

Earned Sick Time Policy

1.0 Purpose

This directive outlines the requirements and provisions of Michigan's Earned Sick Time Act (ESTA) (PA 338 of 2018, as amended in 2025).

This ensures that all unrepresented City of Royal Oak employees who are covered by the Act and not covered by a collective bargaining agreement understand their rights under this Act and its benefit provisions. In the event of any conflict between this policy and applicable law, the law will be followed.

2.0 Policy:

Effective date: February 21, 2025

3.0 Scope/Eligibility

This policy applies to all City employees whose positions are not covered by a collective bargaining agreement (CBA); and who hold non-represented full-time, regular part-time, seasonal and temporary positions. This policy does not apply to any full or part-time employees who are covered by collective bargaining agreements.

4.0 Accrual of Earned Sick Time for Seasonal/Irregular Part-Time Employees

Eligible employees will accrue at least one (1) hour of earned sick time for every thirty (30) hours worked and must work at least 120 days to be eligible for usage. Upon separation, the City will not pay out accrued, unused "ESTA" time.

5.0 Full-Time Personnel

In compliance with ESTA, employees may utilize accrued Vacation/ Personal/Sick time up to 72 hours per calendar year for uses as defined within the Act.

- Utilizing accrued leave time, Royal Oak has exceeded the accrual minimums for ESTA and as a result Royal Oak will not be required to calculate and/or track accruals.
- If an employee utilizes all allocated CTO time, Royal Oak is not required to provide additional sick time.
- Employees must document sick time usage on their electronic timecard on the date of use in their recorded timesheets notes.***

6.0 Accrual Rate Part-Time/Seasonal Personnel:
Employees' accrual of 1 hour of earned sick time for every 30 hours worked will be recorded in the City's payroll program.

6.1 Accrual Begins At the employee's date of hire.

6.2 Benefit Year January 1st through December 31st for all employees.

6.3 Carry-Over Earned sick time shall carry over from benefit year to benefit year for the duration of employment for non-full-time employees not covered by 5.0 above.

7.0 Usage of Earned Sick Time

7.1 Availability Eligible employees are required to wait until the 120th calendar day after commencing employment before using accrued earned sick time.

7.2 Benefit Levels Employees are permitted to use up to 72 hours of banked/earned sick time in a benefit year.

7.3 Increments Earned sick time shall be taken/reported in one-hour increments.

8.0 Notice of Sick Leave Qualifying Uses of Earned Sick Time

Earned sick time may be used for:

- 8.1 The employee's or the employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee's mental or physical illness, injury, or health condition; or preventative medical care for the employee.
- 8.2 If the employee or the employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- 8.3 For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child.

- 8.4 For closure of the employee's place of business by order of a public official due to a public health emergency; for an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to a communicable disease.

9.0 Definition of Family

For the use of earned sick time for an employee's family member, family member includes:

- 9.1 Child: Biological, adopted or foster child, stepchild or legal ward, or a child to whom the employee stands in loco parentis.
- 9.2 Parent: Biological parent, foster parent, stepparent, adoptive parent, or legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child.
- 9.3 Grandparent or grandchild.
- 9.4 Biological, foster or adopted sibling.
- 9.5 Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

10.0 Employee Notice

- Employees must provide reasonable notice (7 calendar days) when using earned sick time, unless the need for leave is unforeseeable.
- If an employee uses more than 3 (three) consecutive days of earned sick time, documentation from a qualified medical professional will be required.

11.0 Payout upon Separation

Upon separation, the City of Royal Oak will not pay out accrued, unused earned sick time unless otherwise dictated by an agreement between the city and the employee

12.0 Recordkeeping:

The City of Royal Oak will retain documents recording earned and used earned sick time for at least a minimum period of 3 years.

13.0 Retaliation Prohibited

Employers are prohibited from retaliating against employees for using earned sick time or for filing a complaint regarding violations of the Act.