

SANILAC COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

ADMINISTRATIVE POLICY

NUMBER: BA146

NAME: USE OF TIME OFF ACCRUALS, EARNED SICK TIME ACT, HOLIDAY PAY AND BEREAVEMENT

INITIAL APPROVAL DATE:	01/30/2020	BY: Administrative Committee
(LAST) REVISION DATE:	04/16/2025	BY: HR Manager
(LAST) REVIEW DATE:	04/17/2025	BY: Policy Committee
DISCONTINUED DATE:	N/A	REPLACED BY: N/A

I. PURPOSE

To define how paid time off can be requested and accrued.

II. APPLICATION

Populations: **All PTO/Holiday eligible staff**

Programs: **Direct - ALL**

III. POLICY

A. Time off Purpose and Use of PTO Accruals:

Paid time off (PTO) is earned throughout the year and is granted for staff to use to assist with work and home life balance. PTO may be used for vacations, personal situations, or to cover time off work when staff or family members are ill. This time is expected to cover emergent situations. Staff are encouraged to build a safety net of PTO, to allow for coverage of emergent situations and call-ins when necessary.

PTO time is given on a pro-rated basis. PTO time is earned based on the prior pay period's total hours worked and tenure. PTO time is not awarded until the beginning of the following pay period. PTO is earned throughout the year and may require adjustments dependent upon actual hours worked. Staff will not be allowed to use time that they have not been awarded. With special approval, staff may be unpaid and excused for time off. Unauthorized or excessive absences or tardiness will result in disciplinary/corrective action, up to and including termination.

Employees should notify their supervisor or designee as far in advance as possible whenever they are unable to report for work, know they will be late, or must leave early. Such notification should be made within a minimum of thirty minutes in advance of the start of their shift, include a reason for the absence, and an indication of when the employee can be expected to report for work. When an employee requests time off, an electronic leave request must be completed prior to taking leave time. That electronic request would be made in the timekeeping system up to the day prior to that being requested and ONLY via email when time on the same day is requested. Leave time may be denied depending upon Agency needs.

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If an employee wishes to take time off unpaid, it must be pre-authorized by the CEO. Request for unpaid time off should be sent to the attention of the HR Manager. Only very special situations will be authorized. Special requests for unpaid time off may include Pre-hire Agreements or Educational Leaves that are a benefit to the Agency. It should be noted that unpaid time off will affect accruals earned, as accruals are based on hours worked and also may affect benefits. If an employee calls in without the appropriate accruals or special approval to cover and does not meet their required work hours during the work week for employees working 40 hours or pay period for employees working 37.5 hours, they will receive an ECM or discipline. Staff on an approved leave of absence will not be reprimanded for exhausting their accrued time off. Staff on an approved leave of absence may elect to "save" up to three (3) PTO days. This must be requested on the application for leave of absence. If a sick/PTO donation bank is requested, all time off accruals must be used, see Sick/PTO Donation Procedure DA1091 for more information.

Time off will require prior approval when taken in excess of three (3) days, or a doctor's note may be required. Staff who are off more than ten (10) days due to illness/injury will be required to provide a doctor's note releasing them to return to work, and any restrictions must be included. A fitness for duty/return to work note must be submitted and reviewed for approval of return by the HR Department prior to their return. Please see the FMLA policy for more details on when a leave situation may be extended, BA105 Family Medical Leave Act (FMLA). Positions may be held for a maximum of one year while an employee is on a leave of absence.

Time off requests that are for more than ten (10) days require special approval. Requests should be forwarded to the HR Manager, for consideration by the CEO.

Upon submission of a letter of resignation, use of time off may be declined at the Agency's discretion.

Time off accrual banks with annual caps will be reset at the beginning of the fiscal year, as outlined in the employee's contract.

PTO requests shall be made no more than three (3) months in advance and at least two (2) weeks in advance when used for preplanned time off. In normal circumstances, employees shall give at least a twenty-four (24) hour advance notice. Same day requests for PTO time off may be requested for later in the same day; these requests would need to be submitted via email and may be approved at the discretion of the Supervisor dependent upon program needs. Staff may call in with a PTO day when prior approval cannot be obtained. Supervisor approval is required to use PTO; this may be passive in nature, however if a staff calls in with a PTO day, the Supervisor may call them and inform them it is not approved when coverage is not available. Staff may use PTO time in accordance to their employment contracts.

Approval for paid time off shall be contingent upon adequate program coverage and/or the employee's workload at the discretion of the Authority, but approval shall not be unreasonably withheld. Scheduling shall be on a "first come, first serve" basis. Seniority shall prevail when requests are simultaneous. Supervisors shall notify the employee within five (5) working days as to whether the request has been granted in the timekeeping software. *Request to hold the "place" in line may be made to the Supervisor in writing (vs. denying). If this occurs and further consideration may be made closer to the date, the Supervisor will update the staff as they are able.*

Upon transfer into a new position, employees are expected to cancel all previously placed time off requests. Employees will need to resubmit their time off requests for approval, to ensure their new department/supervisor is able to approve.

B. Earned Sick Time Act (ESTA)

Effective February 21, 2025, ALL employees regardless of status (full-time, part-time, temporary, seasonal, hourly, salary, paid trainee etc.) will be eligible to use paid time off, or sick time, as allowed under the Earned Sick Time Act.

Eligibility under ESTA

Effective February 21, 2025, on-call substitute staff and paid Sanco trainees will accrue one (1) hour of sick time for every 30 hours worked. On-call staff and Sanco trainees are eligible to use sick time accruals after 120 days of employment. Staff that earn PTO are eligible to use accrued time upon commencement of employment.

Staff that earn PTO time within their contracts are compliant with this Act's earned time off requirements.

Paid time off or Sick accruals will be required to be available for use when requesting time off under this ACT.

Use of Time Under ESTA

When an employee has PTO or sick time off accruals available, they may use up to 72 hours of ESTA time each calendar year. Accrued Earned Sick Time can be used in .5-hour increments with seven days' notice required, if the absence is planned. If the absence is unplanned employees are required to give as much notice as practicable, given the circumstances of the absence.

Employees can use accrued Earned Sick Time for any of the following reasons:

- (a) The employee's mental or physical illness, injury or health condition; medical diagnosis, care or treatment of the employee's mental or physical illness, injury, or health condition; or preventative medical care for the employee.
- (b) For the employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care or treatment of the employee's family members' mental or physical illness, injury or health condition; or preventive medical care for a family member of the employee.
- (c) If the employee or the employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- (d) For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child; or
- (e) For the closure of the employee's place of business by order of a public official due to a public health emergency; for an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

Unused Time Under ESTA

Any accrued, unused Earned Sick Time will carry over from year to year. Accrued, unused Earned Sick Time is NOT eligible for payout at the time of separation (for on-call staff /Sanco trainees) nor at the end of a benefit year

Employee Tracking

When calling in, Employees are required to outline either a reason that falls under ESTA when calling in or note they are taking time under ESTA when utilizing ESTA time. An example of when this code would be used is when a staff is calling in sick for themselves or to care for a sick family member, (review "Use of Time Under ESTA" for further reasons that would require ESTA codes). Employees are required to track their time off under this ACT, using "ESTA" codes on their timesheet. These codes will draw time out of staff's time off banks; either their PTO bank or ESTA bank for on-call staff and Sanco trainees.

Definition of ESTA Family Members

In Michigan's Earned Sick Time Act a family member includes:

- A child, including biological, adopted, foster, stepchild, or legal ward
- A parent
- A spouse
- A grandparent
- A grandchild
- A sibling
- A domestic partner
- Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship

Employees will not be penalized or retaliated against in any way for requesting or using their accrued Earned Sick Time for the purposes designated above. Employees who feel as though their rights under this act have been violated can file a complaint with the Wage and Hour Division of the Michigan Department of Labor and Economic Growth.

C. Holiday Pay

All Employees must have hours worked on their regularly scheduled service day before and after a holiday to qualify for holiday pay, unless the employee has a pre-approved day off. Any hours missed due to loss of holiday pay will be recorded as unpaid time in the staff's timesheet. When holidays fall back-to-back and a staff member calls in to work the day before or after the holidays, they will not receive holiday pay for the date connected to the call-in. Request for deviation to this rule must be submitted to the HR Manager and will require approval by the CEO. Staff that are on an approved leave must have hours worked or accruals on the regularly scheduled service day before and after the holiday in order to qualify for holiday pay.

AFSCME staff will receive paid Holidays as outlined in their contract, up to 7.5 hours if working 37.5 hours a week and up to 8 hours if working 40 hours a week. Contract and Supervisors will receive paid Holidays as outlined in their contract, up to 8 hours if required to work an average of 40 hours weekly. Employees will be paid their usual/scheduled hours for the holiday, not to exceed the maximums outlined.

If a staff member is on a flex schedule, they should revert back to a five (5)-day work week when there is a holiday during the week. Discussions on deviations from this standard are

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required to occur in advance of the holiday week with their supervisor. PTO will need to be used if staff do not wish to revert back to 5 days.

D. Bereavement

Employees will be paid for bereavement as outlined in their Contract; documentation should be submitted to HR. The appropriate bereavement codes must be used in the timekeeping software to receive pay for this time. If staff wish to use bereavement time at a later date, this will need to be noted to their Supervisor and HR. Staff that require additional time after a funeral may use PTO time with supervisory approval.

IV. DEFINITIONS – None.

V. ATTACHMENTS – None.

VI. REFERENCES

DA1091 Sick/PTO Donation Procedure
BA105 Family Medical Leave Act (FMLA)