

## **BFS Associates Earned Sick Time Policy**

### **Accrual of Sick Time**

All employees of the BFS Associates, Inc. ("BFS") whose primary place of employment is Massachusetts shall be eligible to accrue and use paid sick time. Sick time accrues at the rate of one (1) hour for every thirty (30) hours worked per calendar year, up to a maximum of 40 hours. For accrual purposes, exempt employees will be assumed to work 40 hours per week, unless they are normally scheduled to work fewer than 40 hours, in which case earned sick time accrues based on their regular schedule.

### **Use of Sick Time**

Employees may use up to 40 hours of accrued sick time per benefit year. Accrual of sick time begins on the employee's first date of actual work (or July 1, the effective date of this policy, whichever is later). Employees may not use such earned sick time until 90 calendar days after their start date.

**Sick time is provided specifically and only to allow employees to:**

- 1. care for the employee's own physical or mental illness, injury, or other medical condition that requires home, preventative, or professional care;**
- 2. care for a child, parent, spouse, or parent of a spouse who is suffering from a physical or mental illness, injury, or other medical condition that requires home, preventative or professional care;**
- 3. attend routine medical/dental appointments for themselves or their child, parent, spouse, or parent of a spouse;**
- 4. address the psychological, physical, or legal effects of domestic violence; or**
- 5. travel to/from an appointment, a pharmacy, or other location related to the purpose for which the time was taken.**

**Use of sick time for other purposes is not allowed and may result in an employee being disciplined.**

**Sick time cannot be used as an excuse to be late for work without an authorized purpose.**

Employees may not use sick time if the employee is not scheduled to be at work during the period of use. An employee may not accept a specific shift assignment with the intention of calling out sick for all or part of that shift. Earned sick time may be used for full or partial day absences. The smallest amount of sick time that an employee can take is fifteen minutes. If an employee's absence from work requires BFS to call in a replacement worker to cover the absent employee's job functions, BFS may require the absent employee to use an equal number of hours of sick time as were worked by the replacement. If the employee lacks sufficient accrued sick time to cover all such time worked by the replacement, BFS will provide sufficient job-protected unpaid leave to make up the difference in that shift. In certain circumstances, the employee and supervisor may mutually agree that an employee will work and be paid for an equivalent number of additional hours or shifts during the same or the next pay period as the hours or shifts taken as sick time. In those cases, the employee will not be required to use accrued sick time, and BFS will not pay for the time that the employee was absent. Up to 40 hours of unused sick time may be carried over into the following benefit year.

### **Absence Notification Procedures**

If an employee needs to be absent, to be late or to leave work early (for purposes that are permissible under the earned sick time law), the employee must give advance notice to his or her supervisor, except in an emergency. Notice should be provided through a notification system established by BFS in a manner that the employee customarily uses to communicate with BFS for absences or requesting leave.

**If the absence is foreseeable (for example, if the employee will be absent to attend a previously scheduled appointment), the employee must provide seven (7) days' advance notice, unless the employee learns of the need to use earned sick time within a shorter period of time. If the absence is not foreseeable, the employee must provide notice to his or her supervisor at least 24 hours before the start of the employee's shift. If 24 hours' notice is not reasonable due to an accident or sudden illness, notice must be provided as soon as practicable. If an employee is going to be absent on multiple days, the employee or the employee's surrogate (e.g., spouse, adult family member or other responsible party) must provide notice of the expected duration of the leave or, if unknown, provide notice of continuing absence on a daily basis, unless the circumstances make such notice unreasonable.**

### **Documentation of Use of Sick Time**

BFS will generally require an employee to submit a doctor's note or other documentation to support the use of sick time if the absence:

1. exceeds 24 consecutively scheduled work hours or 3 consecutive days on which the employee is scheduled to work;
2. occurs within two weeks prior to an employee's final scheduled day of work (except in the case of temporary employees); or
3. occurs after four unforeseeable and undocumented absences within a three month period.

Required documentation must be submitted within 7 days of the absence. Additional time will be allowed for good cause shown.

If an employee fails to timely comply with the sick time law's documentation requirements, BFS may recoup the sick time paid from future wages or deny future use of an equivalent number of hours of accrued sick time until the documentation is provided, but may not otherwise take any adverse action.

BFS requires an employee to personally verify in writing that he or she has used sick time for an allowable purpose, but the employee shall not be required to explain the nature of the illness or the details of the domestic violence. A doctor's note or other documentation may or may not be required.

### **BFS Expectations Regarding Attendance**

Employees should remember that regular, reliable attendance and timeliness is expected. If an employee commits fraud or abuse by engaging in an activity that is not consistent with allowable purposes for sick time, the employee may be subject to disciplinary action. If an employee is exhibiting a clear pattern of taking leave on days just before or after a weekend, vacation, or holiday, BFS may discipline the employee for misuse of earned sick time, unless the employee provides verification of authorized use. For applicable situations, if an employee is absent from work the day before or after a scheduled holiday, the employee may not receive holiday pay.

### **Break in Service:**

1. Following a break in service of up to 4 months, an employee shall maintain the right to use any unused earned sick time accrued before the break in service.
2. Following a break in service of between 4 and 12 months, an employee shall maintain the right to use earned sick time accrued before the break in service if the employee's unused bank of earned sick time equals or exceeds 10 hours.
3. Following a break in service of up to 12 months, employees maintain their vesting days from the employer and do not need to restart the 90-day vesting period.
4. Following a break in service of over 12 months, employee would have no carryover earned sick time and would need to restart the 90-day vesting period.

### **Payout of Sick Time**

Sick time will be paid within one payroll cycle after such sick time has been verified by BFS.

For BFS' temporary employees, submitting a sick time request with any less than the required 7 day advance notice (for instance, concurrent with their timesheet for that week) will result in employee being paid first for time worked and, if verified/validated, being paid for the authorized sick time in the next available payroll cycle.

Up to 40 hours of unused sick time may be carried over into the following benefit year.

Sick time is not payable on termination of employment.

### **Interaction with Other Types of Leave**

If any time off covered under this policy is also covered under BFS' FMLA, Parental Leave, Domestic Violence Leave, SNLA leave, or other leave of absence policies, sick time shall run concurrently with such leave. Employees may choose, and BFS may also require employees, to use earned sick time to receive pay for absences under other leave policies if those absences would otherwise be unpaid.