

Administrative Policy and Procedure Manual

Paid Sick Leave
Scope:

Effective Date: 7/1/17
Page 1 of 6

I. Purpose

The purpose of this policy is to describe the Medical Center's practices on paid sick leave.

II. Definitions

- A. Paid Sick Leave (PSL) is a benefit which provides paid time off to employees for their own illness or medical care, or for the care or illness of a Family Member, and for other reasons as described below and permitted under applicable law.
- B. Family Member for purposes of this policy is defined as: (1) an employee's step, adopted, foster, or biological child or grandchild, or a child to whom the employee stands in loco parentis; (2) an employee's legal guardian or ward; (3) an employee's, biological, foster, step or adoptive parent, or a person who stood in loco parentis when the employee was a minor child; (4) grandparent; (5) sibling; (6) spouse under the laws of any state; (7) domestic partner; (8) spouse or domestic partner's parent, sibling, grandparent, or grandchild; and (9) any other individual related by blood, or any individual whose close association with the employee is the equivalent of a family relationship.
- C. Employee means all Medical Center employees, including all full-time employees, part-time employees, employees who are contingent/registry, and employed physicians.
- D. PSL Laws means the benefits mandated by the City of Chicago Minimum Wage and Paid Sick Leave Ordinance and the Cook County Earned Sick Leave Ordinance.
- E. Paid Time Off (PTO) means the paid time away from work which is currently provided to employees who work 0.5 FTE or greater under the Medical Center's Paid Time Off Policy (PTO Policy).
- F. Accrual Period means:
 - 1. For employees less than 0.5 FTE
 - a) If employed as of June 30, 2017, the Accrual Period is July 1 through June 30 of each year; and
 - b) If employed July 1, 2017 or after, the employee's Accrual Period begins on the date of the employee's hire and will convert to July 1 through June 30 on the first July 1 after the employee's date of hire.

Administrative Policy and Procedure Manual

Paid Sick Leave
Scope:

Effective Date: 7/1/17
Page 2 of 6

2. For employees 0.5 FTE or greater, regardless of when employed, the Accrual Period is the employee's PTO accrual period, which is the 12-month period beginning on the employee's first date of employment and ending on the anniversary of that date each year thereafter.

G. Usage Period means:

1. For employees less than 0.5 FTE, it is the Accrual Period.
2. For employees 0.5 FTE or greater,
 - a) If employed as of June 30, 2017, the Usage Period is July 1 through June 30 of each year; and
 - b) If employed July 1, 2017 or after, the employee's Usage Period begins on the date of the employee's hire and will convert to July 1 through June 30 on the first July 1 after the employee's date of hire.

III. Policy Statements

- A. The Medical Center has long recognized an employee's need to have paid time off work for vacations and holidays, as well as personal matters such as the employee's illness or to care for the illness of a Family Member. This policy clarifies the Medical Center's practices related to paid time off by ensuring that time off work related to illness or medical care for the employee or the employee's Family Members is provided in compliance with the PSL Laws.
- B. Under the Medical Center's existing PTO Policy, employees who work 0.5 FTE or greater already earn more paid time off than what is required by the PSL laws; no additional paid time off is provided above the employee's regular PTO accrual. However, employees working 0.5 FTE or greater will be able to use a portion of their PTO time as PSL, which use will be governed by the PSL Laws. PSL for employees at the level of Senior Director and above is governed by separate policy.
- C. PSL is paid at the employee's base hourly rate of pay.
- D. Employees who require time off work or leaves of absence related to medical conditions that are covered under the following Medical Center policies: Work Related Injury and Illness and Workers' Compensation Policy, Short Term Disability Policy, Family & Medical Leave Policy (FMLA Policy), Victims Economic Security and Safety Act (VESSA) Policy and Personal Non-FMLA Medical Leave Policy, are entitled to the

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Administrative Policy and Procedure Manual

Paid Sick Leave
Scope:

Effective Date: 7/1/17
Page 3 of 6

protections provided under this PSL policy, as well as the benefits that are available under those policies.

IV. Requests for PSL

- A. Reasonable notice is required (no less than 7 days) when the need for PSL is reasonably foreseeable (e.g., prescheduled appointment with a health care provider). For foreseeable absences, employees should follow specific Department procedures for requesting PSL, including specifying the number of days of PSL requested.
- B. Where PSL is needed for emergency, unforeseen absences, the employee should provide as much advance notice as possible.
 - a. Where the need for PSL is unforeseen and is not known until the employee's scheduled work day, employees are asked to provide at least two (2) hours' notice prior to their scheduled start time, if possible, or as soon as reasonably possible on that day. Communication of the need for PSL should be made either verbally or in writing, including via phone, e-mail, or text message, or as otherwise identified in Department policy. Such communication should be provided to the person(s) identified in Department policy. If notice cannot be provided as described in Department policy, then the employee is permitted to communicate the emergency absence by other reliable means, including by having another person provide the required notice on behalf of the employee.
 - b. An employee using PSL for unforeseeable reasons must communicate the ongoing need for PSL on each day of their absence.
- C. If the leave is for a condition or situation that is covered under the FMLA Policy, and the employee is FMLA eligible, notice must be provided in accordance with the FMLA Policy.

V. Permitted Uses for PSL

- A. The permitted reasons for using PSL are as follows:
 - 1. Employee is physically or mentally ill or injured, or receiving medical care, treatment, diagnosis or preventative medical care, or recuperating from the same;
 - 2. A Family Member is physically or mentally ill or injured, or receiving medical care,

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Administrative Policy and Procedure Manual

Paid Sick Leave
Scope:

Effective Date: 7/1/17
Page 4 of 6

- treatment, diagnosis, or preventative medical care, or recuperating from the same;
3. Employee or Family Member is the victim of domestic violence, sexual violence, stalking, or a “sex offense” as defined in the Illinois Criminal Code of 2012;
 4. Employee’s place of business is closed by order of a federal, state or local government public official (including a school district official) due what the public official characterizes as a public health emergency; or
 5. Employee needs to care for a child whose school or place of care has been closed by order of a federal, state or local government public official due to what the public official characterizes as a public health emergency.
- B. The Medical Center may request verification of proper use of PSL after more than three (3) consecutive days of absence (i.e., written note from a licensed health care provider which documents that the employee used PSL for permitted purposes for the employee or Family Member as the case may be, or in cases of PSL use related to victims of domestic violence, sexual violence or stalking, a police report, court document or statement from an attorney, member of the clergy or victim services advocate, or any other evidence that supports the employee’s claim, including a written statement from him or her, or any other person who has knowledge of the circumstances).
- C. Employees may use their available PSL in accordance with this policy. When an employee does not follow this policy, discipline in accordance with the Attendance Punctuality Policy may occur. This includes discipline:
1. For failing to give reasonable notice for a foreseeable illness;
 2. For any additional absences once the employee has exhausted his or her available accrued PSL, including those for medical conditions or care of the employee or a Family Member not otherwise covered under the FMLA Policy or other applicable law or policy, or
 3. For proven use of PSL for a use that is not permitted.

VI. Use guidelines for PSL

A. Employees who work 0.49 FTE or below (including contingent/registry):

1. ***Paid Sick Time Available:*** Non-exempt employees accrue one hour of PSL for every 40 hours worked, up to a maximum of 40 hours per Accrual Period. Exempt

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Administrative Policy and Procedure Manual

Paid Sick Leave
Scope:

Effective Date: 7/1/17
Page 5 of 6

employees accrue 1 hour of PSL for each week they work.

2. ***Eligibility for Use:*** Employees are required to wait 180 calendar days after their date of hire before they are eligible to use any accrued PSL.
3. ***Maximum Use:*** The maximum amount of PSL that can be used in any Accrual Period is 40 hours, unless the employee is eligible for FMLA, in which case the maximum PSL that can be used in any Accrual Period is 60 hours (40 for the protected purposes under the PSL Laws and 20 for conditions that qualify for FMLA leave).
4. ***Carry-Over and Annual Grant:*** Employees will accrue PSL as described in Section VI.A.1 above and carry over any accrued, unused PSL from one Accrual Period to the next as defined here. On the first July 1 that the employee's PSL balance is at least 60 hours, , and each July 1 thereafter, the employee will not carry over any unused PSL, and instead will receive a frontloaded lump grant of 60 PSL hours to be used during the next Accrual Period.
5. ***Unused PSL:*** Accrued, unused PSL **is not paid out** to an employee upon termination or other separation of employment.

B. Employees who work 0.5 FTE and above:

1. ***Paid Sick Time Available:*** PSL is contained in the employee's existing PTO accrual and balance. The amount of paid time off a person accrues will not change as a result of the PSL Laws because each employee's current PTO accrual is more generous than that required by the PSL Laws.
2. ***Eligibility for Use:*** Employees are eligible to use, for PSL or any other purpose, any PTO they have accrued after waiting the required 90 days to be eligible to use their PTO as described in the PTO Policy.
3. ***Maximum Use:*** Employees with PTO will continue to be able to use their PTO for any purposes they wish, including PSL. As long as an employee has PTO available, there is no limit on the amount of time you can use for your own illness or injury, that of a Family Member, or other protected PSL reasons as set forth above in Section V.A. Any special protections provided by the PSL Laws apply to 40 hours of PSL in each Usage Period if you are not FMLA eligible, or 60 hours per Usage Period if you are FMLA eligible (20 hours of which are restricted to purposes that

Administrative Policy and Procedure Manual

Paid Sick Leave
Scope:

Effective Date: 7/1/17
Page 6 of 6

qualify for FMLA). Once an employee's PTO balance has been fully used (i.e., the employee has no PTO available in his or her bank), time off needed for illness or to care for Family Members will not be compensated, even if that time off might otherwise be eligible for coverage under the PSL Laws.

4. **Carry-Over:** The PTO Policy permits employees to carry-over an amount of PTO that is equal to one time the employee's annual accrual rate. This exceeds the requirements of the PSL Laws so maximum carry-over of paid time off remains the same as under the current PTO Policy.
5. **Unused PTO:** All accrued, unused PTO is paid out to an employee upon termination or other separation of employment.

VI. ETA Procedures

- A. Employees are able to record PSL on their ETA record for any time taken off for PSL.
- B. The manager can enter the PSL schedule into the employee's schedule in the ETA record. This will ensure payment of the respective "PSL" for PSL hours.
- C. If the "PSL" schedule is not entered on the ETA schedule:
 1. Non-exempt employees can make an entry at the ETA badge reader using "Edit pay code" function entering the specific date, number of applicable hours and selecting the "PSL" pay code.
 2. Exempt employees can make an entry in their online ETA record by entering the "PSL" pay code and number of hours on the respective date the PSL was taken. Exempt employees can only take PSL in full day increments.
 3. Managers can edit the employee's ETA record entering a "PSL" paycode on the applicable date and entering the applicable number of hours.
- D. PSL Pay Codes

Pay Code Definition	Code
PSL – 0.0–0.49 FTE	
PSL – 0.5–1.0 FTE	
PSL FMLA EE – 0.0–0.49 FTE	
PSL FMLA EE – 0.5–1.0 FTE	

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Administrative Policy and Procedure Manual

Paid Sick Leave
Scope:

Effective Date: 7/1/17
Page 7 of 6

PSL FMLA FAMILY – 0.0–0.49 FTE	
PSL FMLA FAMILY – 0.5–1.0 FTE	
PSL VESSA – 0.0–0.49 FTE	
PSL VESSA – 0.5–1.0 FTE	

VII. Cross References / Related Policies

Date Written: 7/1/2017
Date Reviewed/Revised: 7/1/2017
Date of Approvals:

Medical Center Operations Committee:
Administrative Policy & Procedure Committee: 7/19/17