



New Jersey Institute of Technology
University Policies and Procedures

DATE: April 1, 2020
Revised: January 11, 2021

Subject: HUMAN RESOURCES – Emergency Paid Sick Leave Policy

Effective Date

This policy is effective between April 1, 2020 and May 31, 2021.

Statement of Policy

The COVID-19 virus epidemic has created unprecedented challenges and limitations for employees to report to their workplace and perform their duties. Due to these challenges, the Federal government has created temporary emergency entitlements to paid sick time for use under limited circumstances related to the COVID-19 virus epidemic.

This policy provides emergency paid sick leave that is independent from, and in addition to, any paid sick leave balances you may have available pursuant to your respective collective bargaining agreement or the Non-Aligned Sick Leave Policy.

Leave Entitlements

Full-time employees are entitled to two weeks of paid sick leave, up to 80 hours (for employees working or paid pursuant to a 40 hour schedule), 70 hours (for employees working or paid pursuant to a 35 hour schedule) and 75 hours (for employees working or paid pursuant to a 37.5 hour schedule).

Part-time employees are entitled to a number of hours equal to the average hours the employee works during a two week period.

This policy does not apply to Public Safety and other emergency responders.

Use of Emergency Paid Sick Leave

You may only use emergency paid sick leave provided for in this policy due to:

- You are unable to work or telework and you require leave because you are subject to a Federal, State or local quarantine or isolation order related to COVID-19;
- You have been advised by a health care provider to self-quarantine due to concerns related to COVID-19;

- You are experiencing symptoms of COVID-19 and are seeking medical diagnosis;
- You are caring for an individual who is subject to a Federal, State or local quarantine or isolation order related to COVID-19;
- You are caring for a son or daughter whose school or child care provider is closed or your child's child care provider is unavailable due to COVID-19 precautions;
- You are experiencing any other substantially similar condition as defined by the Federal Government.

Amount Paid During Use of Emergency Sick Leave – Employee's quarantine or diagnosis

You will be paid your normal rate for each day of emergency paid sick leave, capped at \$511 per day used if:

- You are subject to a Federal, State or local quarantine or isolation order related to COVID-19;
- You have been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or
- You are experiencing symptoms of COVID-19 and are seeking medical diagnosis.

If you use emergency paid sick leave for any of the reasons defined in this section of our policy, your total emergency paid sick leave payments will not exceed \$5,110.

Amount Paid During Use of Emergency Sick Leave - School closings, closure or unavailability of child-care, other reasons defined by the Federal Government

You will be paid your normal rate for each day of paid sick leave, capped at \$200 per day used if:

- You are caring for an individual who is subject to a Federal, State or local quarantine or isolation order related to COVID-19;
- You are caring for a child whose school or child care provider is closed or your child's child care provider is unavailable due to COVID-19 precautions;
- You are experiencing any other substantially similar condition as defined by the Federal Government.

If you use emergency paid sick leave for any of the reasons defined in this section of our policy, your total emergency paid sick leave payments will not exceed \$2,000.

How to Use Emergency Paid Sick Leave

If you are unable to work for any of the reasons included in this policy and wish to use your emergency paid sick leave provided pursuant to this policy, you should email your supervisor as soon as practicable on or after the first day you plan to use emergency paid sick leave and copy the Department of Human Resources at benefits@njit.edu.

You should tell your supervisor the expected amount of emergency paid sick leave days you will use. If you know how many emergency paid sick leave days you will need to use, your supervisor will tell you whether you must call out daily during your absence.

If you are unable to call on your own behalf because you are experiencing symptoms of COVID-19, any adult member of your family may call on your behalf.

If you have questions about whether your absence qualifies for emergency paid sick leave, please contact the Department of Human Resources at benefits@njit.edu.

Documentation

If you are using emergency paid sick leave, we reserve the right to request a written statement from you that indicates the dates of your expected leave, a statement of the COVID-19 reason that you are asking for leave, with written support (i.e. a posting from your child's school indicating the closure) and a statement that you are not able to work or telework for that reason.

If you are using emergency paid sick leave because you are ordered or advised to self-quarantine or caring for another individual who has been ordered or advised to self-quarantine, documentation should be provided to identify governmental entity or health care provider who has issued the quarantine, and if for another individual, the identity of the individual for whom you are providing care, and your relationship to them.

If you are using emergency paid sick leave because your child's school or place of care has closed, documentation should be provided that confirms that you are the only individual available to provide care for the child/children, to identify the name and ages of the child/children, the name of the closed school(s) or day care provider(s). If the child is older than 14 years of age, a statement should be provided detailing special circumstances as to why the child older than 14 needs care during daylight hours.

Supplementing Pay with Other Leave Balances

During your use of emergency paid sick leave, you may request use of any other paid time-off balances to supplement the pay received for emergency paid sick leave. If you wish to supplement your emergency paid sick leave, you should send an email to your manager, copying Department of Human Resources at benefits@njit.edu on your first day of absence. If you know, you should also indicate the expected duration of your absence at that time. Providing notice on the first day of absence helps us ensure you are using the benefit you prefer. Use of emergency paid sick leave, with or without supplemental usage of other leave banks, will need to be inputted into the Web Time Entry System.

Overlap with Other Leave Policies

Your use of emergency paid sick leave may also qualify you for leave pursuant to the Family and Medical Leave Act or New Jersey Family Leave Act.

Similarly, if your need for leave extends beyond the emergency paid sick leave provided by this policy, you may also qualify to use paid time off pursuant to your respective collective bargaining agreement or the Non-Aligned Vacation and/or Sick Leave Policies or other applicable Human Resource policies.

Please contact the Department of Human Resources at benefits@njit.edu for more information.

No Retaliation

Retaliation for use of emergency paid sick leave under this policy is strictly prohibited. If you believe you have been retaliated against because you have used this benefit, please contact Vanessa Clarke Young, Director of Labor and Employee Relations, at vanessa.clarkeyoung@njit.edu.

Expiration of Benefit

There is no carry-over of unused emergency paid sick leave. Any unused emergency paid sick leave will expire at 12:00 a.m. June 1, 2021. This policy expires at 12:00 a.m. June 1, 2021.

Amendments

This policy is subject to amendment, based on changes in applicable Federal and State law.