

Provisional Recruiting's Paid Sick Leave Policy

(***This benefit is only for employees working in Washington State***)

Paid Sick Leave Accrual and Availability

Accrual

- Employees accrue one hour of paid sick leave for every 40 hours worked.
- Employees are not entitled to accrue paid sick leave for hours paid while not working (such as vacation, paid holidays, or while using paid sick leave).

Availability

- Employees are entitled to use their accrued, unused paid sick leave beginning on the 90th calendar day after the start of their employment.

Authorized Uses of Paid Sick Leave

Care of the employee or the employee's family member

- Employees may use their accrued, unused paid sick leave hours to care for themselves or a family member (definition below) for:
 - Mental or physical illnesses, injuries, or health conditions;
 - The need for medical diagnosis, care, or treatment of mental or physical illnesses, injuries, or health conditions; or
 - The need for preventive medical care.
- For the use of paid sick leave for an employee's family member, family member is defined as:
 - A child;
 - Including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status
 - A parent;
 - Including a biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child
 - A spouse;
 - A registered domestic partner;
 - A grandparent;
 - A grandchild; or
 - A sibling.

Closure of the company or the employee's child's school or place of care

- Employees may use their accrued, unused paid sick leave when their place of employment has been closed by order of a public official for any health-related reason; or
- When an employee's child's school or place of care has been closed by order of a public official for any health-related reason.
 - Please see the definition of “child” in the previous section.

To address issues related to domestic violence, sexual assault, or stalking

- Employees may use their accrued, unused paid sick leave to:
 - Seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee and their family members including, but not limited to: Preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking;
 - Seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking;
 - Attend health care treatment for a victim who is the employee's family member;
 - Obtain, or assist the employee's family member(s) in obtaining, services from: A domestic violence shelter; a rape crisis center; or a social services program for relief from domestic violence, sexual assault, or stalking.
 - Obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking in which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking.
 - Participating, for the employee or for the employee's family member(s), in: safety planning; or temporary or permanent relocation; or other actions to increase the safety from future incidents of domestic violence, sexual assault, or stalking.
- For purposes of leave related to domestic violence, sexual assault, or stalking, family member has the following definition:
 - Any individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship.

Reasonable Notice for the Use of Paid Sick Leave

Employees must provide reasonable notice of an absence from work for the use of paid sick leave to care for themselves or a family member, or because the employee's child's school or place of care is closed by order of a public official for any health-related reason. Such notice must not interfere with an employee's lawful use of paid sick leave. Any information provided will be kept confidential.

Note: Verification may be required if an employee uses paid sick leave for more than three (3) consecutive days for which the employee was required to work.

Reasonable Notice for Foreseeable Use of Paid Sick Leave

If an employee's absence is foreseeable, the employee must provide notice to a **Provisional Recruiting Manager** at least 5 days, or as early as practicable, before the first day paid sick leave is used.

- If possible, notification should include the expected duration of the absence.

Reasonable Notice for Unforeseeable Use of Paid Sick Leave

If an employee's absence is unforeseeable, the employee must contact a **Provisional Recruiting Manager** as soon as possible before the required start of their shift.

- As a best practice, and if circumstances allow, employees should provide notice as soon as the employee learns of the need for paid sick leave.
- In the event it is not practicable to provide notice of an unforeseeable absence, a person on the employee's behalf may provide such notice.
- If possible, this notification should include the expected duration of the absence.

Reasonable Notice for Use of Paid Sick Leave for Domestic Violence Leave

Reasonable Notice for Foreseeable Use of Paid Sick Leave

An employee must give advance oral or written notice to a **Provisional Recruiting Manager** as soon as possible for the foreseeable use of paid sick leave to address issues related to the employee or the employee's family member being a victim of domestic violence, sexual assault, or stalking.

Reasonable Notice for Unforeseeable Use of Paid Sick Leave

If an employee is unable to give advance notice because of an emergent or unforeseen circumstance related to the employee or the employee's family member being a victim of domestic violence, sexual assault, or stalking, the employee or their designee must give oral or written notice to a **Provisional Recruiting Manager** no later than the end of the first day that the employee takes such leave.

Note: Verification may be required if an employee uses paid sick leave for more than three (3) consecutive days for which the employee was required to work.

Paid Sick Leave Increments of Use

- **Provisional** requires employees to use paid sick leave in increments of **15 minutes**.

Rate of Pay for Use of Paid Sick Leave

- Employees must be paid their "normal hourly compensation" for each hour of paid sick leave used.
 - "Normal hourly compensation" is the hourly rate that an employee would have earned for the time during which the employee used paid sick leave.
 - Normal hourly compensation does not include tips, gratuities, service charges, holiday pay, or other premium rates.

- For employees who use paid sick leave for hours that would have been overtime hours if worked, **Provisional** is not required to apply overtime standards to an employee's normal hourly compensation.

Payment for the Use of Paid Sick Leave

- **Provisional** must pay paid sick leave to an employee no later than the payday for the pay period in which the paid sick leave was used by the employee.

Carryover of Accrued, Unused Paid Sick Leave to the Next Year

Carryover Requirements

- Accrued, unused paid sick leave balances of 40 hours or less must carry over to the following year.
 - For example, if an employee has 25 hours of accrued, unused paid sick leave at the end of the year, all 25 hours must carry over to the following year.
- If an employee carries over unused paid sick leave to the following year, accrual of paid sick leave in the subsequent year would be in addition to the hours accrued in the previous year and carried over.
 - **Provisional will require the employee to forfeit the paid sick leave** for paid sick leave balances in excess of 40 hours at the end of a year.

Definition of Year

- The accrual year is January 1 – December 31.

Separation and Reinstatement

Separation

- If an employee separates from employment, there **will not** be financial or other reimbursement to the employee for accrued, unused paid sick leave balances available at the time of separation.

Reinstatement of Paid Sick Leave Hours Upon Rehire

- **Provisional** must reinstate an employee's previously accrued, unused paid sick leave if it rehires an employee within 12 months of separation.
 - **Note:**
 - An employer is not required to reinstate any hours of paid sick leave previously provided to the employee through financial or other reimbursement at the time of separation, as long as the value of the paid sick leave was paid at a rate that was at least equal to the employee's normal hourly compensation for each hour of accrued, unused paid sick leave.

- If the period of time an employee separates from employment extends into the following year (see definition under “Definition of Year”), an employer is not required to reinstate more than 40 hours of accrued, unused paid sick leave.
- Upon rehire, **Provisional** must provide notification to the employee of the amount of accrued, unused paid sick leave available for use by the employee.
- If an employee is rehired within 12 months of separation, the employee will not be required to wait another 90 calendar days to use their accrued, unused paid sick leave if the employee met that requirement during the previous period of employment.
 - If an employee did not meet the 90-day requirement for the use of paid sick leave prior to separation, the previous period of time the employee worked for **Provisional** will count towards the 90 days for purposes of determining the employee’s eligibility to use paid sick leave.

Retaliation Prohibited by Law

- Any discrimination or retaliation against an employee for the lawful exercise of paid sick leave rights is not allowed. **Provisional** will not discriminate or retaliate against an employee for the lawful exercise of Minimum Wage Act rights.
- **Provisional** may not require, as a condition of an employee taking paid sick leave, that the employee search for or find a replacement worker to cover the hours during which the employee is on paid sick leave.
- If an employee feels they are being discriminated or retaliated against for the exercise of their Minimum Wage Act rights, the employee may contact a **Provisional Recruiting Manager**.

Required Notification

Initial Notification of Rights

- At the start of employment **Provisional** will provide employees with notice of their paid sick leave rights. This notice will include information regarding:
 - An employee’s entitlement to paid sick leave;
 - The rate at which the employee will accrue paid sick leave;
 - The authorized purposes under which an employee may use paid sick leave; and
 - That retaliation by **Provisional** for the employee's lawful use of paid sick leave and other rights provided under the Minimum Wage Act is prohibited.
- **Provisional** will make this information readily available to all employees.

Ongoing Notification

- **Provisional** will provide weekly notice to its employees of:
 - The total amount of unused paid sick leave available for use by the employee.

- This information can be found on the weekly employee paystub.

Contact Information

- Employees with questions about this paid sick leave policy may contact a **Provisional Recruiting Manager**.

Provisional Recruiting's Employee Paid Sick Leave Acknowledgement

You are entitled to accrue paid sick leave beginning with your first day of employment. This leave will accrue at one (1) hour of paid sick leave for every 40 hours you work.

You may use this accrued paid sick leave for the following reasons (as outlined at RCW 49.46.210(1)(b) and (c)):

- To care for yourself or a family member;
- When you or a family member is the victim of sexual assault, domestic violence, or stalking; and
- In the event our business or your child's school or place of care is closed by order of a public official for any health-related reason.

Provisional's accrual year is January 1st through December 31st.

Accrued, unused paid sick leave balances of 40 hours or less will be carried over to the following year.

You are entitled to use accrued paid sick leave beginning 90 calendar days after the start of your employment.

Retaliation against you by **Provisional** for using paid sick leave for authorized purposes, or for the exercise of any rights under the Minimum Wage Act (chapter 49.46 RCW), is prohibited.

Print Employee's Name

Employee's Signature

Date
