

# NWF Health Network Policy & Procedure

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**Series:** 1100: Human Resources

**Policy Name:** Work Hours, Paid Time Off, Leave and Holidays

**Policy Number:** 1120

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**Regulation:** CFOP 60-01

**Referenced Documents:** Paid Time Off Donation Form

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## Policy

It is the policy of NWF Health Network. (NWFHN), to inform all employees of the procedures regarding attendance, work hours, holiday and leave and apply these procedures in a consistent manner.

## Procedure

### A. Work Hours.

1. The workweek consists of forty (40) hours. For the purposes of calculating overtime (if applicable), the workweek begins on Monday of each week and ends on Sunday.
  - a. Some positions may require work in the evenings or on weekends.
2. NWFHN Executive Management is authorized to implement flexible work hours and work schedules based on the needs of the business.
  - a. Flexible work hours, work schedules and breaks are not rights, but privileges granted to employees when business necessity allows.
  - b. Business necessity will take precedence over any individual situation.
  - c. NWFHN Executive Management may rescind flexible work hours or work schedule at any time.
  - d. If circumstances allow, employees will be given advance notice if flexible hours or schedules must be rescinded.
3. Failure to report to work and to call in an absence for three (3) consecutive days will be considered a voluntary resignation.
4. Employees are responsible for completing the appropriate NWFHN time sheet including appropriate leave taken. The timesheets are due based on a predetermined date as established by Human Resources in order to process payroll in a timely manner. Staff are paid in arrears of time worked on a bi-weekly basis. The employee timesheet must be submitted by the employee and approved by the employee's supervisor (or designee) in the supervisor's absence. Information from the employee's timesheet is utilized to process payroll. Following completion of payroll, leave balances for each employee are reconciled to leave balances maintained by the Third Party payroll provider.
5. Flex Time: It is recognized that exempt positions frequently require work in excess of the standard 40 hours per week. However, exempt positions are not paid overtime for such hours. Exempt positions shall be allowed to implement flex time which can be utilized in the same pay period that any excess time is incurred.

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Any unused flex time will be unpaid and will not roll to any future pay period. Use of said flex time will require supervisory approval.

## B. Paid Time Off – Annual Leave

1. Annual Leave should be used for vacation or personal concerns which require the employee's attention.
2. Employees begin accruing annual leave on a semi-monthly basis upon employment and are eligible to draw from annual leave hours beginning immediately. The accrual adjustment is made upon the 37<sup>th</sup> month of employment and the 73<sup>rd</sup> month of employment based upon the employee's anniversary date.
3. Total possible accrual for full time employees, and for regular part-time employees with an established work schedule of 30 hours or more, according to years of service, is as follows:

<i>Employee Tenure</i>	<i>Per Pay Period Accrual Rate</i>
Year 0 through completion of year 3	4.0 Hours
Year 4 through completion of year 6	6.0 Hours
Year 7+	8.0 Hours

4. Total possible accrual for regular part-time time employees with an established work hour schedule of 20-29 hours per week, according to years of service, is as follows:

<i>Employee Tenure</i>	<i>Per Pay Period Accrual Rate</i>
Year 0 through completion of year 3	2.0 Hours
Year 4 through completion of year 6	3.0 Hours
Year 7+	4.0 Hours

5. Employees may begin taking annual leave upon employment with prior written approval from their supervisor.
6. Annual leave may be taken in increments of .25 hours and higher by exempt employees. Annual leave may be taken in any increments of one (1) minute or higher by non-exempt staff.

“At no point will NWFHN provide reimbursement of leave that is improperly utilized by the employee. This includes, but is not limited to, an error in leave entry, Leave utilized by an employee beyond what they have accumulated and leave in excess of a standard “8 hour” workday” (when limited to leave or any combination of leave with hours worked or otherwise entered on a standard timesheet).

7. Employees requesting annual leave or leave of absence must submit a Leave Request to his/her supervisor, or designee for approval. The Supervisor should validate available hours with Human Resources.
8. The employee should submit the request and receive approval prior to the taking the leave time, except for an absence due to illness.
9. Employees need to request annual leave within the appropriate time frame outlined below in order to be granted the time off, as follows (except for absence due to illness):

<i>Time Off Requested</i>	<i>Notice Required</i>
3 days or more	2 weeks' notice

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10. Annual leave time can usually be scheduled as requested, but at times may be denied due to scheduling conflicts. Appropriate notice is needed to make arrangements for someone else to perform the employee's duties.
11. A maximum of two hundred forty (240) hours of accrued and unused annual leave time may be carried forward from one fiscal year to the next. (NWFHN's fiscal year is July 1 to June 30). Annually on June 30, an employee's annual leave hours in excess of two hundred forty (240) will transfer the employee's sick leave account.
12. Unused Annual Leave, up to a maximum of two hundred forty (240) hours, at the time of termination of employment with NWFHN will be paid out to the employee, at the employee's current salary if they have successfully completed their probationary period and were terminated due to lay off, performance reasons other than misconduct, or if they voluntarily resign with proper notice. NWF Health Network will make all efforts to provide this payment no later than thirty (30) days after last day of employment.

## C. Paid Time Off – Sick Leave

1. Sick Leave should be used for employee's illness, immediate family member's illness or doctor's appointment.
2. Employees begin accruing sick leave on a semi-monthly basis upon employment and are eligible to draw from sick leave hours beginning immediately.
3. Sick leave hours may be taken in increments of .25 hours and higher by exempt employees. Sick leave may be taken in any increment of one (1) minute or higher by non-exempt staff.
4. Total possible accrual for full time employees and for regular part-time employees with an established work schedule of 30 hours or more, according to years of service, is as follows:

<i>Employee Tenure</i>	<i>Per Pay Period Accrual Rate</i>
Year 0 through completion of year 3	4.0 hours
Year 4 through completion of year 6	4.0 hours
Year 7+	4.0 hours

5. Total possible accrual for regular part-time time employees with an established work schedule of 20-29 hours per week, according to years of service, is as follows:

<i>Employee Tenure</i>	<i>Per Pay Period Accrual Rate</i>
Year 0 through completion of year 3	2.0 hours
Year 4 through completion of year 6	2.0 hours
Year 7+	2.0 hours

6. Employees may begin taking sick leave upon employment with written and or verbal approval from their supervisor.
7. Employees requesting sick leave for medical appointments or leave of absence must submit a Leave Request to his/her supervisor, or designee for approval. Supervisor should validate available hours with Human Resources and/or the human resource software systems.
8. The employee should submit the requests and receive approval prior to the taking the leave time for doctor's appointments or medical procedures.
9. An employee may use sick leave for an employee's illness, immediate family member's illness or doctor's appointment.

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- a. Immediate family member is defined as spouse, domestic partner, child(ren) of the employee (including biological, step, adoptive and foster care children), or the employee's parent(s). When an employee cannot report to work, the employee is expected to notify the employee's supervisor at the earliest possible time on the day the employee cannot report to work. Employees are expected to contact their supervisor if they will be more than thirty (30) minutes late for the beginning of their scheduled workday.
10. Failure to report to work and to notify supervisor of absence for three (3) consecutive days will be considered a voluntary resignation unless the employee is on an approved leave of absence. Any employee who is absent from work for three (3) consecutive days due to illness of the employee or an immediate family member may be required to provide a doctor's note or other appropriate verification related to the absence as requested by their supervisor.
  11. If the duration of an illness is uncertain, employees are required to communicate with management concerning additional days of sick leave that are required.
  12. Managing Sick Leave: Upon request, an employee may use accrued sick leave subject to the following:
    - (a) An employee may use sick leave only for authorized purposes. Unauthorized use may be revealed by a pattern of absence by an employee. Medical certification may be required when there is a pattern of absence in accordance with this policy.

A "pattern of absence" is defined as a series of repetitive absences not supported by medical verification that occur over a period of time on predictable occasions. For example: consistent absence on the day before or after the employee's regular day(s) off; absence on the same day of each week or each month; or unscheduled absences resulting in the employee's failure to consistently complete the employee's regular work schedule.
    - (b) After three workdays or partial workdays of absence in any 30-day period, NWFHN may require a medical verification of any further absence(s) due to illness or injury of the employee or employee's immediate family members.
    - (c) After ten (10) consecutive days of absence, the employee may be required to submit medical verification from the attending physician before additional use of sick leave, donated leave or approved unpaid leave without pay will be authorized. If absence continues, NWFHN may require, as appropriate, further medical verification for each thirty (30) consecutive days of absence. To justify further sick leave, the medical verification must indicate that the employee is unable to perform regularly assigned duties.
    - (d) If the employee does not provide appropriate medical verification for his/her pattern of absences, the supervisor may request Human Resources to provide the employee with written notification that the approval of future sick leave or authorized leave without pay will be granted only after the employee presents appropriate medical verification of a bona fide illness or injury and that such verification is required until attendance improves, for a period of up to ninety (90) calendar days.
    - (e) If, after written notification that no further sick leave or authorized leave without pay will be granted, the employee fails to comply with the procedure outlined in Paragraph 12(d) above, no additional sick leave will be granted for any absence that appears to be part of the employee's pattern of absence. Any such absence constitutes unauthorized leave and will be handled in accordance with agency policy relating to disciplinary actions.
  13. If an employee runs out of annual leave and sick leave, the leave will be assessed as leave without pay.
    - a. Annual leave and sick leave will not accrue if the leave without pay exceeds one full pay cycle.
    - b. Annual leave and sick leave accrual will resume on the first working day following return from leave.

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14. Staff will not be paid for any unused sick leave time that has accrued as of the date of termination of employment.

## D. Paid Time Off - Donation

1. NWFHN employees may donate sick leave toward the sick leave of another employee who requires additional leave and whose sick leave has expired or been depleted. To be eligible to receive donated sick leave for this program an employee must have:
  - a. Successfully completed NWFHN's orientation period.
  - b. Be classified as a regular full time or regular part time employee.
  - c. Exhausted all accrued sick and annual leave.
  - d. Provide a certification from a health care provider which supports the need for leave for the care or comfort of an employee's spouse, domestic partner, sibling, parent (including someone who acted in loco parentis), or child or due to the employee's own serious health condition and which states the date the serious health condition commenced and its probable duration.
2. The donation program is reserved for an illness, injury that prevents an employee from reporting to work, or hospitalization of three (3) days or more of the employee or the employee's spouse, sibling, parent (including someone who acted in loco parentis), or child.
3. When the need for the absence meets the Family and Medical Leave Act (FMLA) eligibility criteria as defined in NWFHN's Family and Medical Leave policy, the approved leave will be counted toward the employee's FMLA entitlement.
4. Employees interested in donating hours must complete the leave donation form and submit the form to Human Resources (HR). The leave donation form is available by contacting HR.
  - a. When an employee is donated leave in this program, NWFHN will post the leave as "Taken" by the employee thus reducing the employee's sick leave accrual balance.
  - b. The hours being donated will be converted to a dollar amount by multiplying the number of hours of the donating employee's hourly rate. This dollar amount is then divided by the receiving employee's hourly rate to determine the equivalent number of hours being donated.
  - c. Donated hours will be recorded as "Donated Sick Leave pay" on the payroll register for the receiving employee.
5. NWFHN will monitor the program to insure that an employee receives only enough leave to remain on the payroll until returning to work.
  - a. When the employee returns to work, he/she should not be left with a balance. The balance of any donated hours will be divided among those who donated leave hours to the employee.
  - b. The amount returned to the donating employee(s) is determined by multiplying the hours by the hourly rate of the employee who received the donation.
  - c. This dollar amount is then divided by the hourly rate of the employee who donated the hours to determine the equivalent number of hours to be added back to the employee's individual leave balance.
6. Use of this program will be denied to employees if the certification from the health care provider as described above states that the probable duration of the absence is less than three (3) days.
7. Donated hours may not be used in conjunction with a workers' compensation injury or illness.

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9. Donations are completely voluntary and no employee may coerce or in any way intimidate another employee to donate leave.

## E. Employee Classifications and Leave Determination.

1. For the sole purpose of determining the eligibility for certain employee benefits including earned annual and sick leave, NWFHN employees are classified as:
  - a. Regular Full-Time employees are those who have successfully completed the orientation period and whose regular schedule is forty (40) hours per week.
  - b. Regular Part-Time employees are those who have successfully completed the orientation period and work less than full-time.
    - i. Regular part-time employees must work a minimum of 30 hours per week in order to be entitled to participate in most NWFHN benefit programs such as health insurance etc. For the purposes of annual and sick leave accrual, the pro-rations listed above are applicable.
    - ii. Holiday and Paid Time Off benefits will be pro-rated.
  - c. Temporary employees may be hired by NWFHN for specific, limited periods or for the completion of a specific project.
    - i. The job assignment, work schedule, and duration will be determined on an individual basis.
    - ii. A temporary position will not usually exceed six (6) months in duration, unless approved by the CEO.
    - iii. Temporary employees do not (typically) earn leave benefits.
  - d. /Probationary Period Employees are those employees in their first one hundred eighty (180) days of employment.
    - i. During this time, NWFHN will evaluate the staff member's capabilities, work habits and overall performance.
    - ii. Holiday and annual leave and sick leave benefits will accrue.
    - iii. Any significant absence by a staff member during this period will automatically extend the orientation period by the length of the absence.
    - iv. Upon satisfactory completion of the orientation period, employees will be classified as regular employees.
    - v. In the event an employee has not satisfactorily completed their probationary period at the time of their separation from the agency, any unused PTO hours accrued by the employee shall be forfeited and no payment for those accrued PTO hours will be paid to the employee.

## F. Leave for Special Circumstances.

1. Bereavement Leave.
  - a. An employee is entitled to three (3) workdays with pay to attend the funeral and take care of personal matters related to the death of an immediate family member (defined as, spouse, child (includes biological, step, adoptive, or foster care), parent, step-parent, sister, brother, grandparents, mother-in-law, father-in-law, brother-in-law, sister-in-law and grandchild).
  - b. An extension of bereavement leave may be granted at the discretion of the CEO or designee and will be charged as annual leave or sick leave or if no annual/sick leaves available, leave will be unpaid.

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- c. Pay for bereavement leave will be made for actual time missed from work in increments of .25 hours for exempt employees. Pay for bereavement leave will be made for actual time missed from work in increments of one (1) minute or higher for non-exempt employees..
- 2. Jury or Court Duty. Employees should notify their supervisor as soon as they are summoned to serve on jury duty or subpoenaed as a witness in a case unrelated to their employment with NWFHN.
- 3. Military Leave.
  - a. A military leave of absence will be granted to employees in uniformed services, which includes the Armed Forces and National Guard, for the performance of duty on a voluntary or involuntary basis in a uniformed service.
    - i. This includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, and any period for which the employee is absent for the purpose of an examination to determine the fitness of the employee to perform any such duty.
    - ii. Military leave and reinstatement will be granted in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 as amended in July 2008.
  - b. An employee taking military leave must submit a request for leave as soon as the employee receives notice that such leave will be necessary, unless the employee is precluded from giving notice by military necessity or under all of the relevant circumstances, the giving of such notice is otherwise unreasonable or impossible.
    - i. All requests should be submitted in writing and duly certified by attached copies of the orders.
  - c. Military leave is considered leave without pay. However, an employee may use annual leave pay if they choose when taking military leave.
    - i. NWFHN will pay the difference between an employee's regular salary and the amount received for military reserve duty for up to fifteen (15) days per year.
- 4. Extended Leave.
  - a. Any employee who is ineligible for or has exhausted his/her family and medical leave and/or annual/sick leave and is unable to return to work with or without a reasonable accommodation will be considered to be on unpaid extended leave. The leave of absence shall last for a maximum of six (6) months from the beginning date of leave (regardless of what category the leave was classified under when first taken.) If at any time the employee is able to return to work with or without a reasonable accommodation, the employee should notify NWFHN. While on extended leave. NWFHN may require the employee to report periodically on his/her status and the intention of the employee to return to work, and may also require periodic re-certification of the medical condition.
  - b. Extended leave will be without pay except that NWFHN may require an employee to substitute accrued and unused paid time off leave. However, the employee will not accrue paid time off leave of any kind after his/her leave (regardless of the category the leave was classified under when first taken) exceeds one (1) complete pay cycle.
  - c. Because NWFHN's operations require that vacant positions be filled, an extended leave of absence under this section (which does not qualify as a FMLA leave) does not guarantee that the job will be available when the employee returns. An effort, however, will be made to place the employee in his/her previous position or a comparable job, which the employee is qualified to perform. If no such position is available, he/she may be eligible for rehire as a new employee if he/she applies for an available position for which he/she is qualified and if his/her prior work history warrants rehire.

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- d. NWFHN may offer unpaid leave of absence upon written request to the CEO. The CEO may approve up to six (6) months of unpaid leave.
  - e. All annual leave/sick leave accumulated, must be used prior to receiving a leave of absence. While on an unpaid leave of absence, no benefits accrue.
- 5. If an employee wishes to take a leave of absence without pay, the employee must submit a request in writing to the supervisor.
  - 6. All leave for special circumstances is subject to the approval of the employee's supervisor and Human Resources.

## G. Paid Holidays.

- 1. In addition to the employee's available annual leave, NWFHN offers eligible employees twelve (12) paid holidays per year. These holidays are as follows:

New Year's Day	Veteran's Day
Martin Luther King	Thanksgiving Day
Good Friday	Day After Thanksgiving
Memorial Day	Christmas Eve Day
Independence Day	Christmas Day
Labor Day	New Year's Eve Day

- 2. If the above holidays fall on Sunday, Monday will be observed, if holiday falls on Saturday, Friday will be observed.
- 3. With proper notice and approval of the employee's supervisor, an additional day of religious or cultural significance may be taken as a personal holiday in which annual leave will be charged or the employee will receive leave without pay if annual leave is not available. With supervisory approval one religious holiday not listed above may be substituted for the Good Friday, Thanksgiving Day or Christmas Day holidays. Only one substitution per year is allowed per employee.