



New Jersey Schools Insurance Group
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Board of Trustees Meeting March 23, 2022
Action Item
NJSIG policy 6230 (sick leave policy) amendment first reading
NJSIG No. 0322-04

The NJSIG sick leave policy sets forth the paid sick leave benefits that are available to employees. NJSIG's existing sick leave policy provides 12 days, or 84 hours of paid sick leave per year, which is greater than the minimum required by the New Jersey Earned Sick Leave Act ("the Act"), N.J.S.A. 34:11D-1, et seq. The Act requires that employees accrue 1 hour of earned sick leave for every 30 hours worked, up to a maximum of 40 hours of sick leave per benefit year. These amendments are intended to conform NJSIG's existing sick leave policy to the technical requirements of the Act.

Recommended Resolution: To approve the amended sick leave policy, NJSIG policy number 6230, as attached for a first reading.

NJSIG
Policies

Adopted: 07/90, 06/12

Amended: 09/97, 04/09, 06/09, 06/12, 03/22

Reviewed: 03/12, 03/22

Index #: 6230

Page 1 of 4

SICK DAYS LEAVE

NJSIG provides paid sick leave benefits to all eligible full-time and part-time employees in compliance with the New Jersey Earned Sick Leave Act (“Act”), N.J.S.A. 34:11D-1 et seq.

Sick ~~days-time is~~are accrued and granted at the rate of 1 hour of sick time for every 21 hours worked, up to a maximum of 84 hours of sick time per year1 day for each month of service, and may accumulate (carried over) up to a maximum of 420 hours of sick time60 days. Although an employee shall not cease earning sick time once this maximum is reached, the accumulated amount shall not exceed 420 hours, and any excess time shall be forfeited. In accordance with N.J.A.C. 12:69-3.3(c)(2), it is presumed solely for the purpose of calculating earned sick leave accrual that an exempt employee under the Fair Labor Standards Act works 40 hours per week.

Sick leave shall not accrue during any period of unpaid leave of absence (leave shall not be considered “paid” for this purpose simply by virtue of the employee’s receipt of Family Leave Insurance, Temporary Disability, Workers’ Compensation or other similar benefit).

Sick leave may be used for the following purposes:

- (1) Time needed for diagnosis, care, or treatment of, or recovery from, an employee’s mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;
- (2) Caring for a family member who needs time for diagnosis, care, or treatment of, or recovery from, a mental or physical illness, injury or other adverse health condition, or for preventive medical care;
- (3) Time needed as a result of an employee or a family member being a victim of domestic or sexual violence;
- (4) Time needed because there is a closure of the workplace, or of a school or childcare facility by order of a public official because of a public health concern;
- (5) Time needed to attend a school-related conference, meeting, function, or other event requested or required by a school responsible for the education of

NJSIG
Policies

Adopted: 07/90, 06/12

Index #: 6230

Amended: 09/97, 04/09, 06/09, 06/12, 03/22

Page 2 of 4

Reviewed: 03/12, 03/22

SICK DAYS LEAVE

the employee's child; or

(6) Time needed to attend a meeting regarding care provided to an employee's child in connection with the child's health conditions or disability.

"Family member" means a child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee, or a spouse, domestic partner, or civil union partner of a parent or grandparent of the employee, or a sibling of a spouse, domestic partner, or civil union partner of the employee, or any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship.

~~in case of personal illness, accident, exposure to contagious disease, or on a short-term basis to care for a member of the employee's immediate family who is ill, or for any other reason required by law. "Immediate family" shall consist of child (biological or adopted), parent, spouse, or civil union partner.~~

Sick time may be used to supplement State Temporary Disability benefits or Workers' Compensation benefits up to a maximum of the employee's salary. -(NOTE: This means an employee may collect up to their normal pay rate by supplementing Temporary Disability or Workers' Compensation benefits with accrued sick time – in such instances, the use of such sick time is prorated by the percentage of pay being augmented.)

~~At the end of any period of illness, sick time used will be rounded to the nearest day.~~

There will be no pay for unused sick time under any circumstances. -Unused sick time shall not be paid on termination of employment.

In the case of employees under contract, the specific terms of the contract will apply in lieu of the policy to the extent that such terms are incompatible with this policy and also comply with the Act.

Where the need for the use sick leave is foreseeable, employees must provide advance notice of at least seven (7) calendar days before using Sick Leave.

NJSIG
Policies

Adopted: 07/90, 06/12

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Reviewed: 03/12, 03/22

Index #: 6230

Page 3 of 4

SICK DAYSLEAVE

If the need for sick leave is unforeseeable, then employees must provide as much notice as practicable. Employees must notify his or her Manager (or his/her designee), either by telephone (including leaving a voice mail) or in-person. Notification must be within 30 minutes after the beginning of the scheduled workday unless not practicable. The employee should, when possible, inform the Manager when he/she expects to return to work.

Notification to a non-designated individual will not be sufficient notice. Notification by text message, e-mail or other non-voice communication is not a sufficient notice pursuant to this section.

If an employee is absent for three (3) or more consecutive days, then reasonable documentation such as a physician's statement where applicable must be provided verifying the employee's need for the leave.

~~Employees who are unable to report to work because of illness will be required to call in at least one half hour in advance of their report to work time. Employees must call their supervisor or Human Resources – email or text message is not sufficient. Failure to give the required notice shall be excused only for good cause. Failure to give the required notice without good cause may result in denial of sick leave for absence and may also constitute cause for disciplinary action.~~

Before returning to work from a sick leave absence of three consecutive days or more, and where the leave is due to an employee's mental or physical illness, injury or other adverse health condition, an employee may be required to provide a return to work or "fitness for duty" certification from the employee's health care provider showing that the employee is able to resume work.

~~If, in the discretion of the Group, medical evidence is required to verify illness for purposes of granting sick leave, the employee shall be given timely notice on a case-by-case basis. Acceptable medical evidence shall consist of a note from a physician stating that the employee was unable to work due to a health condition or because of the need to care for a member of the immediate family who was ill. The note shall briefly identify the condition and provide the relevant medical facts and shall indicate the actual or~~

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_____ Index #: 6230

_____ Page 4 of 4

SICK ~~DAYS~~LEAVE

~~projected date the employee is able to return to work. If the sick leave is for the care of an immediate family member, a physician's note may be required which substantiates the family member's illness and the need for the employee to care for the family member. Failure to produce adequate medical verification may result in denial of sick leave and having the absence counted as unexcused. Abuse of sick leave shall also be cause for disciplinary action. The Group reserves the right to request additional medical evidence of the need for sick leave, including requesting that the employee be examined by a physician selected by the Group, at its discretion.~~

The Group reserves the right to allow vacation or personal days to be used in place of sick time.

Failure to follow or adhere to this policy may lead to disciplinary action up to and including termination.