New York State Sick Time Law

Statutory Sick time for members of IBEW Local 97C (Gold Book)

Effective January 1, 2021 the New York State Paid Sick Leave Law takes effect.   The new law sets forth minimum sick leave benefits that employers must provide; these statutory sick leave benefits run concurrently with any sick leave benefits an employer already provides. For ease of discussion, the statutory benefit will be referred to as "Earned Sick Leave" or "Earned Sick Time"

Although the law allows employers to require employees to "accrue" sick time based on hours worked, the Company will remain consistent with the approach used across our entire National Grid footprint and will "front load" the maximum benefit provided for under the law. Beginning on January 1, 2021 and again on each calendar year, the Company will provide each employee with 56 hours of 100% sick pay available for use for any purpose stated under the law (see Q1 below); **this is an increase of 16 hours that are provided by the terms of your collective bargaining agreement.**

The information below provides you with the changes and is followed by a *Frequently Asked Questions* guide.

Pay Check Changes: In accordance with the NY State Sick Leave Law, union employees who are eligible for this benefit will be able to view this information on their weekly pay stubs. This will be shown on their pay stub as "*Earned Sick Leave*" and will display the number of statutory hours remaining. This information is based on the time entry information that has been entered into SAP.

Time Entry Changes: Your 100% sick pay benefit will now be provided to you through the use of two separate time entry codes.

- **A time entry code of "Earned Sick Time" (absence code 2620):** Each calendar year, the first 56 hours of sick time that you use will be coded with absence code 2620. You will use this code regardless of whether you use sick time for yourself or for a family member. If you have any Earned Sick Time remaining at the end of the year, it will be carried over to the following year as "regular" sick time.

- **The current code for 100% Sick Pay (absence code 2360).** If you have any carryover sick time from previous years, you will use absence code 2360. Once you begin using absence code 2360, sick time may only be used for your own non-occupational illness or injury.

    - If you attempt to use absence code 2360 before using all 56 hours of code 2620 (Earned Sick Time), SAP will prompt you to change the time code to Earned Sick Time.

IMPORTANT CHANGE TO PROCEDURE IN ENTERING EARNED SICK TIME: If an employee's time will be coded using both the Earned Sick Time code and a "regular" sick time code for the same date, the Earned Sick Time entry (2620) must first be entered and "saved" before the system will allow the remaining hours of regular sick time (2360) to be entered.

If you are a manager/supervisor with direct reports, it will continue to be your responsibility to make sure that your employee's time is coded correctly and approved prior to each weekly payroll run.

Questions and/or issues arising from time entry and quota bucket errors should be directed to Employee Services on 1-888-483-2123 or ussdc.payroll@nationalgrid.com.

Frequently Asked Questions and Answer Guide

Q1. What can NY State Sick Leave be used for

A1. Under the new law, employees may use a portion of their sick time for any of the following reasons impacting the employee or a member of their family for whom they are providing care or assistance with care. The first 56 hours of your sick time each calendar year may be used for the following "sick" or "safe" reasons:

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.

Q2. For which family members can I use my Earned Sick Time?
A2. The law defines family members as an employee's child (biological, adopted, or foster child; a legal ward; or a child of an employee standing in loco parentis), spouse, domestic partner, parent (biological, foster, step, or adoptive parent; legal guardian; or person who stood in loco parentis when the employee was a minor child), sibling, grandchild, or grandparent, and the child or parent of an employee's spouse or domestic partner.

Q3. How much Earned Sick Time are employees eligible for?
A3. Employees are eligible for 56 hours per calendar year. This applies to *all* employees regardless of status (i.e. full-time, part-time, temporary employees, etc)

Q5. When are new hires first eligible for Earned Sick Time?
A5. Employees are eligible for 56 hours of Earned Sick Time on the day they are hired.   This is an acceleration of the current provisions of your Collective Bargaining Agreement.

Q6. Will employees be given an <u>additional</u> 56 hours of sick time?
A6. In most cases, no. While there are some instances where employees may be eligible for time that is not granted under the collective bargaining agreement (such as new hires). Effective January 1, 2021, the first 56 hours of sick time used each year will be deemed Earned Sick Leave that can be used for any reason stated under "Q1" above. The remainder of the sick time will can only be used for the employee's own illness.

Q7. When does Earned Sick Time become available?
A7. SAP will automatically make Earned Sick Time available on an employees hire date and then again as of January 1 each year.

Q8. How will employees know when Earned Sick Time is available?
A8. As mentioned above, Earned Sick Time will display on your pay stub.

Q9. How will I know what time entry codes to use?
A9. SAP will be programmed to create an error message to assist with this concern:

- If you attempt to use a **regular** sick time code and there is Earned Sick Time available, you will receive the following message "***Earned Sick Leave Balance Remains, enter 2620"***. If you receive this message, you must first use any available Earned Sick Time (code 2620) before coding any regular sick time.

- If you attempt to use the Earned Sick Time code 2620 and **there is not enough Earned Sick Time remaining to cover the absence,** you will receive the following message "***Error not enough quota for attendance absence (time code) on <u>Date</u> for personnel # XXXXXXX".*** If you receive this message, verify the amount of earned sick time that is available. **If there are earned sick time hours available, enter those hours and save the time entry**. After you save the entry you will need to use a different applicable time code for the remaining hours for that date.

Q10. Do employees have a choice to use Earned Sick Time or "regular" sick time?
A10. No. The first 56 hours of sick time used in each calendar year, satisfies the requirements of the law. Regardless of whether the time is used for the employees own sick or safe reason or for that of a family member, the first 56 hours of sick time for each calendar year must be coded as Earned Sick Time. SAP will not allow you to enter a regular sick time code if Earned Sick Time is available.

Q11. If an employee uses the first 56 hours of the year for their own illness, are they allowed to use additional Earned Sick Time to care for the needs of their family?
A11. No. If an employee uses the first 56 hours of sick time for their own illness, the employee is not entitled to any additional Earned Sick Time nor may the employee use their "regular" sick time for a family member.

Q12. Do I still report the employee absence to Sedgwick, if the employee is utilizing Earned Sick Time?

A12. Yes. Continue to report employee absences to Sedgwick, as you do today.

Q13. Can an employee be disciplined for using Earned Sick Time?

A13. No. Under the New York State Sick Time Law, employees cannot be disciplined or be subject to any adverse actions for exercising their rights to use Earned Sick Time.

Q14. Will Earned Sick Time, be included in the discipline reports?

Q14. No. All time that is coded as 2620 is Earned Sick Time and should be excluded for discipline purposes. The discipline reports will not include any time taken for Earned Sick Time.