL Eligibility and Accrual Date

Team members are eligible for the ESL program if they are in full-time, part-time, temporary status, or per diem in an occupation that is not a licensed health care professional. Team members in a Per Diem status that are licensed health care professionals are not eligible for ESL. On the eligible team member's hire date or date transfer date, they begin to accrue ESL benefits.

ESL Bank Accruals

Eligible team members accrue ESL hours on an hourly basis for each standard hour; the accrual rate is .03333 of ESL for each hour worked. The maximum hourly annual is 40 hours. Team members accrue ESL hours



while receiving payment for Regular Hours and Overtime Hours. ESL is paid at the team member's regular rate of pay. All team members regularly scheduled to work the evening or night shift as documented in the shift field in PeopleSoft Leader Self Service will have their normal shift differential included in ESL. ESL hours do not count toward hours worked for purposes of calculating overtime.

- Effective October 29, 2018, all eligible team members who have not previously earned ESL will begin to accrue earned sick leave, and will be eligible to use earned sick leave beginning on February 26, 2019.
- For team members who are hired between October 29, 2018 and December 24, 2018, earned sick leave begins to accrue on the date of their employment and are eligible to use earned sick leave beginning on the March 24, 2019.
- For team members who are hired after December 24, 2018, earned sick leave begins to accrue on the date of their employment and are eligible to use earned sick leave beginning on the 90th calendar day thereafter.
- Team members converting to a benefit eligible status (i.e., Per Diem moving to regular full-time) will begin accruing ESL on the day of their status change and are eligible to use earned sick leave beginning on the 90th calendar day thereafter.

Annual Carryover of ESL and Maximum ESL Banks

On January 1st of each year, team members can carry over from one year to the next, up to forty (40) hours of ESL. Full-time team members (regularly scheduled 40 hours per week) can accrue a maximum ESL bank of 400 hours. The maximum ESL bank for full time team members scheduled to work 36-39.99 hours per week and part-time team members is pro-rated based on weekly standard hours. For temporary status team members, eligible per diems and some physician groups, the maximum ESL bank is 40 hours.

Historical Illness Bank (HIB) - ONLY for North Region-Hackensack team members Hired Prior to July 1, 1995

A separate HIB (Historical Illness Bank) is available to North Region-Hackensack team members hired prior to July 1, 1995, with a vested sick balance from the Sick Time Buy-Back program as of December

31, 2011. The vested sick balance was moved into the Historical Illness Bank and is accessed once the initial three (3) days from the PTO Bank and the regular ESL banks are used. When the HIB hours drop below 400, the team member can begin to accrue time in ESL as long as total time in ESL and HIB does not exceed 400 hours.

Team members, with previously grandfathered status, who have more than 400 hours in their HIB will be eligible to accrue forty (40) hours per year into their ESL to a maximum of 200 hours. This regular ESL bank is used prior to accessing time in their HIB.

Team members who have an HIB will not accumulate any additional time in the HIB, and any unused time is paid out to team members upon termination in accordance with the policies governing the Sick Time Buy-Back program as described in the plan document. Accordingly, team members hired prior to July 1, 1995 with a minimum of ten (10) years of continuous benefit- eligible service are eligible to receive 50% of the HIB hours paid in a lump sum. This is calculated by multiplying 50% of the HIB hours by the average hourly rate of the final five (5) highest consecutive years of employment.

Palisades Sick Bank (PSB) – ONLY for North Region – Palisades team members Hired Prior to December 17,

2018 A Palisades Sick Bank (PSB) is available to North Region-Palisades team members hired prior to March 23, 2019 who were under a special provision of the sick time policy. The vested sick balance was moved into the PSB and may be accessed once the initial three (3) days from the PTO Bank are used due to illness. Team



members who have a PSB will not accumulate any additional time in the PSB. (Newly earned time after March 23, 2019 will accrue to the ESL Bank.) Hours in this PSB will be paid out at retirement if the retiree has 10 years of service.

The payout for non-union team members will be 20% of their PSB. Payouts for union team members will be governed by terms of their respective collective bargaining agreements.

Drawing from the ESL Bank

Time off from the ESL Bank can be either scheduled or unscheduled. Reasons for use of ESL include (please note may be modified to be in line with the NJ state law recently signed by Governor Murphy):

- Time needed for diagnosis, care, or treatment of, or recovery from, a team member's mental or physical illness, injury or other adverse health condition, or for preventive medical care for the team member.
- Time needed for the team member to aid or care for a family member of the team member during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member.
- Absence necessary due to circumstances resulting from the team member, or a family member of the team member, being a victim of domestic or sexual violence, if the leave is to allow the team member to obtain for the team member or the family member: medical attention needed to recover from physical or psychological injury or disability caused by domestic or sexual violence; services from a designated domestic violence agency or other victim services organization; psychological or other counseling; relocation; or legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic or sexual violence.
- Time during which the employee is not able to work because of a closure of the team member's workplace, or the school or place of care of a child of the team member, by order of a public official due to an epidemic or other public health emergency, or because of the issuance by a public health authority of a determination that the presence in the community of the team member, or a member of the team member's family in need of care by the team member, would jeopardize the health of others.
- Time needed by the team member in connection with a child of the team member to attend a school-related conference, meeting, function or other event requested or required by a school administrator, teacher, or other professional staff member responsible for the child's education, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability.

Non-exempt team members may use time from their ESL bank in hourly increments. Exempt team members may only use their ESL bank in hourly increments when on an intermittent leave of absence; otherwise, they must use time from their ESL bank in full day increments.

For team members who are also eligible for PTO, the first three (3) consecutive days of a scheduled or unscheduled absence due to reasons described above are generally deducted from the team member's PTO Bank (exceptions are outlined below) If the team member does not have accrued PTO, but has "Yet to be Earned" PTO hours, the team member will be paid from the "Yet to be Earned" PTO bank and go into negative balance (see PTO policy). The fourth day of absence, and any subsequent consecutive scheduled days of absence will be drawn from the team member's ESL bank.

Exceptions that allow immediate access to ESL banks from 1st day out are:

- Inpatient hospital stay;
- Same day surgery (including post-operative recovery time);



- Procedures under conscious sedation (i.e. colonoscopy, etc.);
- Workers' compensation;
- Temporary disability; and
- Absences required for special treatment of chronic illness such as dialysis for renal disease and chemotherapy for cancer.

If a team member exhausts the time in his/her regular accrued ESL bank and has a Frozen ESL, HIB or PSB, then the team member may utilize available time in those banks. Usage of these banks is in the order of HIB, then PSB, then the Frozen ESL.

If the PTO Bank is depleted, the first three (3) days of absence due to reasons described above will be drawn from the ESL, HIB, PSB, and then the Frozen ESL.

For team members who are not eligible for PTO but are eligible for ESL, all absence due to reasons described above, will be deducted from the team member's ESL. If the ESL bank is exhausted, the time will be unpaid.

Scheduling ESL

If a team member's need to use ESL for the reasons described above is foreseeable, the team member is required to provide seven calendar days' notice to their manager of the intention to use the ESL and its expected duration. The team member is expected to make every reasonable effort to schedule the use of ESL in a manner that does not unduly disrupt the operations of the department. If the use of ESL is not foreseeable, the team member is required to notify their manager as soon as possible of the intention to use ESL. In the case of a foreseeable use of ESL, the manager may deny the use of ESL for verifiable high-volume periods or special events. The manager will notify the team member in a reasonable time period of the denial and the reason for the denial.

Use of ESL for three or more consecutive days is managed by HMH's Absence Management Administrator. These absences may require reasonable documentation that the leave is being taken for the purpose permitted. For specific policies on Leaves of Absence, please refer to the Leaves of Absence policy. For specific policies on Worker's Compensation, please refer to the Worker's Compensation policy.

Change of Employment Status:

Team members going from an ESL benefit-eligible to an ESL benefit-ineligible status (Per Diem) will stop accruing ESL. The team member's ESL bank will remain frozen. If the team member returns to an ESL benefit-eligible status, the accrued ESL bank will be restored.

Team members who terminate from HMH will have their ESL balances kept in the system for 120 days. If the team member returns to employment within 120 days, they will have their accrued ESL bank restored and begin accruing ESL hours on the first pay period of their rehire. Team members who terminate from HMH and return to employment after 120 days will accrue ESL as any other new hire with the appropriate introductory period.

Termination

ESL and the Frozen ESL are not terminal benefits and no accrued ESL hours are paid out upon termination, with the exception of the HIB, Meridian Sick Bank, and PSB described above.

HMH expressly reserves the right, in its sole and absolute discretion, to change, modify or delete the provisions of this policy in whole or in part, at any time or for any reason without notice.

The employment terms set out in this policy work in conjunction with, and do not replace, amend, or



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supplement any terms or conditions of employment stated in any applicable collective bargaining agreement. Wherever employment terms in this policy differ from the terms expressed in the applicable collective bargaining agreement, team members should refer to the specific terms of the collective bargaining agreement, which will control.

Any questions regarding this policy and procedure may be referred to Human Resources.