

EARNED SICK LEAVE FOR PART-TIME EMPLOYEES

I. Purpose

Effective October 29, 2018, in accordance with the Paid Sick Leave Law (“Law”), part-time employees may accrue one hour of paid sick time for every 30 hours worked.

II. General

- a. All part-time employees shall accrue one (1) hour of paid sick leave for every thirty (30) hours worked, up to a maximum of forty (40) hours of sick leave per year.
- b. Employees will accrue earned sick leave beginning October 29, 2018, or on their date of hire, whichever is later.
- c. Part-time employees currently covered by a collective bargaining agreement will begin to accrue paid sick leave on the date that the agreement expires.
- d. Employees hired prior to October 29, 2018, may begin using accrued sick leave on February 26, 2019.
- e. For employees hired after October 29, 2018, they may use accrued sick leave 120 days after the date of hire.
- f. An employee may use a maximum of forty (40) hours of sick leave in any benefit year.
- g. Employees may carry over up to forty (40) hours of accrued sick leave from year to year.
- h. The College is not under any obligation to pay an employee for accrued but unused sick leave time upon separation from employment.
- i. The Law recognizes the following individuals as “family members”: child; grandchild; sibling; spouse; domestic partner or civil union partner; parent; grandparent; spouse, domestic partner, or civil union partner of an employee’s parent or grandparent; sibling of an employee’s spouse, domestic partner or civil union partner; any other individual related by blood to the employee; and any individual whose close association with the employee is equivalent of family.

III. Paid Sick Leave may be used for the following:

- a. Diagnosis, care, treatment of, or recovery from, an employee’s mental or physical illness, injury or other adverse health conditions, or for preventative medical care of the employee;
- b. Aiding or caring for a family member during diagnosis, care, treatment of, or recovery from, the family member’s mental or physical illness, injury or other adverse health conditions, or for preventative medical care of the employee’s family member;
- c. Absence(s) necessary due to the employee or employee’s family member being a victim of domestic or sexual violence, *if the earned sick leave is used by the employee to obtain for the employee or family member:*
 - medical attention needed to recover from a physical or psychological injury or disability caused by domestic or sexual violence

- services from a designated domestic violence agency or other victim services organization;
- psychological or other counseling
- relocation
- other legal services, including obtaining a restraining order or preparing for, or participating in, any civil or criminal legal proceeding related to the domestic violence or sexual violence

d. Time needed by the employee after the closure of his or her workplace or the school/place of care of the employee's child, by order of a public official due to an epidemic or other public health emergency; or time needed because a public health authority issues a determination that the presence of the employee or a member of the employee's family in need of care by the employee would jeopardize the health of others in the community;

e. Time needed by the employee to attend a school-related conference, meeting, function or other event of the employee's child requested or required by the school responsible for the child's education, or to attend a meeting concerning the care provided to the child in connection with the child's health conditions or disability.

An employee may not use earned sick leave for any purpose other than those listed above and the College may discipline an employee who does so.

IV. Requiring Employee Notice and Documentation

If the need to use earned sick leave is foreseeable, the employee shall provide the College with seven (7) days' advance notice. The employee shall make a reasonable effort to schedule the use of his or her earned sick time in a manner that does not unduly disrupt the operations of the College. If the need to use earned sick leave is unforeseeable, the employee shall provide notice to the College as soon as it is practical.

V. Employer Notice and Record Keeping Requirements

The College will post a Notice of Employee Rights around campus created by the New Jersey Department of Labor and Workforce Development, and existing employees will receive a copy, by November 29, 2018. New hires will be given a copy of the notice upon hire.

The College will not take retaliatory or discriminatory action in connection with an employee's request to use and use of earned sick leave.

New Jersey Earned Sick Leave

Notice of Employee Rights

Under New Jersey's Earned Sick Leave Law, most employees have a right to accrue up to 40 hours of earned sick leave per year. Go to nj.gov/labor to learn which employees are covered by the law.

New employees must receive this written notice from their employer when they begin employment, and existing employees must receive it by November 29, 2018. Employers must also post this notice in a conspicuous and accessible place at all work sites, and provide copies to employees upon request.

YOU HAVE A RIGHT TO EARNED SICK LEAVE.

Amount of Earned Sick Leave

Your employer must provide up to a total of 40 hours of earned sick leave every benefit year. Your employer's benefit year is:

Start of Benefit Year: July 01

End of Benefit Year: June 30

Rate of Accrual

You accrue earned sick leave at the rate of 1 hour for every 30 hours worked, up to a maximum of 40 hours of leave per benefit year. Alternatively, your employer can provide you with 40 hours of earned sick leave up front.

Date Accrual Begins

You begin to accrue earned sick leave on October 29, 2018, or on your first day of employment, whichever is later.

Exception: If you are covered by a collective bargaining agreement that was in effect on October 29, 2018, you begin to accrue earned sick leave under this law beginning on the date that the agreement expires.

Date Earned Sick Leave is Available for Use

You can begin using earned sick leave accrued under this law 120 days after you begin employment.

Acceptable Reasons to Use Earned Sick Leave

You can use earned sick leave to take time off from work when:

- You need diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition; or you need preventive medical care.
- You need to care for a **family member** during diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition; or your family member needs preventive medical care.
- You or a family member **have been the victim of domestic violence or sexual violence** and need time for treatment, counseling, or to prepare for legal proceedings.
- You need to attend **school-related conferences, meetings, or events** regarding your child's education; or to attend a school-related meeting regarding your child's health.
- Your employer's business **closes due to a public health emergency** or you need to care for a child whose school or child care provider closed due to a public health emergency.

Family Members

The law recognizes the following individuals as “family members:”

- Child (biological, adopted, or foster child; stepchild; legal ward; child of a domestic partner or civil union partner)
- Grandchild
- Sibling
- Spouse
- Domestic partner or civil union partner
- Parent
- Grandparent
- Spouse, domestic partner, or civil union partner of an employee’s parent or grandparent
- Sibling of an employee’s spouse, domestic partner, or civil union partner
- Any other individual related by blood to the employee
- Any individual whose close association with the employee is the equivalent of family

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Advance Notice

If your need for earned sick leave is foreseeable (can be planned in advance), your employer can require up to 7 days’ advance notice of your intention to use earned sick leave. If your need for earned sick leave is unforeseeable (cannot be planned in advance), your employer may require you to give notice as soon as it is practical.

Documentation

Your employer can require reasonable documentation if you use earned sick leave on 3 or more consecutive work days, or on certain dates specified by the employer. The law prohibits employers from requiring your health care provider to specify the medical reason for your leave.

Unused Sick Leave

Up to 40 hours of unused earned sick leave can be carried over into the next benefit year. However, your employer is only required to let you use up to 40 hours of leave per benefit year. Alternatively, your employer can offer to purchase your unused earned sick leave at the end of the benefit year.

You Have a Right to be Free from Retaliation for Using Earned Sick Leave

Your employer cannot retaliate against you for:

- Requesting and using earned sick leave
- Filing a complaint for alleged violations of the law
- Communicating with any person, including co-workers, about any violation of the law
- Participating in an investigation regarding an alleged violation of the law, and
- Informing another person of that person’s potential rights under the law.

Retaliation includes any threat, discipline, discharge, demotion, suspension, or reduction in hours, or any other adverse employment action against you for exercising or attempting to exercise any right guaranteed under the law.

You Have a Right to File a Complaint

You can file a complaint with the New Jersey Department of Labor and Workforce Development online at nj.gov/labor/wagehour/complnt/filing_wage_claim.html or by calling 609-292-2305 between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

Keep a copy of this notice and all documents that show your amount of sick leave accrual and usage.

You have a right to be given this notice in English and, if available, your primary language.

For more information visit the website of the Department of Labor and Workforce Development: nj.gov/labor.

Enforced by: NJ Department of Labor and Workforce Development
Division of Wage and Hour Compliance, PO Box 389, Trenton, NJ 08625-0389 • 609-292-2305

This and other required employer posters are available free online at nj.gov/labor, or from the Office of Constituent Relations, PO Box 110, Trenton, NJ 08625-0110 • 609-777-3200.

If you need this document in Braille or large print, call 609-292-2305. TTY users can contact this department through the New Jersey Relay: 7-1-1.

Display this poster in a conspicuous place

NEW JERSEY DEPARTMENT OF

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LABOR AND WORKFORCE
DEVELOPMENT nj.gov/labor
or

MW-565 (9/18)
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Approved:

Board of Trustees
October 21, 1982

Revised:

Board of Trustees
November 15, 2018