

**Policy:** Starting on January 1, 2024, Communities of Care will pay employees ESST/PTO time according to MN statute 181.9447, subdivision 9. ESST (Earned sick and safe time) will be accrued at the same rate as PTO (Paid time off) and can be used interchangeably by the employee. Employees who work more than 80 hours in a calendar year are eligible to earn ESST/PTO starting on their first day of employment.

Earned sick and safe time can be used for:

- an employee's physical or mental illness, treatment or preventive care.
- the physical or mental illness, treatment or preventive care of an employee's family member.
- absence due to domestic abuse, sexual assault or stalking of an employee or their family member.
- closure of an employee's workplace due to weather or public emergency or closure of their family member's school or care facility due to weather or public emergency.
- when an employee or their family member is at risk of infecting others with a communicable disease as determined by a health authority or health care professional.

Family members under the earned sick and safe time law include:

1. an employee's child, including foster child, adult child, legal ward, child for whom the employee is legal guardian or child to whom the employee stands in place of a parent.
2. an employee's spouse or registered domestic partner.
3. an employee's sibling, stepsibling, or foster sibling.
4. an employee's biological, adoptive, or foster parent, stepparent or a person who stood in place of a parent when the employee was a minor child.
5. an employee's grandchild, foster grandchild, or step grandchild.
6. an employee's grand parent or step grandparent.
7. a child of a sibling of the employee.
8. a sibling of the parents of the employee.
9. a child-in-law or sibling-in-law.
10. any of the family members listed in #1 through 9 above of an employee's spouse or registered domestic partner.
11. any other individual related by blood or whose close association with the employee is the equivalent of a family relationship.
12. Up to one individual annually designated by the employee.

### Procedure:

- Employees of Communities of Care will earn ESST/PTO at a rate of 4% for hours worked. Employees can accumulate time off up to 80 hours. At which time, they will no longer accrue time off until their available balance is below 80 hours.
- Employees cannot use more hours than have accrued. ESST/PTO will be calculated during the same period as regular payroll. ESST/PTO accrues only on the hours an employee actually works.
- Employees can rollover up to 80 hours into a new calendar year, maintaining the 80-hour cap on accrued ESST/PTO time. They will not accrue additional hours in the new year until the balance available is less than 80 hours.
- A “Request Time Off Form” is required. This form indicates the date(s) they would like to take time off work. Please indicate whether the client would like a replacement.
  - If time off is requested for a planned vacation, two weeks’ notice is required.
  - If time is requested for foreseeable ESST, one week’s notice is sufficient.
  - In situations where an employee cannot provide advance notice, contact HR at 651-492-0549 as soon as they know they will be unable to work. If an employee wishes to use ESST/PTO, they must submit the Request Time Off Form even though it is after the fact. This form must be submitted before ESST will be paid.
- Communities of Care requires employees to provide a doctor note regarding the use of ESST if they miss more than three consecutive shifts for illness.
- Employees can use ESST/PTO to replace hours they would have normally worked. Time taken under the ESST/PTO policy must be a complete scheduled shift. It is the employee’s responsibility to fill out a “ESST/PTO Request Form” completely indicating date(s) and hours requested and the total number of hours to be paid. This will be paid the next possible pay period.
- Employees are allowed to “cash out” PTO time up to 40 hours one time per calendar year. This amount will be added to the employee's regular paycheck on the date requested. No separate checks will be issued for PTO.
- Communities of Care will not pay out unused ESST/PTO when an employee separates from this agency.
- Communities of Care will not retaliate against any employee for using or requesting earned sick and safe time or otherwise exercising their earned sick and safe time rights under the law.