



Policy Title: **Sick Leave Policy**

Sick Leave Policy

Note: Revision # should be listed in descending order starting with most recent version at the top.

Revision Date (For BCG Use Only)	Revision #	Description/Modification	Revision Section (s)	Author
3/28/2016	5	Contingent workers are not eligible Allow all sick days to be used for family illness Salary continuation can be used for consecutive and/or intermittent Employee Medical Leaves Change sick at half-pay to salary continuation at full-pay Change wording of Salaried to Management	5.1.3 5.2.4 5.3.3 Various Various	Brenda Verdesi, Manager, Benefits
04/10/2015	4	Converting to new format. There were 3 prior revisions of this policy.	N/A	Brenda Verdesi Manager, Benefits

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Please refer to Employee Policy EP 0.0 NYPA DISCLAIMERS where you will find a statement which pertains to all Employee Policies including this one.

1 PURPOSE AND SCOPE

This policy provides guidelines for the accrual and use of sick leave credits, sick leave at -full-pay and long-term disability for management employees.

2 APPLICABILITY

NYPA management employees

This policy does not apply to contingent workers whose compensation is paid directly by a third party, who are not paid directly through the Company's payroll system, or who are classified by the Company as consultants and/or independent contractors, are not eligible for or entitled to participate in or receive benefits under any benefit plan, policy, or practice offered by the Company, its parents, affiliates, subsidiaries, or successors.

3 INITIALISMS (ACRONYMS) AND DEFINITIONS

FMLA: Family and Medical Leave. Refer to EP 3.3.

Management Employee – all non-union NYPA employees

NYPA – New York Power Authority or "the Authority"

4 RESPONSIBILITY

Responsibility and oversight of this policy resides with the approver unless otherwise noted here in.

5 POLICY IMPLEMENTATION

5.1 Sick Leave Accrual

5.1.1 Full-time management employees accrue sick time as follows:

- a) 3.46 hours per pay period if on a 37.5 hour work week
- b) 3.69 hours per pay period if on a 40 hour work week

5.1.2 Part-time management Authority employees (working 20 or more hours per week, but less than full-time weekly work hours) and provisional employees that work less than full-time (working at least 30 hours or more per week) accrue sick leave on a prorated basis based on the number of hours the employee is scheduled to work.

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- 5.1.3 There is no maximum on the amount of sick leave credits that may be carried over from one year to another.
- 5.1.4 Sick time only accrues when an employee is on full-pay status. Accruals resume when the employee returns to full-pay status.
- 5.1.5 In the event of an active employee's death, payment for accrued and unused sick leave, up to a maximum of 100 days, will be paid to the beneficiary designated by the employee for their NYPA life insurance. If no beneficiary is designated, or the designated beneficiary pre-deceases the employee, payment will be made as allowed by law.
- 5.1.6 Sick leave may be paid out to employees who retire with the New York State Retirement System directly upon separation of service from the Authority (see the EP 3.1 Management Employee Categories and Eligibility for Benefits.)

5.2 Sick Leave Usage

- 5.2.1 Sick time shall not be substituted for any other types of absences and may only be used for
 - a) an employee's illnesses or injuries,
 - b) an employee's trips to a health care provider (including reasonable travel and actual visit time)
 - c) a family member's illness or injury as specified in Section 5.2.4 below,
 - d) Family Leave and Parental Leave as specified in EP 3.3
- 5.2.2 Employees must notify their supervisor of any sick time absence as soon as practicable, and keep the supervisor informed as to their expected date of return. An employee's use of accrued sick leave is approved by his/her supervisor when the supervisor approves the employee's timesheet or electronic time record. If there are false time sheets or electronic time records of an employee's time and attendance, the employee (and depending on the circumstances, the supervisor who is responsible for approving such time) will be held accountable.
- 5.2.3 Accrued sick leave may only be used in full or half-day increments. However, supervisors may, with advanced approval, allow employees to take less than half-days off with flexible scheduling allowing employees to make up time by working extra hours on other days during the same workweek. Supervisors may also grant employees time off without using accrued sick leave if the absence is so brief that it does not affect the employee's work or performance.

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- 5.2.4 A family member is a child, spouse, parent (not parent-in-law), or domestic partner who has satisfied NYPA's Domestic Partner Benefits eligibility requirements (even if not subscribed to NYPA Domestic Partner medical benefits).
- 5.2.5 When absences exceed five (5) consecutive days, an employee must notify Human Resources, at which point the FMLA process will be initiated for eligible employees and the leave will be designated under the Family Medical Leave Act ("FMLA") leave (See EP: 3.3).
- 5.2.6 The Authority may require written medical documentation of an illness or injury, and/or that the employee be examined by a physician designated by the Authority before approving the use of any sick leave and/or prior to the employee's return to work. In addition, supervisors may request a doctor's note to confirm/verify a medical appointment on a given day and time.
- 5.2.7 Supervisors are responsible for monitoring sick leave usage for appropriateness, accuracy, and adherence to Employee Policies, and for remaining informed of employees' available sick and vacation balances when approving time off. Excessive and/or questionable patterns of absenteeism, frequency of requests for full or partial sick days, or low or zero balances should signal the need for further review or action which may take several courses [i.e.: need for Family Medical Leave Act ("FMLA"), performance issue, etc.] to prevent abuse of this benefit.

5.3 Salary Continuation

- 5.3.1 Employees who have completed one or more years of Authority service, are eligible to receive salary continuation at full-pay on a consecutive or intermittent basis during an approved Employee Medical Leave ("EML") covered under FMLA when all of their accrued sick time is exhausted.
- 5.3.2 Employees on approved EML must exhaust all accrued sick time, except 5 days, which can be saved for future use. Employees on EML can then receive salary continuation to cover the remainder of their EML leave. For part-time or provisional employees that are less than full-time and on EML, salary continuation will be paid on a prorated basis based on their weekly work schedule.

Eligible employees on approved EML who have exhausted all of their accrued sick time will then be placed on salary continuation or on no pay status if not eligible.

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- 5.3.3 Salary continuation pay for EML is only available during a qualifying FMLA period and cannot exceed 12 weeks. In **no event** will the replenishment of vacation, floating or sick pay, unpaid time or any other leave time extend any job security or FMLA time periods.
- 5.3.4 If an employee who has already been on an approved FMLA leave other than an EML, returns to work and then goes back out for their own illness or injury on an approved EML within the same FMLA yearly period, the employee will only be eligible to receive sick leave at full-pay for the remaining FMLA time period (even if the employee's own medical needs extend beyond the total 12-week FMLA entitlement). See EP: 3.3.
- 5.3.5 Salary continuation is **only** available for EML Management employees and cannot be applied to any other type of FMLA Leave.
- 5.3.6 All payroll deductions will continue to be made regardless of whether an employee on sick leave is being paid on a full pay status. Any questions concerning the priority of deductions should be addressed to the Payroll Unit and/or the applicable Human Resources representative.
- 5.3.7 Employees receiving salary continuation or on no pay status are not eligible to receive Holidays, Floating Holidays, sick accruals or annual vacation accruals until they return to work on either full or part-time status.

5.4 Long Term Disability

Employees may be eligible for benefit payments under the Long-Term Disability Plan they selected at open enrollment, once they have been on leave for three consecutive months of absence for their own illness or injury, and after they have exhausted all of their accrued sick time. Provisional employees are not eligible for long-term disability. Information on long-term disability is provided in the Long-Term Disability booklet available from Human Resources and the Employee Benefits Handbook for Management Employees on the NYPA Powernet.

6 VIOLATIONS

N/A

7 REFERENCES

EP 3.1 Management Employee Categories and Eligibility for Benefits



EP 3.3 Family & Medical Leave Act

8 POLICY REVIEW AND EXPIRATION

This document will be reviewed and updated as business needs require. However, a mandatory review will be required on the anniversary date of the approved document.

Revision Cycle: Every Year

9 ATTACHMENTS

N/A

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