

BOSTON COLLEGE

MASSACHUSETTS EARNED SICK TIME LAW

QUESTIONS AND ANSWERS

1. What does the law provide?

Effective July 1, 2015, the law provides that essentially all employees in Massachusetts earn a certain amount of sick time. This includes both benefits-eligible and non-benefits-eligible employees at Boston College, in some cases including students.

2. How and when is sick time under this law earned?

Employees earn one hour of sick time for every 30 hours worked. Thus, under this law, employees can earn and use up to 40 hours of sick time per benefit year if they work enough hours. Employees began earning sick time under this law as of July 1, 2015, or on their date of hire, if later.

3. What is the “benefit year” for purposes of tracking sick time under this law?

For benefits-eligible employees, their “benefit year” is the 12-month period beginning with the date they were first benefits-eligible (normally their hire date), which is also referred to as their “anniversary year.”

For non-benefits-eligible employees, their “benefit year” is the 12-month period beginning with their hire date.

4. How does this law affect accruals for benefits-eligible employees?

In terms of sick time accrual the law has virtually no impact on Boston College’s benefits-eligible employees because our sick pay policies provide a greater benefit than the law requires.

Employees paid on the weekly payroll(k)-5.5(l).721 C.9(25()Tj-0.004 Tc 0.001 T199.304 042d(e)-3((1)2.173e62

adopting the following policies for availability and use of sick time by benefits-eligible employees:

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8. How can sick time be used under the new law?

Under the new law, benefits-eligible and non-benefits eligible employees can use up to 40 hours of accrued or allotted sick time annually to:

- Care for the employee or the employee's child, spouse, parent, or parent of a spouse, who is suffering from a physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;
- Attend a routine medical appointment of the employee or the employee's child, spouse, parent, or parent of a spouse;
- Travel to and from an appointment, a pharmacy, or other location related to the purpose for which the sick time was taken; or
- Address the psychological, physical, or legal effects of domestic violence on the employee or the employee's dependent child.

Benefits-eligible employees may use more than the 40 hours required under the law to care for their own illness or injury, in accordance with Boston College's current sick leave and salary continuation policies. They are limited to using no more than 40 hours annually for family sick time. (But see the Family Sick Leave section in the Employee Handbook for exception wording.) Also, using sick leave for routine medical appointments (essentially 'well visits,' such as, routine physicals or dental exams) for the employee or the employee's family members is limited to 40 hours per year.

9. Can employees use accrued sick time in less than full work day increments?

Yes, employees may use sick time in increments as small as one hour.

13. Will documentation be required to support the use of sick time?

In accordance with the Sick Time Law provisions, employees may be required to submit documentation from a health care provider to their department and/or to the Benefits Office, certifying that the use of sick time was for an authorized purpose when the absence:

- Exceeds twenty-four (24) consecutively scheduled work hours or three (3) consecutively scheduled work days;
- Occurs within two (2) weeks prior to an employee's final scheduled day of work before termination of employment (except for temporary pool employees);
- Occurs after four (4) unforeseeable and undocumented absences within a three (3) month period.

Note: For absences exceeding the 40 hours covered by the Sick Time Law, existing Boston College department practices for requiring documentation to support the use of sick time will continue to apply. At its discretion, the University may require a physician's certification that an employee is medically unable to work and may also require a second opinion.

14. How do breaks in service affect sick leave accruals?

- Following a break in service of up to 12 months, employees may use any unused sick time accrued before the break in service.
- With a break in service of longer than 12 months, any unused sick time accrued before the break in service is forfeited.
- After a break in service of up to twelve months, returning employees do not need to wait 90 days to start using their accrued sick time.

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