DISCLAIMER: THIS IS A STANDARD FORM POLICY PROVIDED BY MITA FOR THE BENEFIT OF MITA MEMBERS AND SHOULD BE REVIEWED PERIODICALLY FOR ANY REQUIRED LEGAL UPDATES. SHOULD YOU HAVE ANY QUESTIONS OR NEED ANY OF THE POLICIES CONTAINED HEREIN TAILORED, PLEASE CONTACT AARON GRAVES AT BODMAN PLC: agraves@bodmanlaw.com; 313-392-1075.

All employees are eligible for Earned Sick Time.

All regular full-time non-exempt employees are eligible to accrue Earned Sick Time (EST) in accordance with Michigan’s Earned Sick Time Act (ESTA) beginning on their first day of employment. However, employees may not utilize EST until the 120th calendar day after hire. Non-exempt employees accrue Earned Sick time at the rate of one (1) hour for every 30 hours worked. For purposes of this policy, only hours in which actual work was performed constitutes “hours worked.” [FOR EMPLOYERS WITH TEN OR FEWER EMPLOYEES CAP AT 40 HOURS.]

All regular full-time exempt employees are credited with 72 hours of EST on their first day of employment in accordance with ESTA. Each anniversary date of hire, regular full-time employees are credited with an additional 72 hours of EST. Part-time exempt employees and others eligible for EST under ESTA shall be credited with EST on a prorated basis. [FOR EMPLOYERS WITH 10 OR FEWER EMPLOYEES ONLY – 40 HOURS PAID. NO WAITING PERIOD PRIOR TO USE IS PERMITTED FOR FRONTLOADED EMPLOYEES.]

[OPTION 1] Each calendar year, employees may utilize up to 72 hours of EST for the following reasons:

1. The employee’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;
2. The employee’s family member’s mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee’s family member’s mental or physical illness, injury, or health condition; or preventative medical care for the employee’s family member;
3. If the employee or the employee’s family member is the victim of domestic violence or sexual assault, for the 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;
4. For meetings at the employee’s 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; or
5. For the 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 health 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 or employee’s family member’s presence in the community would jeopardize the health of others because of exposure to a communicable disease.

[OPTION 2] - Each calendar year, employees may utilize up to 72 hours of EST for ESTA qualifying purposes.

Employees may utilize EST in [INSERT DESIRED INCREMENT. CAN BE NO GREATER THAN ONE HOUR.] increments.

Exempt Employees: Credited but unused EST will not carry over from year to year, is not paid out annually, and is not paid out upon termination of employment.

Non-Exempt Employees: Credited but unused EST will carry over from year to year up to 72 hours. However, employees may only utilize up to 72 hours of EST each calendar year, and unused EST is not paid out upon termination of employment. [OPTION RE PAYOUT: Employees have the option to choose to carry over all credited but unused EST, or to have all credited but unused EST paid out at a premium rate of 1.5 times the employee’s normal rate at the end of each year.]

If the employee’s need for EST is foreseeable, the Company requires seven (7) days’ advance notice to ensure proper staffing levels. If the need for EST is unforeseeable, the Company requires that the employee notify their supervisor as soon as practicable. [CAN ADD NOTICE REQUIREMENTS. DISCIPLINE FOR LACK OF NOTICE IS PERMITTED. DISCIPLINE FOR AN ESTA COVERED ABSENCES WHEN EST IS AVAILABLE IS NOT PERMITTED.] The Company reserves the right to require documentation to substantiate the employee’s use of Sick Time. [CAN ONLY REQUIRE DOCUMENTATION FOR ABSENCES OF THREE OF MORE CONSECUTIVE DAYS AND MUST PAY ALL RELATED EXPENSES].