



City of New Hope, Minnesota
Earned Sick and Safe Time Policy

Policy

Earned Sick and Safe Time (ESST) is paid time off earned at one hour of ESST for every 30 hours worked by an employee, up to a maximum of 48 hours of ESST per calendar year (Jan. 1 – Dec. 31). The hourly rate of ESST is the same hourly rate an employee earns from employment with the City. This specific leave applies to all employees (including temporary and part-time employees) performing work for at least 80 hours in a year for the City.

For those on the vacation/sick leave plan: Employee vacation and sick leave accruals will continue as per the New Hope Personnel Rules and Regulations and any applicable union agreement. If the employee's sick leave accrual has been reduced as part of an MSRS PEHCSP agreement, that will continue as well. The first 48 hours of sick leave per year, with a maximum of 80 hours at any one point in time will be deemed ESST and its use will be governed as outlined below in "ESST Use".

For those on the personal leave plan: Employee personal leave accrual will continue as per the New Hope Personnel Rules and Regulations and any applicable union agreement. The employee will also accrue ESST up to 48 hours per year, with a maximum of 80 hours at any one point in time and its use will be governed as outlined below in "ESST Use".

Guidelines & Procedures

ESST Use:

The leave may be used as it is accrued in the smallest increment of time tracked by the City's payroll system (one-hundredth of an hour) for the following circumstances:

- An employee's own:
 - Mental or physical illness, injury or other health condition
 - Need for medical diagnosis, care or treatment, of a mental or physical illness
 - Injury or health condition
 - Need for preventative care
 - Closure of the employee's place of business due to weather or other public emergency
 - The employee's inability to work or telework because the employee is prohibited from working by the City due to health concerns related to the potential transmission of a communicable illness related to a public emergency, or seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and the employee has been exposed to a communicable disease or the City has requested a test or diagnosis.
- Care of a family member:
 - With mental or physical illness, injury or other health condition
 - Who needs medical diagnosis, care or treatment of a mental or physical illness, injury or other health condition
 - Who needs preventative medical or health care



- Whose school or place of care has been closed due to weather or other public emergency
- When it has been determined by health authority or a health care professional that the presence of the family member of the employee in the community would jeopardize the health of others because of the exposure of the family member of the employee to a communicable disease, whether or not the family member has actually contracted the communicable disease
- Absence due to domestic abuse, sexual assault or stalking of the employee or employee's family member provided the absence is to:
 - Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking
 - Obtain services from a victim services organization
 - Obtain psychological or other counseling
 - Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault or stalking
 - Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault or stalking

For ESST purposes, family member includes an employee's:

- Spouse or registered domestic partner
- Child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis
- Sibling, stepsibling or foster sibling
- Biological, adoptive or foster parent, stepparent or a person who stood in loco parentis when the employee was a minor child
- Grandchild, foster grandchild or step-grandchild
- Grandparent or step-grandparent
- A child of a sibling of the employee
- A sibling of the parent of the employee or
- A child-in-law or sibling-in-law
- Any of the above family members of a spouse or registered domestic partner
- Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship
- Up to one individual annually designated by the employee

Advance Notice for use of ESST:

If the need for sick and safe leave is foreseeable, the City requires seven days' advance notice. However, if the need is unforeseeable, employees must provide notice of the need for Earned Sick and Safe time as soon as practicable. When an employee uses Earned Sick and Safe time for more than three consecutive days, the City may require appropriate supporting documentation (such as medical documentation supporting medical leave, court records or related documentation to support safety leave). However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in a reasonable time or without added expense, then



reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, ESST for a qualifying purpose. The City will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee's or the employee's family member's medical condition. In accordance with state law, the City will not require an employee using ESST to find a replacement worker to cover the hours the employee will be absent.

Carryover of ESST:

Employees are eligible for carryover accrued but unused Earned Sick and Safe time into the following year, but the total of ESST carryover hours shall not exceed 80 hours.

Retaliation prohibited:

The City shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting ESST rights, requesting an ESST absence, or pursuing remedies. Further, use of ESST will not be factored into any attendance point system the City may use. Additionally, it is unlawful to report or threaten to report a person or a family member's immigration status for exercising a right under ESST.

Benefits and return to work protections:

During an employee's use of ESST, an employee will continue to receive the City's employer insurance contribution as if they were working, and the employee will be responsible for any share of their insurance premiums.

An employee returning from time off using accrued ESST is entitled to return to their city employment at the same rate of pay received when their leave began, plus any automatic pay adjustments that may have occurred during the employee's time off. Seniority during ESST absences will continue to accrue as if the employee has been continually employed.

When there is a separation from employment with the City and the employee is rehired again within 180 days of separation, previously accrued ESST that had not been used will be reinstated. An employee is entitled to use and accrue ESST at the commencement of reemployment.

Policy Maintenance

Approved by *New Hope City Manager* on 12/8/2023, effective 1/1/2024

Review cycle: *Every 3 years* – Next due 12/8/2026