**Sick and Safe Leave (SSL) Policy Template**

***Notes on editing this template:***

* *Items in* ***[example]*** *should be edited to reflect information specific to each member library.*
* *Items highlighted in yellow may not apply to all libraries. Member libraries should edit those portions to reflect library practice or remove if not applicable.*
* *Libraries that are required to provide UNPAID leave will replace PAID with UNPAID*
* *Libraries can choose to front load SSL by removing the accrual requirement and making SSL immediately available. It is important to be aware that front loaded SSL is not subject to later revocation or reduction if, for instance, the employee works fewer hours than anticipated by the employer. Libraries providing unpaid SSL may consider choosing this option to reduce the need to calculate accrued SSL throughout the year.*

***Required information that must be included in the Sick and Safe Leave Policy***

* *SSL accrues from date of hire.*
* *Unused SSL credits must roll over to the new calendar year.*
* *Employers cannot mandate that employees take SSL in increments of more than four hours.*
* *Allowable Sick Leave and Safe Leave use is defined per NYS requirements.*

All [LIBRARY NAME] employees accrue sick and safe leave (SSL) from the date of hire. Employees are not paid for unused SSL upon termination of employment. Unused SSL credits may be used at time of retirement to provide extra months of service credit for NYS Retirement. Employees must qualify for NYS Retirement prior to the inclusion of unused SSL credits.

***\*\*Employers may use the same accrual rate for all employees or provide different levels of accrual based on employment status. Employers that have SSL policies that already meet the requirements set by NYS do not have to make any changes.***

*Example 1:*

All employees accrue [NYS minimum mandate: one hour of paid SSL for every thirty hours worked up to a maximum of 40 hours] of paid SSL per year. Employees may use up to [amount to be set by library: minimum of 40 hours per year] of paid SSL per year. Unused SSL credits will be carried over to the next calendar year.

*Example 2:*

Full-time employees shall earn SSL credits at the rate of [ex: one day per calendar month for a total of 12 days per year]. Employees who are hired on or after the 15th of the month will accrue ½ day (3.75 hours) in their first partial month of employment. Unused SSL credits will be carried over to the next calendar year.

Part-time employees accrue [NYS minimum mandate: one hour of paid SSL for every thirty hours worked up to a maximum of 40 hours] of paid SSL per year. Part-time employees may use up to [amount to be set by library: minimum of 40 hours per year] of paid SSL per year. Unused SSL credits will be carried over to the next calendar year.

Employees must take SSL in increments of [the maximum increment is four hours, employers may set a lower limit]. SSL may not be used before accrual. If SSL is exhausted, any available vacation hours will be used in its place. An employee who has a sick leave absence in excess of three consecutive working days must present medical documentation for the absence to their supervisor; the use of safe leave of in excess of three consecutive working days must be reported to their supervisor.

After January 1, 2021, employees may use accrued SSL following a verbal or written request to their supervisor prior to use for the following reasons impacting the employee or a family member for whom they are providing care or assistance with care:

Sick Leave:

* For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or
* For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care.

Safe Leave:

* For an absence from work when the employee or employee’s family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
	+ to obtain services from a domestic violence shelter, rape crisis center, or other services program;
	+ to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee’s family members;
	+ to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
	+ to file a complaint or domestic incident report with law enforcement;
	+ to meet with a district attorney’s office;
	+ to enroll children in a new school; or
	+ to take any other actions necessary to ensure the health or safety of the employee or the employee’s family member or to protect those who associate or work with the employee.

“Family member” is defined as an employee’s child, spouse, domestic partner, parent, sibling, grandchild, or grandparent; and the child or parent of an employee’s spouse or domestic partner. “Parent” is defined as a biological, foster, step, or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child. “Child” is defined as a biological, adopted or foster child, a legal ward, or a child of an employee standing in loco parentis.

Employees may request a summary of SSL accrual and use in the current and previous calendar years at any time. [LIBRARY NAME] will provide the information within three business days.

[LIBRARY NAME] may take disciplinary action, up to and including termination, against an employee who uses leave for purposes other than those provided for under the law, or who lies to their employer in connection with taking such leave.