



<b>Subject:</b> Earned Sick Time	<b>Policy/Procedure Number:</b> 00002
<b>Effective Date:</b> January 3, 2022	<b>Review Date:</b>
<b>Applicable To:</b> Eligible VT State Legislative Employees	<b>Revision Date:</b>
<b>Issued By:</b> Office of Legislative Human Resources	<b>Approved By:</b> Human Resources; Joint Legislative Management Committee

## PURPOSE AND POLICY STATEMENT

Sick time is earned and used by eligible employees to take time off from work for illness, injury, or health care; to care for a family member who is ill, injured, or receiving health care; for safe leave in relation to domestic violence, sexual assault, or stalking; closure of a family member's school or child care due to a public health or safety reason; or death in the immediate family.

Session-only and temporary employees should refer to their office director for guidance regarding earned sick time and other time off applicable to session-only and temporary employees.

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## DEFINITIONS

**Eligible Employee** – An employee who is in a permanent position with the General Assembly and does not include a session-only or temporary employee.

**Family Member** – A child, stepchild, ward, or foster child; a child for whom the employee has an *in loco parentis* relationship; a spouse, domestic partner, or civil union partner; a parent or parent-in-law; a sibling or sibling-in-law; a grandchild or the grandchild of the employee's spouse, domestic partner, or civil union partner; a grandparent or grandparent-in-law; or an adult who had an *in loco parentis* relationship with an employee when the employee was a child.

***In Loco Parentis*** – A relationship in which a person puts themselves in the situation of a parent by assuming and discharging the obligations of a parent to a child. The relationship exists when an individual intends to take on the role of a parent to a child who is under 18 years of age or is 18 years of age or older and incapable of self-care because of a mental or physical disability. Persons who are *in loco parentis* include those with day-to-day responsibilities to care for or financially support a child. The specific facts of each situation will determine whether an employee stands *in loco parentis* to a child.

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## **GENERAL PROVISIONS AND LEAVE REQUESTS**

### **1. General Provisions**

Sick time accruals and the rate at which sick time is accrued is based on an employee's employment status and leave plan. Eligible employees are credited with 48 hours of their sick time at the start of hire, which may be used during the first six months of employment. Following the first six months of employment, eligible employees may use earned sick time when they are absent from work and unable to perform their duties. Sick time may be used for the following reasons:

- illness or injury;
- professional diagnostic, preventive, routine, or therapeutic health care;
- care for a family member who is ill, injured, or receiving health care;
- safe leave in relation to domestic violence, sexual assault, or stalking;
- closure of a family member's school or day care due to a public health or safety reason, or a request that the family member quarantine because of potential exposure to an infectious disease;
- a request that the employee quarantine because of potential exposure to an infectious disease;
- death in the immediate family;
- medical and dental appointments that cannot be scheduled outside of regular work hours; or
- to attend a court hearing under the Crime Victims Leave Policy (#00005).

### **2. Earned Sick Time Requests**

Employees who need to use earned sick time for a planned absence, such as a medical appointment, should provide their supervisor with a minimum of one week's notice whenever possible. Employees who need to take an unplanned sick day must notify their supervisor as soon as practicable and before the start of their workday whenever possible.

Eligible employees who need to take a sick leave expected to be longer than five days for their own or a family member's serious health condition should reference Policy # 00001, Leaves of Absence Under Parental and Medical Leave (PMLA) for further details.



### **3. Other**

#### **a. Death in the Family**

Employees may be authorized by their supervisor to be absent from work due to the death or illness of a family member. Such absences shall be authorized for a specified period that should be sufficient to make funeral arrangements and to attend to family matters.

#### **b. Medical and Dental Appointments**

Employees should make every effort to schedule their own or family members' medical and dental appointments outside of work hours whenever possible. If this is not possible, employees should provide their supervisor with a minimum of one week's notice when possible.

### **4. Separation**

Upon separation from employment, an employee shall not be entitled to payment for unused earned sick time.

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This document is subject to change and is not intended to establish a contract of employment or any contractual rights.

Employees with questions, concerns, or disputes with the content of this policy must notify their direct supervisor/director or the Office of Legislative Human Resources at the Vermont General Assembly, Montpelier, VT, in writing.