Chapter “Benefits”

SICK LEAVE POLICY

ASA’s CALENDAR YEAR is always from January 1st to December 31st.

ASA College employees may not take Sick Leave until it has accrued.

All ASA employees may not use any accrued paid sick leave until they have completed 120 calendar days of employment.

No Sick Time accrues during an employee’s leave of absence.

Employees should complete a leave request form and submit it to their supervisor for approval and HR verification.

ASA College reserves the right to discipline an employee who misuses Sick Leave if an employee uses Sick Leave for a purpose other than those set forth in the law.

Indications of using Sick Leave for purposes other than those described in the law include, but are not limited to:

- Repeated use of unscheduled Sick Leave on or adjacent to weekends, regularly scheduled days off, holidays, vacation, or pay day.
- Taking leave on days when other leave has been denied.
- A pattern of taking leave on days when the employee is scheduled to work a shift or perform duties perceived as undesirable.

Evidence that an employee engaged in an activity that is not consistent with the employee being sick or with the employee using Sick Leave for a preventive medical appointment may also indicate misuse of Sick Leave.

Florida’s Employees Sick Leave Policy:

Part-Time (PT) and Fill-Time Equivalent (FTE) employees are not eligible for paid Sick Time.

All FLORIDA Full-Time salaried employees whose regular work schedule is at least 40 hours per week and Full-Time salaried Instructors whose regular work schedule is at least 35 hours per week are entitled to accrue up to five (5) sick days per calendar year, to be accrued for each full calendar month worked at the following monthly rates:

- 3.34 hours for regular Full-Time Employees, and
- 2.92 hours for regular Full-Time Instructors.
Any unused accrued paid sick time may not be carried over and will be forfeited if not used by December 31 of accrued year.

Full-Time salaried employees and Full-Time salaried instructors may not use any accrued paid sick time until they have completed **120 calendar days** of employment.

Sick Leave is intended to provide income in the event that a non-work related personal illness or injury prevents employees from performing their job.

HR/Payroll Department or employee’s supervisor can request documentation from a licensed health care provider as a proof of employee’s illness.

*Sick Leave may be taken only in half or full-day increments.*

*Note:* Upon resignation or termination of employment for any reason, or when employee is converted from Full-Time salaried employee or from Full-Time salaried instructor to “Full-Time equivalent” or to “Part-Time” classification / position, employee will not receive pay for any accrued and unused sick time.

All accrued and unused sick time will be forfeited.

**New York City’s Employees Sick Leave Policy:**

Effective April 1, 2014, all NYC employees are eligible for 40 hours of paid Sick Time, provided that they work more than eighty (80) hours in a calendar year.

**Federal Work Study Employees are not entitled to Sick Leave.**

Paid Sick Time will accrue at a rate of 1 hour for every 30 hours worked to a maximum of 40 hours in each calendar year.

All ASA New York employees may not use any accrued paid sick time until they have completed **120 calendar days** of employment.

If a newly hired employee begins work when there are fewer than 120 days left in the calendar year, employee’s accrued Sick Leave will be carry over into the next calendar year. After 120 days, the employee can use accrued Sick Leave.

All NYC employees may carry over up to 40 hours of accrued unused paid sick time from one calendar year to the next; however no employee may take more than 40 hours of paid sick time in a calendar year.

ASA’s **CALENDAR YEAR** is always from January 1st to December 31st.

HR/Payroll Department or employee’s supervisor can request documentation from a licensed health care provider if employee used more than three (3) consecutive workdays as Sick Leave.

NYC FT employees may take Sick Leave in half or full-day increments.

PT and FTE employees may take Sick Leave that is equivalent to employees schedule for the day of absence

**FOR WHAT REASONS CAN NYC EMPLOYEE USE SICK LEAVE?**

Employees can use Sick Leave for absence from work due to:

- The employee’s mental or physical illness, injury, or health condition.
• The employee’s need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition.

• The employee’s need for preventive medical care.

• Care of a family member who needs medical diagnosis, care, or treatment of an illness, injury, or health condition, or who needs preventive medical care.

• Closure of employee’s place of business due to a public health emergency (as declared by the Commissioner of the New York City Department of Health and Mental Hygiene or the Mayor).

• The employee’s need to care for a child whose school or child care provider is closed due to a public health emergency.

ASA College requires an employee to provide a minimum of 4 days written notice of the employee’s need of foreseeable use Sick Leave to employee’s supervisor and HR Department.

If Sick Leave is unforeseeable employee must notify employee’s supervisor as soon as possible via email and/or phone call.

WHAT IS A FORESEEABLE USE OF SICK LEAVE?

A foreseeable use of Sick Leave occurs when the employee is able to predict or know in advance that he or she will need to use Sick Leave, such as a doctor’s visit or a regular psychotherapy appointment.

WHAT IS AN UNFORESEEABLE USE OF SICK LEAVE?

An unforeseeable use of Sick Leave occurs when:

• the employee is not able to know in advance or predict that he or she will need to use Sick Leave. For example, an employee would not know in advance that he or she would need Sick Leave if the employee or a family member is in an accident or is suddenly ill.

• if an employee uses less than 3 days for Sick Leave, ASA College may ask employee to submit written verification that the employee used Sick Leave for Sick Leave purposes allowable by law.

The law recognizes the following as an employee’s family members:

Child (biological, adopted, or foster child; legal ward; child of an employee standing in loco parentis), Grandchild, Spouse, Domestic partner, Parent, Grandparent, Child or parent of an employee’s spouse or domestic partner, Sibling (including a half, adopted, or step sibling)

Note: Upon resignation or termination of employment for any reason all accrued and unused sick time will be forfeited.