Scouting America
Greater Hudson Valley Council

GREATER HUDSON VALLEY COUNCIL
SEASONAL CAMP STAFF – SICK PAY POLICY

This policy is intended to provide seasonal camp staff with sick time in compliance with the New York State Paid Sick Leave Law.

Eligibility

This policy applies to all seasonal camp staff employed by the Greater Hudson Valley Council (the "Council").

Definitions

The following definitions are applicable to this policy:

- *Confidential Information* means individually identifiable health or mental health information, including but not limited to, diagnosis and treatment records from emergency services, health providers, or drug and alcohol abuse prevention or rehabilitation centers. Confidential information also means information that is treated as confidential or for which disclosure is prohibited under another applicable law, rule, or regulation.
- *Domestic Partner* shall have the same meaning as Domestic Partner, as set forth in section 2961(6-a) of the New York Public Health Law.
- *Family Offense* includes any offense enumerated in section 812(1) of the New York Family Court Act, where such acts are between current and former members of the same family or household, as defined therein.
- *Human Trafficking* means an act or threat of an act that may constitute sex trafficking, as defined in section 230.34 of the Penal Law, or labor trafficking, as defined in section 135.35 and 135.36 of the Penal Law.
- *Mental Illness* shall have the same meaning as mental illness, as set forth in section 1.03(20) of the New York Mental Hygiene law
- *Preventative Medical Care* means routine health care including but not limited to screenings, checkups, and patient counseling to prevent illnesses, disease, or other health problems.
- *Sexual Offense* means any act, or threat of an act, specified within Article 130 of the New York State Penal Law.
- *Stalking* means any act, or threat of an act, that constitutes the crime of stalking as defined by Article 120 of the New York State Penal Law.

Accrual of Leave

Each employee will receive a frontloaded amount of paid leave to be used under this policy each season. The amount will be calculated at a rate of one (1) hour per every thirty (30) hours the employee is anticipated to work, subject to a cap of forty (40) hours per year. If an employee works more than initially anticipated, the Council will provide additional paid leave to correct any shortfall, again, subject to a cap of forty (40) hours per year.

Employees may not take leave under this policy in increments shorter than four (4) hours.

Leave will be paid at the employee's regular rate of pay.

Reasons for Leave

An eligible employee may take leave under this policy for the following reasons:

1. The mental or physical illness, injury, or health condition of the employee, regardless of whether such illness, injury, or health condition has been diagnosed or requires medical care at the time that such employee requests such leave, as well as the diagnosis, care or treatment of the same;
2. The mental or physical illness, injury, or health condition of an employee's family member, regardless of whether such illness, injury, or health condition has been diagnosed or requires medical care at the time that such employee requests such leave, as well as the diagnosis, care or treatment of the same;
3. An absence from work when an employee or an employee's family member has been the victim of domestic violence, a family offense, sexual offense, stalking, or human trafficking, including leave to:
    a. Obtain services from a domestic violence shelter, rape crisis center, or other services program;
    b. Participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or the employee's family members;
    c. Meet with an attorney or social services provider to obtain information and advice on, and prepare for and participate in, any criminal or civil proceeding;
    d. File a complaint or domestic incident report with law enforcement;
    e. To enroll children at a new school;
    f. Meet with a district attorney's office; and
    g. Take any other actions necessary to ensure the health or safety of the employee or the employee's family member, or to protect those who associate or work with the employee.

    **An employee who has committed domestic violence, a family or sexual offense, stalking, or human trafficking is not eligible for leave under 3(a)-(g), nor may this leave be used on behalf of an employee's family member who has engaged in any of these.

For purposes of this policy, "family member" is defined as an employee's child (including biological child, adopted child, foster child, a legal ward, or a child for whom the employee stands "in loco parentis"), spouse, domestic partner, parent (including biological parent, foster parent, step-parent, adoptive parent, legal guardian, or an individual who stood "in loco parentis" to the employee as a minor child), sibling, grandchild or grandparent, and the child or parent of an employee's spouse or domestic partner.

Notice Requirements

The Council requires notice of the need for sick leave as soon as possible, but in all cases, notice must be given prior to taking sick leave. Notice can be given orally or in writing. Employees should contact their immediate manager or supervisor if they need to use leave.

Documentation Requirements

An employee may be required to provide medical documentation supporting their need for use of sick leave, amount of leave needed, and return date when they are absent for 3 or more consecutively scheduled shifts. Alternatively, employees may be required to submit an attestation verifying that their use of leave complies with NY PSL. If an employee is charged a fee for required paperwork by a medical provider, the employee will be reimbursed for that amount by informing Employee Relations of the expense.

Employees will not be required to disclose confidential information to use paid sick leave.

Carryover of Leave

An employee's unused sick leave will be carried over to the next calendar year. However, employees will not be permitted to use more than forty (40) hours of sick leave in any calendar year.

Restoration to Employment

At the conclusion of an employee's use of sick leave, the employee will be returned to the employee's previously held position.

Separation from Employment

An employee will not be paid for accrued, unused sick leave upon an employee's separation from employment.

Retaliation

Any form of discipline, reprisal, intimidation, retaliation, or discrimination against any individual for requesting or taking sick leave, or filing a complaint for violations of this policy is strictly prohibited.

The Council is committed to enforcing this policy and prohibiting retaliation against employees who request or take sick leave under this policy, or who file a related complaint. If employees feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to Employee Relations.