

NEW YORK PAID SICK LEAVE POLICY

In accordance with Section 196-b of the New York Labor Law, Bard College will provide Paid Sick Leave to its regular part-time, casual, and temporary employees (as defined in the Bard College Employee Handbook) as set forth herein. This policy does not apply to those employees whose employment is governed by the terms of a collective bargaining agreement.

Accrual of Sick Leave

Employees under this policy are eligible to accrue paid sick leave at a rate of one (1) hour for every thirty (30) hours worked up to a maximum of fifty-six (56) hours accrued in each fiscal year (July 1st through June 30th). Such accrual of paid sick time will begin effective September 30, 2020 or on the employee's first day of work, whichever is later. As of January 1, 2021, or any later date, Employees may use their accrued sick leave in accordance with the following policy.

Use of Sick Leave

Employees may take sick leave in four (4) hour increments for any of the following reasons:

1. Employee's mental or physical illness, or injury, or diagnosis, care, treatment, or preventive care for employee's mental or physical illness or injury;
2. Covered family member's mental or physical illness or injury or diagnosis, care, treatment, or preventive care for a covered family member's mental or physical illness or injury;
3. Absences related to employee's status as a victim of domestic violence, family offense, sexual offense, stalking, or human trafficking; or Absences related to a covered family member's status as a victim of domestic violence, family offense, sexual offense, stalking, or human trafficking. This includes leave¹ to:
 - a) Obtain services from a domestic violence shelter, rape crisis center, or other services program;
 - b) Participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or the employee's family members;
 - c) Meet with an attorney or social services provider to obtain information and advice on, and prepare for and participate in, any criminal or civil proceeding;
 - d) File a complaint or domestic incident report with law enforcement;
 - e) To enroll children at a new school;
 - f) Meet with a district attorney's office; and
 - g) Take any other actions necessary to ensure the health or safety of the employee or the employee's family member, or to protect those who associate or work with the employee.

¹ An employee who has committed domestic violence, a family or sexual offense, stalking, or human trafficking is not eligible for leave under 2(a)-(f), nor may this leave be used on behalf of an employee's family member who has engaged in any of these.

For purposes of this policy, “ family member” is defined as an employee’s child (including biological child, adopted child, foster child, a legal ward, or a child for whom the employee stands “ in loco parentis”), spouse, domestic partner, parent (including biological parent, foster parent, step-parent, adoptive parent, legal guardian, or an individual who stood “ in loco parentis” to the employee as a minor child), sibling, grandchild or grandparent, and the child or parent of an employee’ s spouse or domestic partner.

An employee may not take time off under this policy for any day preceding or following a vacation day or a holiday unless the employee is taking leave for a qualifying reason as noted above.

Carryover

An employee’s accrued but unused sick leave will be carried over to the next calendar year. However, employees will not be permitted to use more than fifty-six (56) hours of sick leave in any calendar year.

Leave Request Process

If an employee is unable to report for work because of illness or for any other stated reason listed above, the employee must contact his/her direct manager or designee as soon as possible and follow the College’s Call-In Policy.

Restoration to Employment

At the conclusion of an employee’s use of sick time, the employee will be returned to the employee’s previously held position.

Separation from Employment

Employees will not be paid for any accrued but unused sick time upon separation from employment for any reason.

No Retaliation

Any form of discipline, reprisal, intimidation, retaliation, or discrimination against any individual for requesting or taking sick time or filing a complaint for violations of this policy is prohibited.

The Company is committed to enforcing this policy and prohibiting retaliation against employees who request or take sick leave under this policy, or who file a related complaint. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to Human Resources.

Any employee who abuses this policy will be subject to disciplinary action, up to and including termination of employment.