**SAMPLE Sick and Safe Time (“SST”) POLICY**

This policy applies to employees working for the Company within the City of Minneapolis or City of Saint Paul at least 80 hours per calendar year.

***PTO Eligible Employees***

Eligible salary (exempt) employees may use PTO benefits provided by the Company for SST purposes as detailed below. *[Note: Existing PTO policies can meet the requirements of the ordinance if the plan (1) provides employees at least as much leave as required by the ordinance; and (2) allows employees to use the leave for all of the reasons and under the same conditions required by the ordinance. A checklist to use to determine if your plan meets Minneapolis requirements can be* [*found here*](http://sicktimeinfo.minneapolismn.gov/uploads/9/6/3/1/96313024/employer_checklist_final_2_1_18.pdf)*. Saint Paul’s ordinance is substantially similar.]*

***Non-PTO Eligible Employees***

[Non-PTO eligible employees earn one hour of SST for every 30 hours worked, up to a maximum of 48 hours per calendar year.

SST begins to accrue on the employee’s first day of work, but may not be used during the first 90 days of employment. SST accrues in one-hour increments.

Employees may accrue a maximum of 80 hours of SST, which may be carried over from year to year. Once an hourly employee reaches 80 hours of SST through carry-over and accrual, he or she no longer accrues additional SST until some of their SST hours are used.]

*OR*

[Non-PTO eligible employees will be awarded 48 hours of leave to use after 90 days of employment and 80 hours at the beginning of every year thereafter. Unused hours do not carry over from year to year.]

At the time of termination, employees will not be paid out their unused SST. If an employee separates from employment and is rehired within 90 days, any earned and unused sick and safe leave that the employee had at the time of separation will be reinstated.

***Use of SST***

SST may be used in four-hour increments *[Note: Any increment of four hours or less is acceptable]* and is paid at the base rate of pay that is in effect at the time the SST is used.

SST may be used for any reason authorized by the Minneapolis or Saint Paul Sick and Safe Time Ordinances, including:

* Recuperation, treatment, or preventative care for a mental or physical illness, injury, or health condition of the employee or covered family member;
* Seeking medical attention, relocation, law enforcement (including preparing for or participating in a civil or criminal legal proceeding), counseling, or other services relating to domestic abuse, sexual assault, or stalking of the employee or covered family member;
* The closure of the employee’s place of business by order of a public official for certain public health reasons; or
* Care for a covered family member whose school or place of care has been closed by order of a public official for certain public health reasons, or because of inclement weather, loss of power, loss of heating, loss of water, or other unexpected closure.

An employee’s accrued SST hours can be used for COVID-19 related reasons for the employee and the employee’s care of a covered family member. This includes:

* COVID-19 screening;
* Care or quarantine due to COVID-19 symptoms or infection;
* Testing or quarantine following close personal contact with a COVID-19 infected or symptomatic person;
* Covered family members’ school or place-of-care closure due to COVID-19; and
* Workplace closure by order of a public official due to COVID-19.

For leave that is foreseeable, employees should request SST seven days in advance by *[normal method of requesting foreseeable time off]*. For unforeseeable leave, employees should request SST as soon as is practicable (and, generally, before the start of the work shift) by *[normal method of requesting unforeseeable time off]*. When possible, a request for SST should include the expected duration of the absence. A request for SST may be denied if the employee fails to provide proper notice.

Each time an employee requests SST, the Company reserves the right to ask the employee to confirm in writing that the leave was taken for a permissible purpose. If an employee takes more than three consecutive days of SST, or if the Company suspects abuse or misuse of SST, the Company may request reasonable documentation that the leave is covered by this policy. The Company will maintain the confidentiality of information provided by the employee or others in support of a request for SST. This information will be disclosed only as authorized by law.

***Other SST Provisions***

For purposes of this policy, a covered family member includes the employee’s child, step-child, adopted child, foster child, adult child, spouse, sibling, parent, step-parent, mother-in-law, father-in-law, grandchild, grandparent, guardian, ward, or registered domestic partner. It also includes people who currently reside in the employee’s home and individuals related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Upon an employee’s request to Human Resources, the Companywill provide information stating the employee’s current available SST or PTO and the employee’s used SST or PTO.

SST does not count in calculating non-exempt overtime for the workweek. Where applicable, SST will run concurrently with other leave.

The Company will not terminate, threaten to terminate, demote, suspend, or in any manner discriminate or take adverse action against any employee in retaliation for requesting or using SST, or for, in good faith, exercising their rights under the Minneapolis or Saint Paul Sick and Safe Time Ordinance. An employee has the right to file a complaint with the Minneapolis Department of Civil Rights or City of Saint Paul Department of Human Rights & Equal Economic Opportunity if they believe their rights have been denied under this ordinance.

If you have any questions about SST leave, please contact Human Resources.

*Please note that these are fast-moving times, and the information provided is only accurate as of the day posted (September 9, 2020).The information provided does not, and is not intended to, constitute legal advice; instead, all information is prepared and provided for general informational purposes only.*

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