

# Lewis Creek Farm

## Earned Sick Time Policy

Edited January 2020

While you work at Lewis Creek Farm, you are entitled to a modest amount of paid sick time each year. The number of hours you are entitled to depends on how much time you have worked, so we refer to it as earned sick time.

### **What is Sick Time?**

Sick time referred to here is time you feel you need to take off from work because you are sick or if any of the reasons listed on page 4 apply (see "You may use earned sick time for the following:").

Sick time is not time you need to take off from work because you were injured at work. Time you need to take off from work because you were injured at work, falls under the category of Workers Compensation and is calculated and reimbursed under a different set of rules.

### **Earned Sick Time**

Earned sick time is time that you can take off from work for any of the allowed reasons and you are paid for it at your normal rate of pay. Our rules for earned sick time conform to the State of Vermont's regulations.

### **Mutually Agreeable Solutions**

In all cases, be it taking sick time or scheduling a long weekend, it is preferred that you work with Hank to be sure that your responsibilities at the farm are taken care of. It's also possible you might be saving your sick time "for a true emergency" or have used up all your available earned sick time.

When possible, consider the following options:

- Swap time off with another employee to ensure coverage.
- You might offer to come in on a day that would otherwise be your day off to cover your absence.

The idea is some arrangement, mutual agreeable, might mitigate the impact of your absence.

### **How you earn Earned Sick Time**

Earned sick time will accumulate at a rate of .77 hours for every week of 40 or more hours worked. (That's about 8 hrs of sick time earned in 10 weeks.) When less than 40 hours are worked in a pay week, earned sick time will accrue at a rate of 1 hour for every 52 hrs worked.

New employees are not eligible to use earned sick time for the first 20 weeks of their employment here. After 20 weeks a new employee will start being entitled to use earned sick time.

The 20 weeks a new employee has already worked will be used to calculate your available earned sick time starting in week 21.

Your unused earned sick time will roll over into the following year.

### **How you may use Earned Sick Time**

You may use up to 40 hrs of earned sick time in a calendar year.

You must tell Hank that you are using earned sick time and which of the allowed purposes you are using it for. You must tell Hank that you are using earned sick time as early as possible, but no later than 1 hour after your scheduled start time has passed, unless extenuating circumstances prohibit it. (eg you were in a car accident and you're in the hospital)

Examples:

*"Hank, I feel sick. I'm going home early. I'm going to use earned sick time. I'll let you know tomorrow morning before 8am (or your scheduled start time) if I'm coming in tomorrow."*

*"Hi Hank, I woke up feeling crappy. I'm going to stay home today. Sorry I didn't call you sooner. It's about 8:45am I was supposed to be there by 8am. I'm going to use earned sick time. Maybe I'll feel OK by this afternoon. I'll call you at lunch time."*

*"Hank, I have to take my son to a doctors appointment tomorrow. I'll be out all morning. I'm going to use earned sick time. I'll be in at 1pm."*

It is OK to be sick or need to be out for any of the allowed purposes and not use paid sick time.

If your use of sick privileges exceeds twice your available earned sick time, then your availability may be inadequate for the job you have been hired to do and it may be necessary to find another person who can fulfill the time and responsibilities you were hired to perform.

The minimum earned sick time block you may use is 1 hr.

You are eligible to be paid for sick time only if you are scheduled to work during the time you plan to use the sick time. So, you cannot say:

*"Hi Hank, it's Sunday morning, I'm feeling crappy. I'm not scheduled to work today, but I'm sick and I'm going to use earned sick time, cause I'm sick."*

No one is scheduled to work after 5pm except the farmstand manager who is scheduled to work until 6pm. Therefore a field worker can't say:

*"Hank, I feel sick, so I'm going home at 5, but I would have worked until 7 and I'll take that as paid sick time."*

However you may say:

*"Hank, I feel sick. I'm going home now. It's 3pm. I'm going to use earned sick time of 2 hrs until 5pm. I'll call you before 8am in the morning to let you know how whether or not I'm coming in tomorrow."*

### **How to communicate your that you will not be at work**

You need to successfully communicate to Hank if you will not be at work, regardless of whether you are sick or not. The acceptable methods are:

- Phone: Call 802-453-4591 talk to Hank or leave a voice mail.
- Email: LCFarm@gmavt.net
- Note: Leave a note for Hank on the clip outside his office door.
- In person: Find Hank and tell him.
- Do not text or call Hank's cell phone. Hank does not carry his cell phone (as much as he ought to), so calling him or texting him on his cell phone is NOT an acceptable method of contacting him.

### **Record your sick time**

Just like you need to record the time you work on the time sheet, you need to record your use of earned sick time. Use the Notes column on the right side of the page to record your start and end sick times. For example:

<b>S</b> Sick
<b>E</b> 1pm Monday
<b>L</b> to 5pm Tuesday

### **Unused Earned Sick Time**

Earned sick time allows you to be sick occasionally, as is inevitable, without jeopardizing your income. However you have to get sick to use it. It's like car insurance: you have to have an accident and ruin your car and risk your life to get anything out of it. It might be said that it's a zero sum game.

Any unused earned sick time has no cash value. You will not be reimbursed for unused earned sick time at the end of the year or when you leave work at Lewis Creek Farm.

You must be sick to use earned sick time. It is not "Paid time off".

However,

**You may use earned sick time for the following:** (Quoting directly from Vermont State Statues)

(1) care for the employee's own physical or mental illness, injury, or medical condition that requires homecare, professional medical diagnosis or care, or preventative medical care, including diagnostic, preventive, routine, or therapeutic health treatment;

(2) care for the employee's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild or foster child, who is suffering from a physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;

(3) care for the employee's sick or injured parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, including helping that individual obtain diagnostic, preventive, routine, or therapeutic health treatment, or accompanying the employee's parent, grandparent, spouse, or parent-in-law to an appointment related to his or her long-term care. Routine healthcare treatment includes travel to and from an appointment, a pharmacy, or other location related to the purpose for which the time was taken.

(4) arranging for social or legal services or obtaining medical care or counseling for the employee or for the employee's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, who is a victim of domestic violence, sexual assault, or stalking or who is relocating as the result of domestic violence, sexual assault, or stalking. "Domestic violence," "sexual assault," and "stalking" shall have the same meanings as in 15 V.S.A. § 1151.