



Michigan Earned Sick Time Act POLICY NO: 232-P

- Applies To: All employees, including full-time, part-time, and temporary employees, in compliance with the Michigan Earned Sick Time Act.
- Effective Date: 02/21/2025
- Associated References: [Michigan Earned Sick Time Act Poster](#)

Purpose:

This policy outlines the provisions and requirements of the Michigan Earned Sick Time Act (ESTA) as adopted by The City of Traverse City. The purpose of this policy is to ensure compliance with state law and to provide employees with access to paid sick leave to care for their health and well-being.

Additional Authority:

Michigan Earned Sick Time Act

Eligibility & Coverage:

All employees are entitled to Earned Sick Time under this policy. The method of allocation, accrual, and use of sick time varies based on the provisions outlined below.

- This policy applies to all full-time, part-time, seasonal, and temporary employees.
- Full-time employees receive a front-loaded sick time allocation, utilizing existing short-term leave (STL), personal leave banks, and vacation accruals.
- Part-time employees receive front-loaded hours under short-term leave (STL).
- Seasonal and temporary employees accrue sick time in the ESTA bank based on hours worked.

Accrual & Usage:

The measurement period for sick time will be December 1 through November 30 of each year.

Waiting Period:

- There is a 120-day waiting period for newly hired employees before Earned Sick Time Hours may be used, unless otherwise specified in a personnel policy, collective bargaining agreement or other contractual obligation.
- Earned Sick Time hours may be front loaded or begin accruing immediately upon hire, as the case may be, but usage is subject to the 120 calendar day waiting period.

Regular Full-Time and Part-Time Employees:

- Full-time employees receive a front load of up to seventy-two (72) hours of Earned Sick Time hours under Short Term Leave (STL) and Personal. Vacation hours are accrued.
- Front load of Earned Sick Time hours shall be prorated based on the date of hire of the employee.
- Part-time employees receive a front load of up to 72 hours of Earned Sick time under Short Term Leave (STL). The front load of earned Sick Time Hours shall be based on the anticipated accrual of Earned Sick Time based on the part-time employee's projected hours. Additional Earned Sick Time hours shall accrue as required in the event the part-time employee works more than the anticipated number of hours.

Seasonal & Temporary Employees:

- Seasonal and temporary employees will accrue one (1) hour of Earned Sick Time for every 30 hours worked.
- The maximum accrual for seasonal and temporary employees is 72 hours per measurement period.
- Accrued hours shall be banked in the employee's ESTA bank. Regardless of the balance in the employee's ESTA bank, no more than 72 sick time hours may be used in any period.
- Accrued sick time may be used in increments consistent with department policy.

Permissible Uses of Sick Time: Employees may use earned sick time for the following purposes:

1. The employee's own physical or mental illness, injury, or health condition.
2. Medical diagnosis, care, or treatment of a health condition.
3. Preventive medical care for an employee or family member.
4. Care of a family member with a physical or mental illness, injury, or health condition.
5. Absences due to domestic violence or sexual assault, including to obtain medical care, psychological or other counseling for physical or psychological injury or disability, to obtain services from a victim service organization, relocation services, or legal assistance or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
6. Meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault of the child.
7. Closure of the employee's workplace or child's school/place of care by order of a public official due to a public health emergency.
8. If it has been determined by the health authority or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to communicable disease.
9. To care for a family member affected by a public health emergency.
10. If an employee utilizes all the paid time off for vacation, no additional paid sick time will be provided.

Definition of Family Member: For the purposes of this policy, family members include an employee's:

- Biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis.
- Biological parent, foster parent, stepparent, or adoptive parent or a legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child.
- Grandparent.
- Grandchild.
- Biological, foster, or adopted sibling.
- Any other individual related by blood or by affinity whose close association with the employee is the equivalent of a family relationship.
- "Domestic partner" means an adult in a committed relationship with another adult, including both same-sex and different-sex relationships.
- "Committed relationship" means one in which the employee and another individual share responsibility for a significant measure of each other's common welfare, such as any relationship between individuals of the same or different sex that is granted legal recognition by a state, political subdivision, or the District of Columbia as a marriage or analogous relationship, including, but not limited to, a civil union.

Carryover & Payout

Regular Full-time employees: Unused Earned Sick Time hours do not carry over beyond the measurement period. Unused Short Term Leave banks shall be paid in accordance with personnel policies and collective bargaining agreements. Unused Personal Days shall not be paid out or carried over.

Regular Part-time employees: Unused Earned Sick Time hours do not carry over beyond the measurement period. Sick time is not paid out upon separation from employment.

Seasonal & temporary employees: Up to 40 hours of unused sick time may be carried over to the next measurement period. Sick time is not paid out upon separation from employment.

For all employees, if there is less than a two (2) month break in employment, previous banks may be tracked and reinstated.

Notice & Documentation

1. Employees are required to identify each sick day used by entering "Sick Day" into the notes section within the BSA Timesheet for each day used.
2. Employees should provide as much advance notice as possible when requesting sick time. For foreseeable absences, notice must be provided at least seven (7) days in advance.
3. If the need for sick time is unforeseeable, employees must notify their supervisor as soon as practicable.
4. Requests for sick time may be made verbally or in writing.
5. For absences longer than three consecutive days, documentation from a healthcare provider may be required.
6. The employee has 15 days to produce documentation signed by a health care professional.

Retaliation Prohibited: Retaliation or discrimination against employees for exercising their rights under the Michigan Earned Sick Time Act is strictly prohibited. Employees who believe they have been subject to retaliation should report their concerns to the Human Resource Office. The City of Traverse City reserves the right to investigate suspected abuse of sick time and take corrective action when necessary.

Recordkeeping: The City of Traverse City will maintain records of hours worked, sick time accrued, and sick time used for a period of three (3) years in compliance with ESTA requirements.

Amendments and Updates: The City of Traverse City reserves the right to amend this policy to comply with changes to the Michigan Earned Sick Time Act or other applicable laws.

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| Approved By: Elizabeth Vogel on 03/04/2025 Signature: <u>E. Vogel</u> | HISTORY: Initial Adoption Date: 02/21/2025 |
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