

**POLICY**

Attendance Policy

EFFECTIVE

January 31, 2021

PURPOSE

The organization is committed to maintaining excellence in health care 24 hours a day, 7 days a week. Regular scheduled attendance by all employees is essential to the efficient operation of our organization.

The organization is committed to complying with all federal and state laws that address leave from work and to providing reasonable accommodations for qualified individuals with disabilities.

This policy provides guidelines by which standards of attendance are managed in a consistent manner by the University of Maryland Medical System and its affiliates. In the event this policy conflicts with applicable law or union collective bargaining agreement, the law or union agreement will supersede this policy.

SCOPE

This policy applies to all exempt (salaried) and non-exempt (hourly) employees. Exempt employees are expected to fulfill the duties of their position regardless of the number of hours worked. The number of hours worked each week may vary to meet the responsibilities assigned to the position. Exempt employees are expected to be at work during the organization's standard business hours or as determined by their position and/or supervisor and must communicate proactively with their supervisor regarding any variances in their schedule. Although exempt employees are not required to clock in and out, they will nonetheless be subject to the corrective action process outlined in this policy if they incur unscheduled, full-day absences or a pattern of unapproved, full-day absences.

Non-exempt employees are expected to be at work during their assigned shift or schedule, and must communicate proactively with their supervisor to obtain approval for any requests for variances in their schedule. Non-exempt employees will be subject to the corrective action process outlined in this policy for purposes of failure to provide notification of tardiness or absences, to obtain approval for missed time, a pattern of tardiness or absence, or other violations of the attendance standards set forth in this policy or maintained by the employee's department.

POLICY

Employees are expected to be at work on all scheduled workdays, be prepared to start work on time, take appropriate breaks as approved and complete all scheduled hours of work. Any exceptions must be authorized or excused as provided under this policy, or shall otherwise be considered an "occurrence", as defined herein.



DEFINITIONS

Call Out: Notification to the department that an employee is not able to report to work as scheduled.

Early Out: Notification to the department manager of an unplanned need to leave prior to the end of a scheduled shift.

Excused Absence: An Excused Absence is excluded from being counted as an occurrence under this policy. Excused Absences include the following:

1. Approved Paid Time Off (PTO), i.e., vacation, personal days, and holiday time.
2. Approved leaves of absence.
3. Bereavement leave/death in the family.
4. Confirmed Jury duty.
5. Seminars or other employer approved educational events.
6. Worker's compensation absences.
7. Scheduled or unscheduled absences for qualifying reasons protected by federal or state law, including but not limited to the Family and Medical Leave Act ("FMLA"), the Americans with Disabilities Act ("ADA"), the Maryland Fair Employment Practices Act, and the Maryland Healthy Working Families Act ("Sick and Safe Leave").
8. Time off established by other organizational policies, such as policies related to canceled shifts, or suspensions (Managers should refer to the department's scheduling guidelines regarding staffing changes due to census).

Lateness: When an employee is not present and ready to begin work at the beginning of a scheduled shift.

Job Abandonment: Job abandonment occurs when an employee:

- ⦿ Is "no-call/no-show" for two consecutive shifts.
- ⦿ Cannot be located and has not appropriately called out or responded to on-call requests.
- ⦿ Leaves prior to the end of his/her shift without notifying his/her Department Management.

No Call/No Show: A "no call/no show" occurs when an employee fails to notify his/her department of an absence in accordance with their department's call out procedures.

Occurrence: An absence that is unscheduled and does not qualify as an Excused Absence. Each period of unscheduled absence of one or more consecutive scheduled workdays will be recorded as one (1) occurrence.

Pattern of Unscheduled Absence: A situation in which an employee's unscheduled absences occur immediately prior to and/or immediately following an observed holiday, weekend off, vacation, Paid Time Off, or other patterned absences.

Unavailable While On Call: Occurs when an employee fails to appropriately respond to his or her department, in accordance with their department's on-call/call back procedures.



PROCEDURE

A. Reporting and Managing Absences and Lateness

1. An employee must report all unscheduled absences on a daily basis prior to the beginning of his/her scheduled shift, at a minimum of two hours prior to the scheduled start time, unless extenuating circumstances exist. If extenuating circumstances exist, the employee must report the absence as soon as practicable and explain why he/she could not report it prior to the beginning of the shift. The employee must follow his/her departmental notification requirements. Messages to the Hospital switchboard or to a co-worker are not considered proper notification. Department notification requirements and guidelines will be documented and communicated to employees regarding specific expectations of acceptable and appropriate notification methods, and may not be less restrictive than the Organization's two-hour minimum before scheduled shift start. Notifications that are not made timely, as defined by department guidelines, will also be subject to disciplinary action.
2. An absence of three or more consecutively scheduled days directly related to an employee's illness will require approval from Occupational/Employee Health or Department Management to return to work. A physician's note may be required if requested by the Department Management or Occupational Health. Employees that are absent due to illness are expected to remain in compliance with all occupational health and infection control policies in order to return to work. Employees are also expected to report all absences to their respective leave management vendor, if applicable.
3. In the event a team member is assigned to work in more than one cost center or in multiple locations, department managers will share and discuss attendance and lateness issues for purposes of consistent time management.
4. In order to monitor trends, departments will notify Occupational/Employee Health of any increases above normal departmental rates of sick call outs to include the number, duration, dates, and general nature of the illness. The purpose is to monitor current conditions such as flu incidence rates, etc. that affect staffing.
5. Each employee's attendance and punctuality record will be reviewed by management for trends of behaviors inconsistent with this policy.
6. The date of each occurrence will be included on any Corrective Action form prepared by the supervisor or designee as a result of violations of this policy.

Call outs that occur on holidays, weekends or shifts that are critical to fill (e.g. Monday/Friday), will be scheduled at another future time, as needed and at department management's discretion. Shifts will be scheduled in another period as needed, and are not expected as additional work required above an employee's authorized weekly work hours. Call outs that are protected under Federal or State Law are not counted towards progressive corrective action.

7. Exempt Staff are expected to complete their work, attend meetings, and work full days on a regular basis. If there are unscheduled, full-day absences, exempt staff shall be held accountable to standards of attendance as outlined in this policy. Exempt staff may be held accountable for patterns of unscheduled lateness or leaving early when it causes disruption to office operations or is not meeting the department's standards. In these situations, management should consult with their HR Business Partner to determine if there is a pattern of behavior that may need addressed under the Corrective Action policy.
8. Contact Human Resources for PRN employees and on new hire initial review/probationary periods for guidance.



9. UMMS and its affiliates have adopted policies to ensure compliance with federal and state laws that protect certain absences from work, such as the Family and Medical Leave Act (“FMLA”), Maryland Flexible Leave Act (“MFLA”), Maryland Healthy Working Families Act (“Maryland Sick and Safe Leave”), and the Americans with Disabilities Act (“ADA”). Please refer to these HR policies to determine whether an absence will be an Excused Absence.

B. Procedure for Corrective Action

The following guidelines describe the standards of attendance for the purposes of determining the appropriate progressive corrective action. Occurrences are calculated/counted based on the grid below.

Standards of Attendance Incidents:	Standardized Number of Occurrences:
Incidents of Lateness	0.50 Occurrence
Incidents of Early Out	0.50 Occurrence
Insufficient SSL Balance to Cover Entire Unscheduled Absence	0.50 Occurrence
Incidents of Lateness Greater Than Two Hours	1.0 Occurrence
Incidents of Early Out Greater Than Two Hours	1.0 Occurrence
Unscheduled Absence (includes Call Outs)	1.0 Occurrence

Occurrences will be managed on a rolling 12-month basis counting back from the most recent occurrence. Individual occurrences will drop off 12 months from the date they are incurred.

1. First Written Warning: Three (3) occurrences within a rolling 12-month period will result in a first written warning.
2. Second Written Warning: Four (4) occurrences within a rolling 12-month period will result in a Second Written Warning.
3. Final Written Warning: Five (5) occurrences within a rolling 12-month period will result in a Final Written Warning.
4. Termination: Six (6) occurrences within a rolling 12-month period will result in termination of employment.

In addition, management reserves the right to issue corrective action at its discretion for a pattern of unacceptable occurrences extending beyond the rolling 12-month period or for suspicious incidents or patterns of occurrences.

An employee who engages in job abandonment, no-call/no-show, or unavailable while on call as described above may be subject to termination of employment.

The inclement weather policy guides decisions regarding standards of attendance and management’s discretion during a weather emergency.



C. Exceptions

University of Maryland Medical System is committed to complying with all federal and state laws that address leave from work and to providing reasonable accommodations for qualified individuals with disabilities. Absence or lateness that is the result of a qualifying reason under the Family and Medical Leave Act (FMLA), disability under the Americans with Disability Act (“ADA”), pregnancy-related disability, or the Maryland Healthy Working Families Act (“Sick and Safe Leave”) may qualify for an exemption from this policy, as described above. In most circumstances, a staff member is required to comply with his/her Department’s call-out policy, regardless of the reason for the absence.

If you believe that your absence or lateness is the result of a medical condition, disability, or pregnancy-related disability, you must inform your supervisor or Human Resources so that we can determine whether your absence or lateness should be excluded from consideration as an occurrence under this policy. If you believe that you have incurred an absence or lateness occurrence despite informing your supervisor or Human Resources of a qualifying medical condition, disability under the ADA, pregnancy-related disability, or Sick and Safe Leave, please contact Human Resources or a member of the management team.

For more information regarding sick and safe leave, eligibility for leave under the FMLA and reasonable accommodation of disabilities and pregnancy-related disabilities, please refer to the following HR policies: Maryland Sick and Safe Leave, Equal Employment Opportunity/Fair Treatment/Accommodation of Disabilities Family and Medical Leave Act.



FAQ

Attendance Policy

Q What are standards of attendance?

A Standards of attendance are the stated expectations for reporting to work. Regular scheduled attendance by all employees is essential to our mission of providing the highest quality care to the people of Maryland. Employees are expected to be at work on all scheduled workdays, be prepared to start work on time, take appropriate breaks as approved and complete all scheduled hours of work. Any exceptions must be authorized or excused as provided under this policy or may be considered an “occurrence.”

Q What events could lead to an “occurrence”?

A Generally, not fulfilling your work schedule can lead to an occurrence. Specifically, the following events can lead to an occurrence under the attendance policy. Repeated occurrences can lead to corrective action:

“Call out” is when an employee is unable to report to work as scheduled.

“Early out” is when an employee leaves prior to the end of a scheduled shift without prior permission from their manager.

“Lateness” is when an employee is not present and ready to begin work at the beginning of a scheduled shift.

“Pattern of unscheduled absences” is a situation when an employee’s unscheduled absences occur immediately prior to and/or immediately following a holiday, weekend off, vacation or personal day, or other patterned absences.

Q How do standards of attendance incidents translate into occurrences?

A Occurrences accrue as follows:

Standards of Attendance Incidents:	Standardized Number of Occurrences:
Incidents of Lateness	0.50 Occurrence
Incidents of Early Out	0.50 Occurrence
Insufficient SSL Balance to Cover Entire Unscheduled Absence	0.50 Occurrence
Incidents of Lateness Greater Than Two Hours	1.0 Occurrence
Incidents of Early Out Greater Than Two Hours	1.0 Occurrence
Unscheduled Absence (includes Call Outs)	1.0 Occurrence

**Q Can occurrences lead to corrective action or termination?**

A Yes. Occurrences can accumulate and result in written warnings. Written warnings are given in succession of first, second and third/final, based on an increased number of occurrences within a 12-month period. Your manager may also issue corrective action at their discretion for a pattern of unacceptable occurrences extending beyond the rolling 12-month period or for suspicious incidents or patterns of occurrences.

Q How long does an occurrence remain in an employee's file?

A Occurrences are managed on a rolling 12-month basis counting back from the most recent occurrence. Individual occurrences will drop off from the employee's file 12 months from the date they are incurred.

Q How can an employee prevent an occurrence?

A Become familiar with and follow the new standards of attendance. Talk with your manager at any time that you are unable to report to work as scheduled.

Q What happens to occurrences currently in my file when the new policy goes into effect?

A Current occurrences will be transitioned into the new system.

Q I have a medical condition that causes me to be absent from work. Will I be penalized for these absences?

A Employees who must miss work due to their own medical condition may be eligible for leave under the FMLA, SSL or ADA accommodation. Absences that are pre-approved under these circumstances are excused under the Standards of Attendance and will not result in an occurrence. Please contact your manager or Human Resources representative for more information.

Q Are any other types of absences excused under the Standards of Attendance?

A Yes, absences to care for an immediate family member under the FMLA or qualifying absences under the Maryland Healthy Working Families Act SSL are all excused under the Standards of Attendance and will not result in an occurrence. Again, please contact your manager or Human Resources representative for more information.

**POLICY****Corrective Action****EFFECTIVE**

January 31, 2021

PURPOSE

Corrective action is used to address employee behavior and performance concerns, encourage employees to become more successful and to adapt to organizational standards and expectations.

All employees, regardless of employment status, are governed by an at-will employment relationship. Employment may be terminated at any time, by either party and for any reason.

SCOPE

This policy applies to all employees. Employees in their initial review/probationary period may not receive all steps of progressive discipline. Individuals holding a title of manager and above are held to a higher standard and any performance and behavior concerns will be addressed at the discretion of the organization.

POLICY

This policy provides guidelines to management in applying consistent and impartial corrective action to employees who fail to meet the standards of their position. This may include standards for attendance, job performance, behavioral standards/codes of conduct or other expectations of the department or organization.

RESPONSIBILITY

- A.** Employees are expected to be aware of and abide by existing policies and departmental guidelines. It is also the responsibility of employees to perform their duties to the standards set forth in their job descriptions or as otherwise established. Employees are encouraged to request additional instruction or assistance when needed.
- B.** It is the responsibility of Management to strive to provide fair and consistent treatment of employees under the provisions of this policy.
- C.** It is the responsibility of Human Resources to oversee the administration of this policy.

PROCEDURE

Management is encouraged to address conduct and/or performance issues with employees as they arise on an informal basis in an attempt to identify training needs and correct unsatisfactory behavior before corrective action is necessary.



Prior to an employee receiving a formal corrective action, management must evaluate the performance, behavior and violation on a case-by-case basis to determine the appropriateness of corrective action. The specifics of the offense and the employee's work history will be considered when determining the appropriate level of corrective action.

A. Informal Corrective Action

1. Coaching

Management may coach an employee for behavior or performance concerns that have not yet risen to the level of corrective action. Management should maintain documentation of any coaching sessions. Coaching is not considered a formal corrective action.

2. Performance Improvement Plan (PIP)

Management may implement a performance improvement plan, which is not considered a formal corrective action. The status of the PIP will last for a predetermined amount of time, not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and work requirements specified by the supervisor and the organization. If the established goals of the PIP are not met during this time period, continued poor performance or repeated conduct issues, may lead to a formal corrective action, up to and including termination of employment. All PIPs must be discussed and reviewed with Human Resources before they are issued to an employee.

B. Formal Corrective Action

In most cases the corrective action process will follow the steps outlined below; however, depending on the seriousness of the offense and other individual circumstances, some offenses may warrant skipping steps in the process. Some offenses may be considered sufficiently egregious in nature as to subject the employee to immediate termination from employment.

The standard progression of corrective action is as follows:

1. First Written Warning
2. Second Written Warning
3. Final Written Warning
4. Termination of Employment

When corrective action is warranted, management must seek prior approval from the HR Business Partner in order to ensure consistency.

There should not be excessive time lapse between the offense and the subsequent delivery of the corrective action. Management should issue the corrective action to the employee within a reasonable time frame. What is a "reasonable" amount of time will vary depending on the circumstances; however, generally, it is the amount of time that allows for the manager to fully investigate the conduct and confer with Human Resources.



Should there be a serious infraction by an employee when the Human Resources department is not open and management is of the opinion that the employee should not continue to work as a result of the infraction, the employee may be placed on administrative leave (See Section D, below). A review of the facts must be conducted at the earliest date possible when the Human Resources department is open.

Once issued, the corrective action should be sent to HRConnections/Human Resources to be processed and kept in the employee's personnel file for future reference.

C. Duration

For the purposes of progressive corrective action, a corrective action will remain active for a period of 12 months following the date it was issued. Corrective action always remains a part of the individual's personnel file. Even after 12 months have elapsed, conduct or performance problems that led to expired corrective action may still be considered when determining the appropriate level of subsequent corrective action.

D. Administrative Leave

An employee may be placed on an administrative leave for suspected misconduct that requires an investigation. Management must consult with Human Resources before placing an employee on administrative leave pending investigation. Whether administrative leave is paid or unpaid is determined on a case-by-case basis.

E. Egregious Behaviors

The following is a non-exhaustive list of offenses that may result in immediate termination of employment:

1. Falsification of application, personnel, medical or other official records; the omission of pertinent facts, or giving false statements.
2. The possession or consumption of alcohol, other illegal or prohibited substances (including the illegal use of prescription medication) on hospital premises, or reporting to work under the influence of such substances or testing positive.
3. Failure to adhere to mandatory requirements to complete and/or obtain mandatory annual training, flu vaccination, or licensure/certification.
4. Willful damage to hospital, patient, visitor, or another employee's property or equipment.
5. Removal of hospital property, records, employee lists, private data or any confidential information from the hospital without written authorization, or divulging any confidential information to other than proper authorities.
6. Unauthorized review of clinical data of family members, co-workers, friends, etc., for which the employee does not have a "need to know" to perform assigned job duties.
7. Possession of firearms or weapons on hospital premises without written permission from appropriate officials.



8. Permit another person to use identification card (badge) or use of another's identification card for timekeeping or any other purpose.
9. Committing acts of violence, fighting, brawling, threatening, intimidating, coercing or injuring another. Improper, immoral or unreasonable standard of decency or morality, verbal or written use of obscene or abusive language to fellow employees, visitors or patients.
10. Gambling, lottery, or any other game of chance on premises, or the possession of gambling devices on premises.
11. Soliciting of patients, or visitors for any reason, or accepting tips from employees, visitors, and patients. Please refer to Human Resources Policy, Solicitation and Distribution for rules regarding the solicitation of employees.
12. Deletion or reduction in the established rates or charges for a patient, without authorization from an appropriate official.
13. Unauthorized absences such as job abandonment, no-call/no-show, or unavailable while on call. Refer to HR Policy, Standards of Attendance without notification for two or more workdays in succession.
14. Abuse, use of disrespectful language, or other inappropriate conduct toward an employee, visitor, or patient. The term "patient" shall include any individual seeking care and treatment.
15. Negligent or intentional conduct that endangers the health of an employee, visitor, or patient.
16. Illegal harassment or discrimination of any form.
17. Failure to maintain confidentiality of Protected Health Information.
18. Insubordination, a willful failure to obey a supervisor or an employer's lawful directive.
19. Theft of hospital, patient, vendor, volunteer, visitor, or co-workers' property.
20. Sleeping or giving the appearance of sleeping while on duty.
21. Failure to disclose a criminal conviction.
22. Criminal convictions occurring on or off the job that are related to job qualifications, or are of such a nature or severity that continued employment is not in the best interest of the organization.
23. Failure to comply with the requirements of the corporate compliance policies.
24. Failure to conduct self appropriately in other critical instances.



FAQ

Corrective Action

Q What does corrective action mean?

A The UMMS Corrective Action policy defines expectations for behavior and performance and transparently outlines how outliers will be handled. The policy is intended to help employees understand and adapt to organizational standards so they can be successful.

Q What behaviors and performance are included in UMMS' Corrective Action Policy?

A The policy provides guidance to managers for handling matters like attendance, job performance, behavioral standards/codes of conduct, and other organizational and departmental expectations.

Q What responsibilities do employees have with regard to this policy?

A Employees are expected to be aware of and follow existing policies and departmental guidelines. Employees also have the responsibility to perform their duties to the standards set forth in their job descriptions or as otherwise established.

Q What are the corrective action steps?

A Your manager will evaluate performance, behavior and violation on a case-by-case basis. The specifics of the offense and the employee's work history will be considered when determining whether to take Informal or Formal corrective action.

Q What is the difference between an Informal Corrective Action and a Formal Corrective Action?

A A manager may choose informal or formal corrective action steps, depending on the nature of the situation. An Informal Correction Action may include coaching, additional training or a Performance Improvement Plan (PIP). If you are placed on a PIP, you must demonstrate a willingness and ability to meet and maintain the conduct outlined in the plan within a 90-day period. A Formal Corrective Action will typically follow a progression:

1. First Written Warning
2. Second Written Warning
3. Final Written Warning
4. Termination of Employment



Q How long is a corrective action?

A A Formal Corrective Action will remain active for 12 months following the date issued. Any corrective action, both Informal and Formal, always remains a part of the individual's personnel file. Even after 12 months have elapsed, conduct or performance problems that led to expired corrective action may still be considered when determining the appropriate level of subsequent corrective action.

Q Does UMMS ever place employees on leave?

A Yes. An employee may be placed on an administrative leave for suspected misconduct that requires an investigation. Whether leave is paid or unpaid is determined on a case-by-case basis.

Q Do I have the ability to dispute a corrective action?

A Follow the appeal policy at your local facility or reach out to your Human Resources department for more information.

**POLICY****Maryland Sick and Safe Leave****EFFECTIVE****January 31, 2021****PURPOSE**

This policy is designed to ensure that the organization's existing paid leave policies and attendance policies are administered consistent with the Maryland Healthy Working Families Act, which went into effect on February 11, 2018. In the event of a conflict between this policy and another personnel policy, this policy shall control.

SCOPE

This policy applies to all employees of UMMS or any of its affiliates (each referred to herein as an employer).

POLICY

Sick and Safe Leave ("SSL") is provided in addition to, the employer's applicable Paid Time Off (PTO) program. Accrual and use of paid leave for SSL purposes will be subject to the provisions below.

1. Eligibility and Accrual of SSL

Eligible employees are those who regularly work 12 or more hours a week.

Current employees are eligible to begin accruing and using SSL as of the effective date of this policy. Employees hired on or after February 11, 2018 earn SSL under this policy from the date of hire, but SSL may not be used until the start of the pay period following 90 calendar days of employment.

SSL is earned on a calendar year basis based on the payroll calendar. Employees earn one hour of paid SSL for each 30 hours worked, to a maximum of 40 hours per year (the annual earning cap).

Exempt employees accrue SSL based on 40 hours per week or their FTE, whichever is less. Non-exempt employees earn leave based on all hours worked, including overtime hours. SSL will not be earned during a 2-week pay period in which the employee worked less than 24 hours.

Hours for Paid Time Off (PTO) or other paid leave will not be subject to accrual of SSL.

Earned but unused SSL carries over at the end of each year, up to a maximum of 40 hours. The total amount of SSL that may be accrued each year, including the yearly earned amount and any carryover, is 64 hours (the annual accrual cap). Once an employee hits the 64 hour annual accrual cap, SSL stops being earned. If the employee drops below the 64 hour annual accrual cap, he/she will resume earning SSL, until the 64-hour annual accrual cap is reached again or the employee reaches the 40 hour annual earning cap.

Sick and Safe Leave is in addition to our PTO program. SSL accrues concurrently with PTO. SSL is not paid out upon termination of employment.



Some, but not all, SSL also may be covered by the federal Family and Medical Leave Act (FMLA) and other laws that address paid or unpaid leave, as well as other employer leave policies. SSL that also qualifies under other laws and policies will run concurrently with leave under those laws and policies, and will be subject to the requirements of any other applicable leave policies.

In addition, short term disability (STD) benefits may apply to certain leave situations, in which case once STD benefits begin, available SSL (if any) may be used to supplement STD benefits to make up the difference between STD benefits and full pay.

2. Purposes of SSL

SSL can be used for the following reasons:

- ⦿ To care for or treat the employee's own mental or physical illness, injury, or condition.
- ⦿ To care for a family member's mental or physical illness, injury, or condition.
- ⦿ To obtain preventive medical care for the employee or family member.
- ⦿ For maternity or paternity leave.
- ⦿ For absences due to domestic violence, sexual assault, or stalking against the employee or family member:
 - ⦿ During the employee's temporary relocation; or
 - ⦿ To obtain for the employee or family member:
 - ⦿ Medical or mental health attention;
 - ⦿ Services from a victim services organization; or
 - ⦿ Legal services or proceedings.

For purposes of this policy, a "family member" means:

- ⦿ Spouse.
- ⦿ Child, including biological, foster, adopted, or step, as well as one for whom the employee has legal or physical custody or guardianship, or stands in loco parentis (i.e. acts as the parent, regardless of the legal relationship).
- ⦿ Parent, including biological, foster, adopted, or step for the employee or the employee's spouse, as well as one who was the legal guardian of or stood in loco parentis to the employee or employee's spouse.
- ⦿ Grandparent, including biological, foster, adopted, or step, of the employee.
- ⦿ Grandchild, including biological, foster, adopted, or step, of the employee.
- ⦿ Sibling, including biological, foster, adopted, or step, of the employee.

If an employee is absent from work for an SSL qualifying reason, any available accrued but unused SSL must be used to cover that that absence.



3. Employee Notice and Use of SSL

If the need for SSL is foreseeable, the employee must provide seven (7) days' advance notice. If the need for SSL is unforeseeable, the employee must provide notice as soon as practicable, and should comply with the employer's notice requirements for absences, unless it is not possible due to the circumstances giving rise to the need for leave. The request to use SSL may be denied if the employee fails to provide the required notice and the absence will cause or has caused a disruption to business operations.

4. Verification of SSL

Employees who take SSL for more than two consecutively scheduled shifts or workdays may be required to provide reasonable verification of the need for leave. Such verification may include, for example, a signed document from a health care provider (without disclosing details of the illness, injury or condition), a police report, a court order, or a signed statement from a victim or witness advocate or domestic violence counselor. This verification must be provided upon the employee's return to work. Failure to provide verification may result in the denial of future requests for SSL for the same purpose and may be grounds for discipline.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers from requesting or requiring genetic information of an individual or a family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information in response to any medical information requested pursuant to this policy. "Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

5. Improper Use of SSL

SSL may only be used for the purposes set forth above. The improper use of SSL or a pattern of abuse of SSL is strictly prohibited, and may be subject to corrective action, up to and including termination of employment.

6. Questions About SSL

Questions about an SSL issue, including the accuracy of a reported balance or a consequence associated with the use of SSL (such as a denial of the leave), should be directed to your Human Resources Business Partner so that the matter can be reviewed.

RELATED POLICIES

- ⦿ Standards of Attendance
- ⦿ Family and Medical Leave

**POLICY**

Observed Holidays

EFFECTIVE

January 31, 2021

PURPOSE

The purpose of this policy is to identify holidays observed by UMMS, provide premium pay for non-exempt (hourly) employees who are required to work on observed holidays, and to establish rules for the administration of Paid Time Off (“PTO”) for employees who do not work on observed holidays because their department or unit is closed. Please refer to HR Policy, Paid Time Off for general information regarding PTO.

SCOPE

This policy applies to exempt (salaried) and non-exempt (hourly) employees who are actively employed. Collective Bargaining Agreements may contain provisions that either supersede or are supplemental to the provisions of this policy. Employees covered by a CBA should refer to the provisions of the applicable agreement.

POLICY

UMMS observes seven (7) holidays throughout the year. Non-exempt (hourly) employees who work on observed holidays are paid a premium rate as described below. Employees who do not work on holidays because their department or unit is closed are required to use accrued PTO. PTO accrual is calculated to account for its use on these holidays. This means that seven (7) additional days (or prorated days for less than full-time FTEs) have been added to the accrual rates for PTO to account for its use on observed holidays. Employees who work on observed holidays can use that PTO for permitted reasons at another time according to the organization’s PTO policy.

RESPONSIBILITY

It is the supervisor’s responsibility to schedule employees to ensure appropriate staffing levels on observed holidays. It is the employee’s responsibility to ensure they maintain enough accrued Paid Time Off (PTO) to be paid for observed holidays.



PROCEDURE

A. Observed Holidays

UMMS observes the following holidays:*

Holiday

- New Year's Day (January 1)
- Martin Luther King Jr. Day (3rd Monday in January)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (1st Monday in September)
- Thanksgiving Day (4th Thursday in November)
- Christmas Day (December 25)

*When an observed holiday falls on a Saturday, it will be observed on the preceding Friday. When an observed holiday falls on a Sunday, it will be observed the following Monday.

B. Use of PTO for Non-Working Holidays

When a department or location is closed due to an observed holiday, employees of that department or unit typically are not scheduled to work and the day will be deducted from their PTO balance.

If an employee who works in a department that is closed for a designated holiday does not have sufficient accrued PTO to cover the holiday, the employee's PTO balance will be allowed to go negative in the pay period in which the holiday falls.

C. Compensation for holidays worked

Many clinical and business units do not close on observed holidays to ensure continuity of patient care. Likewise, circumstances may require that an employee of a closed department or unit come to work on a holiday. When this occurs, employees are paid for their hours worked and may use their PTO at another time as permitted by the PTO policy.

Exempt Employees

Exempt employees who work on a designated holiday will be paid their normal base salary.

Non-Exempt Employees

Non-exempt employees who are required to work on the actual day of a designated holiday are paid one and one-half times their normal hourly rate for all hours worked on the holiday.



For purposes of being paid the holiday premium of one and one-half times the normal hourly rate, the holiday start and end times are as follows:

Observed Holiday	Start Time	End Time
New Year's Day (January 1)	December 31 at 7:00 p.m.	January 1 at 11:59 p.m.
Martin Luther King Jr. Day (3rd Monday in January)	Day of Observation at midnight	Day of Observation at 11:59 p.m.
*Easter Sunday - St. Joseph Medical Center only, per religious directive	Day of Observation at midnight	Day of Observation at 11:59 p.m.
Memorial Day (Last Monday in May)	Day of Observation at midnight	Day of Observation at 11:59 p.m.
Independence Day (July 4)	July 4 at midnight	July 4th at 11:59 p.m.
Labor Day (1st Monday in September)	Day of Observation at midnight	Day of Observation at 11:59 p.m.
Thanksgiving Day (4th Thursday in November)	Day of Observation at midnight	Day of Observation at 11:59 p.m.
Christmas Day (December 25)	December 24 at 7:00 p.m.	December 25 at 11:59 p.m.

An employee who believes that they have not been paid in accordance with this policy should contact their supervisor or Human Resources so that their concern can be promptly investigated and resolved.



FAQ

Observed Holidays

Q What holidays does UMMS observe?**A** UMMS observes the following seven (7) holidays:

- New Year's Day (January 1)
- Martin Luther King Jr. Day (3rd Monday in January)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (1st Monday in September)
- Thanksgiving Day (4th Thursday in November)
- Christmas Day (December 25)

Q What does it mean to “observe” a holiday?**A** UMMS will pay a premium rate to non-exempt (hourly) employees who work on observed holidays.**Q** What does UMMS pay for working holidays?**A** Exempt (salaried) employees who work on a designated holiday will be paid their normal base salary.

Non-exempt (hourly) employees who are required to work on the actual day of a designated holiday are paid 1.5 times their normal hourly rate for all hours worked on the holiday.



Q When do holiday premium rates begin and end?

A For purposes of being paid the holiday premium of 1.5 times an employees' base hourly rate, the holiday start and end times are as follows:

Observed Holiday	Start Time	End Time
New Year's Day (January 1)	December 31 at 7:00 p.m.	January 1 at 11:59 p.m.
Martin Luther King Jr. Day (3rd Monday in January)	Day of Observation at midnight	Day of Observation at 11:59 p.m.
*Easter Sunday - St. Joseph Medical Center only, per religious directive	Day of Observation at midnight	Day of Observation at 11:59 p.m.
Memorial Day (Last Monday in May)	Day of Observation at midnight	Day of Observation at 11:59 p.m.
Independence Day (July 4)	July 4 at midnight	July 4th at 11:59 p.m.
Labor Day (1st Monday in September)	Day of Observation at midnight	Day of Observation at 11:59 p.m.
Thanksgiving Day (4th Thursday in November)	Day of Observation at midnight	Day of Observation at 11:59 p.m.
Christmas Day (December 25)	December 24 at 7:00 p.m.	December 25 at 11:59 p.m.

Q I'm represented by a union. How does this policy affect me?

A Collective bargaining agreements may contain provisions that supersede or are supplemental to the provisions of this policy. Employees under a labor contract should refer to those document rules.

Q How does the Observed Holiday policy affect employees who work in departments closed on holidays?

A Employees who do not work holidays because their department or unit is closed are required to use accrued PTO. Employees who work on observed holidays can use that PTO for permitted reasons at another time according to the organization's PTO policy.

Q What happens if a holiday falls on a weekend day?

A When an observed holiday falls on a Saturday, administrative offices will be closed on the preceding Friday. When an observed holiday falls on a Sunday, offices will be closed the following Monday. Premium holiday pay is paid to employees who work on the actual holiday.

Q What happens if I don't have enough PTO to use for an observed holiday and I'm not scheduled to work that day or my department is closed?

A If you work in a department that is closed for a designated holiday and do not have sufficient accrued PTO to cover the holiday, your PTO balance will be allowed to go into a negative balance in the pay period in which the holiday falls.

**POLICY**

On Call

EFFECTIVE

January 31, 2021

PURPOSE

This policy establishes uniform pay practices with regards to employees who are required to be “on-call.” The policy also provides guidelines for the assignment of on-call responsibilities and guaranteed hours of work upon being called into work while on-call.

SCOPE

This policy applies to all non-exempt (hourly) employees. This policy does not apply to residents, physicians, and employees covered by a Collective Bargaining Agreement (CBA). Collective Bargaining Agreements may contain provisions that either supersede or are supplemental to the provisions of this policy. Supervisors and employees covered by a CBA should refer to the provisions of the applicable agreement.

RESPONSIBILITY

It is the responsibility of the supervisor to verify hours an employee is placed on-call, and to authorize payment of on-call and call-in guarantee on the time record. Employees are responsible for properly recording time worked at the designated time clocks.

DEFINITION

Due to the nature and business operation of the organization, an employee may be required to be on-call and report to work outside of his/her assigned work schedule. An employee is in on-call status when he/she is not on the premises and on his/her own time but is required to be available.

Eligible employees will be paid an hourly rate of \$3.50 per hour for all on-call hours.

PROCEDURE**A. Assignment of On-Call Duty**

Department leadership will determine if on-call assignments are required and assign employees of on-call duty among all eligible employees. Employees on-call must be available to by telephone or other electronic paging device. If called, employees must report or respond promptly as defined by departmental guidelines. Employees who are on Paid Time Off may receive on-call pay.



B. Integration with Other Premium Pay

Employees who must report to work from on-call status are eligible to receive any applicable overtime, evening, night and weekend differential consistent with the policy. Refer to HR Policies, Overtime Compensation and Shift Differential.

C. Call In Guarantee

On-call pay will cease as soon as the employee clocks in and throughout the time the employee works. An employee on-call who cannot be reached or who does not report to work promptly will not be paid for on-call duty and may be subject to corrective action, up to and including termination of employment.

When a non-exempt employee on-call is called in to work, he/she will be guaranteed a minimum of four (4) hours pay at his/her base hourly rate provided the employee is not called immediately before or after working a regular or extended shift. No additional time will be paid if called in more than once in the same four (4) hour period.

D. Required to be on the Premises

When a non-exempt employee is required to stay on premises but is not engaged in work activity, the organization will pay the employee minimum wage pay for all such hours.

E. Other

The procedure outlined in this policy is applicable to any approved on-call pay programs.



POLICY

Overtime Compensation

EFFECTIVE

January 31, 2021

PURPOSE

The purpose of this policy is to establish uniform rules governing the payment of overtime compensation.

POLICY

It is the policy of the University of Maryland Medical System (“UMMS”) and its member organizations to compensate all employees in accordance with state, federal and local law. It is also UMMS policy to control costs through the responsible management of overtime.

DEFINITION

Hours Worked	Hours in which an employee performs actual work.
Overtime Compensation	One and one-half (1 ½) an employee’s regular rate of pay.
Overtime Hours	Hours worked over forty (40) in a given workweek.
Regular Rate of Pay	An hourly rate calculated by dividing the total pay for employment (except for certain statutory exclusions) in any workweek by the total number of hours actually worked in that week.
Workweek	7:30 a.m. Sunday -7:29 a.m. the following Sunday

RESPONSIBILITY

- A.** It is the responsibility of the department leader or their designee to manage overtime and to pre-approve hourly employees to work overtime hours when necessary.
- B.** It is the responsibility of the department leader or designee to ensure that overtime hours are recorded correctly to ensure the proper payment of overtime compensation. *See HR Policy, Recording and Payment of Time.*
- C.** It is the responsibility of the employee to obtain prior approval from his/her department leader or designee before working overtime hours.

PROCEDURE

- A.** Hours worked are credited to the week in which they are actually worked. This means that hours worked before 7:29 a.m. Sunday will be counted toward one work week, and hours worked after 7:30 a.m. Sunday will be counted in the following workweek. This may result in hours worked during one shift being split between two workweeks.



- B.** Overtime compensation is paid for all hours worked over forty (40) in a given workweek. Paid leave time is not included in the calculation of hours worked.
- C.** An hourly employee's regular rate of pay, for the purpose of determining overtime, is calculated by dividing the total pay for employment (except for certain statutory exclusions) in any workweek by the total number of hours actually worked. Total pay includes the employee's base rate of pay, as well as any applicable premium pay, certain bonuses, on call pay, etc. This total pay is divided by the total number of hours worked to determine the regular rate, and overtime is paid at 1 ½ times the regular rate for hours worked over forty (40).
- D.** Employees who work alternative work weeks, (i.e., weekend alternative, etc.) will be paid overtime compensation based on actual hours worked over forty (40) hours and not hours paid.
- E.** An employee who is required to remain on call on the premises is working while "on call," and those hours are counted to determine whether an employee is eligible for overtime and, if so, how much. An employee who is required to remain on call at home, or who is allowed to leave a message where he/she can be reached, is not working (in most cases) while on call. These hours are not considered to be hours worked and therefore are not counted for the purposes of determining eligibility for overtime compensation.
- F.** Overtime hours may be authorized when current staffing cannot cover the operational requirements of the department or nursing unit. The opportunity to work overtime hours will be offered to employees on a voluntary and equitable basis. Mandatory overtime hours may be required in the event of staffing shortages or emergencies if authorized by the Vice President with responsibility for the particular department or nursing unit. Mandatory overtime assignments shall meet any applicable requirements under Maryland law.
- G.** If an employee works overtime hours without prior authorization, then the employee will be compensated for his/her time at the overtime compensation rate, but may be subject to corrective action for working overtime hours without prior approval.
- H.** Employees in exempt positions are paid on a salary basis and are not eligible to receive overtime compensation. Exempt employees are expected to work regardless of the number of hours necessary to satisfactorily accomplish their job functions and do not typically receive additional compensation for any of their work activities. Any exception to this general rule must be approved by the facility's Vice President of Human Resources.
- I.** Compensatory time is not permitted by the organization at any time.
- J.** Employees who are subject to a Collective Bargaining Agreement should refer to that document for information regarding overtime.

REPORTING CONCERNS

Any employee who has a concern about their pay, including the calculation of overtime compensation or their eligibility for overtime hours or compensation should report those concerns to their Human Resources Representative or the Corporate Compliance and Business Ethics Group. All concerns will be investigated and there shall be no retaliation for raising concerns.



FAQ

Overtime Compensation

Q What rate does UMMS pay for eligible employees who work overtime?

A UMMS pays one and one-half (1 ½) an employee's regular rate of pay.

Q How can an employee learn their regular rate of pay?

A Employees can calculate their hourly rate calculated by dividing the total pay for employment (except for certain statutory exclusions) in any work week by the total number of hours actually worked in that week.

Q When does an employee qualify for overtime?

A An employee first needs to have worked 40 hours in a given workweek, which is defined as 7:30 a.m. Sunday to 7:29 a.m. the following Sunday. Employees who work alternative work weeks (e.g. weekend alternative) will be paid overtime compensation based on actual hours worked over 40 hours and not hours paid.

A department leader or their designee must authorize an employee to work overtime. (An employee who works overtime without prior approval from the department leader or his/her designee may be subject to corrective action.)

Q Would I have met the 40-hour eligibility threshold to earn overtime if I work 36 hours in one week and 4 in a new work week?

A No. Hours worked are credited to the week in which they are actually worked. This means that hours worked before 7:30 a.m. Sunday will be counted toward one work week, and hours worked after 7:29 a.m. Sunday will be counted in the following work week. This may result in hours worked during a Saturday night shift being split between two work weeks.

Q Will overtime pay be in addition to pay premiums like shift differentials?

A An hourly employee's regular rate of pay, for the purpose of determining overtime, is calculated by dividing the total pay for employment (except for certain statutory exclusions) in any work week by the total number of hours actually worked.

Total pay includes the employee's base rate of pay, as well as any applicable premium pay, certain bonuses, on call pay, etc. This total pay is divided by the total number of hours worked to determine the regular rate, and overtime is paid at 1 ½ times the regular rate for hours worked over forty (40).



Q Are employees eligible for overtime if they take paid leave time in a given week?

A No. Paid leave time is not included in the calculation of hours worked.

Q How does “on call” affect overtime?

A An employee who is required to remain on call on the premises is working while “on call.” Those hours are counted toward overtime eligibility.

An employee who is required to remain on call while not on premises is not working (in most cases) while on call. These hours are not considered to be hours worked and therefore are not counted toward overtime eligibility.

Q Who determines who is eligible for overtime and how will the decision be made?

A A department leader or their designee will make the decision if/when current staffing cannot cover the department’s or nursing unit’s operational requirements. Opportunities to work overtime hours will be offered to employees on a voluntary and equitable basis.

Q Would UMMS ever mandate overtime?

A Mandatory overtime hours may be required in the event of staffing shortages or emergencies, if authorized by the vice president with responsibility for the particular department or nursing unit. Mandatory overtime assignments shall meet any applicable requirements under Maryland law.

Q To whom does this policy apply?

A This policy applies to non-exempt, hourly employees who are paid hourly. It does not apply to exempt, salaried employees.

Q Does this policy apply to UMMS employees who are subject to a collective bargaining agreement?

A Employees should review the language in the labor contract.

Q What should an employee do if s/he thinks there’s an error in pay?

A We encourage employees to first contact their Human Resources Representative. An employee also may contact UMMS Corporate Compliance and Business Ethics Group. All concerns will be investigated and there will be no retaliation for raising concerns.

**POLICY**

Paid Time Off (PTO)

EFFECTIVE

January 31, 2021

PURPOSE

The purpose of this policy is to establish rules for the administration of Paid Time Off (“PTO”). PTO may be used for any reason an employee may need time away from work. Reasons include, but are not limited to vacation, holiday, illnesses, personal reasons, family care and other needs, which may require time off from work.

Other Medical System HR policies may also cover PTO taken for one’s medical condition or the medical condition of a family member, or for reasons related to domestic violence. These policies may include, but are not limited to: Sick and Safe Leave (SSL), Family and Medical Leave, Equal Employment Opportunity - Accommodation of Disabilities, and Leave of Absence. Other employer-sponsored benefits, such as short and long-term disability, may also apply. Employees must utilize available SSL hours prior to utilizing PTO hours for absences covered for these reasons.

SCOPE

PTO benefits are available to exempt (salaried) and non-exempt (hourly) employees who are actively employed and are assigned a full-time equivalent (FTE) of 0.5 or higher. This policy does not apply to executives, residents, physicians, and employees covered by a Collective Bargaining Agreement (CBA). Those employees should refer to the applicable policies and CBA related to their job category. Collective Bargaining Agreements may contain leave provisions that either supersede or are supplemental to the provisions of this policy. Supervisors and employees covered by a CBA should refer to the provisions of the applicable agreement.

RESPONSIBILITY

It is the employee’s responsibility to request approval for PTO from their supervisor based upon departmental guidelines and report PTO hours used to their timekeeper.

It is the responsibility of supervisors to approve/manage the use of PTO for direct reports who are subject to this policy. The supervisor is responsible for scheduling employees to ensure appropriate staffing levels to maintain sufficient business operations.

PROCEDURE**A. Eligibility**

Eligibility is determined by years of service, FTE, and job classification. All regular full-time and part-time employees who are assigned an FTE of 0.5 or above are eligible to accrue PTO. Employees who are assigned to work an FTE less than 0.5 are not eligible to accrue PTO.



B. PTO Accrual

- ⦿ Employees begin to accrue PTO on their first day of work; however, they are not eligible to use PTO until the start of the pay period following 90 days of employment.
- ⦿ Employees accrue PTO based upon hours paid, up to the maximum of a 1.0 FTE.
- ⦿ Balance limits are based upon assigned FTE.
- ⦿ Employees do not accrue PTO during periods of an unpaid absence or for hours paid under eligible company-sponsored short and long-term disability plans.

Table 1: PTO Accrual Rates*

Accrual of PTO for full-time employees is based on the following schedule of a 1.0 FTE.

Job Category	Years of Service	Biweekly Accrual (Hours)	Annualized Accrual (Days)	Balance Limit (Hours)
Non-Exempt (excludes RN Professional Advancement Model "PAM" designated roles)	Before 5th anniversary	6.76	22	264
	5th anniversary	8.30	27	324
	10th anniversary	9.84	32	384
	20th anniversary	11.38	37	444
Exempt and RN Professional Advancement Model "PAM" designated roles	Before 5th anniversary	8.30	27	324
	5th anniversary	9.84	32	384
	10th anniversary	9.84	32	384
	20th anniversary	11.38	37	444

Employees proceed to the next tier at the start of the pay period following completion of the applicable year.

UMMS encourages employees to use their PTO regularly. An employee may not accrue more than one and a half times their annual PTO accrual (the "balance limit"). Once this limit is reached, the employee will stop accruing and will not start accruing again until their balance is below the limit. The balance limit in the chart above is based on the employee's assigned FTE.

*Part-time employees scheduled to work at least 40 hours per pay period (0.5 FTE) and are scheduled to work less than 80 hours per pay period (1.0 FTE) accrue PTO on a pro-rated basis.

C. Observed Holidays

Paid Time Off (PTO) accruals include hours to cover holidays. Holidays are included in, not in addition to, the annual PTO Accrual.

Due to business and operational needs, not all eligible employees will be able to have a holiday off. The responsible manager may require employees to work on an observed UMMS holiday to meet business needs. Please refer to HR Policy, Observed Holidays for additional information.



D. Utilization

PTO should be requested and approved in advance, when foreseeable. Employees are able to review and request PTO hours through the electronic timekeeping system and Kronos application. The amount of advance notice required may vary by department, depending on operational and staffing needs. Approved PTO hours taken will be authorized by the employee's supervisor and charged against the employee's PTO account at the conclusion of the biweekly pay period during which it was taken. Hours worked and PTO usage must equal the employees budgeted FTE.

When any PTO is used, the hours will be paid at the employee's base rate of pay. This does not include any shift differentials or other premiums.

Only the available hours are able to be used. Negative balances are not allowed except as outlined in the HR Policy, Observed Holidays. Please note that if an employee has a negative PTO balance upon termination, UMMS may deduct the owed amount from the employee's final paycheck, as authorized by the employee at the time the employee borrows against future PTO.

Employees may not elect unpaid leave prior to exhausting all PTO balance unless being sent home for low census or placed in on-call status for low census. It is at the discretion of the manager to approve unpaid time off for employees with insufficient PTO balances to cover requested periods off.

Exempt employees use PTO in full-day increments except when absences are covered by the Maryland Sick and Safe Leave Policy, for which PTO may be used to supplement SSL hours. Refer to HR Policy, Maryland Sick and Safe Leave for additional information. Exempt employees do not utilize PTO for partial-day absences. Exempt staff who voluntarily elect to work while using PTO do so with the understanding that they are being paid with PTO and will not receive additional reimbursement or credit back for PTO that was already approved.

Employees are not eligible for PTO advancement or to cash-in PTO in place of taking time off from work.

E. Transfers between UMMS Facilities

Employees transferring from one UMMS facility to another will carry their PTO balance to the new UMMS facility up to the balance limit corresponding to the new position. Any remaining PTO balance will be paid out by the former UMMS facility. Employees will also retain their years of service for purposes outlined in this policy.

F. Donation of PTO

Employees may donate available PTO hours to other eligible employees for covered reasons. Please refer to the HR Policy, Donation of Paid Time Off, for additional information.



G. Payment of PTO Upon Status Change Resulting in Ineligibility

Accrued but unused PTO will be paid out upon an employee's assigned FTE change to below 0.5, or when a change to the assigned FTE renders the employee eligible to accrue PTO but the employee is above the new balance limit, or termination from employment.

Employees who terminate within the 90 day waiting period are not eligible for a payout.

Upon termination from employment, UMMS may deduct from an employee's accrued but unused PTO any outstanding monies owed to UMMS or an affiliate according to a written agreement between the employee and UMMS or the affiliate. Examples include, but are not limited to, tuition assistance or relocation expenses.

**POLICY****Recording and Payment of Work Time****EFFECTIVE**

January 31, 2021

PURPOSE

It is the policy of the organization to pay non-exempt employees for all hours worked and to pay overtime for hours worked over 40 in a workweek. The purpose of this policy is to describe how the organization keeps accurate time records to ensure the proper payment of wages in compliance with applicable federal, state and local laws.

SCOPE

Exempt (salaried) employees are not required to clock-in, but are required to work, at a minimum, their assigned FTE and to accomplish the work required by their position, even if this requires working more hours than their assigned FTE. Exempt employees who fail to meet their job requirements will be managed accordingly.

POLICY

The organization will pay all non-exempt employees for all hours worked and will pay overtime for hours worked over 40 in a workweek. The organization will maintain accurate timekeeping records for non-exempt employees to ensure the proper payment of wages. Employee time will be recorded and timekeeping systems maintained by the organization as set forth in this policy. All required time records shall be completed by employees and timekeepers in a timely and accurate manner.

PROCEDURE**A. Recording Hours Worked**

An employee must record their hours worked by clocking in and out on an automated time clock, except where only manual timekeepers are available.

Automated time clocks will be located in various areas of the organization. During department orientation, employees will be notified of the location of the time clock they are to use when clocking in and out.

If an employee fails to clock in or out (or cannot clock in or out due to problems with his/her identification badge or mechanical problems with the time clock), the employee must notify his/her supervisor, department manager or shift coordinator within 30 minutes. The employee should use the approved exception notification system established for their shift or department. The employee must complete the required form and get the appropriate manager approval. When required, manual forms that are not completed and submitted by the employee before the close of payroll cannot be processed until the following payroll period.



Non-exempt employees leaving the organization during the work day for any non-business related reason must clock out upon departure and clock in upon return. In all cases, employees must obtain supervisory approval before departing the premises (see Human Resources policy regarding Meal and Rest Breaks).

The determination of an employee's hours worked will be made by using the work time recorded on the time clock either via the employee's badge swipes or manual entry by the supervisor.

Employees will be paid from the time they clock in, until the time they clock out, according to the organization's specific timekeeping and payroll system rules.

B. Access to Time Records and Schedules

1. Confirming Accuracy of Records

Employees are encouraged to review their time each week to ensure that it has been accurately recorded. This function is available at the Kronos time clock, through Kronos Mobile™, at the employee's workstation (where available), or by contacting the employee's timekeeper.

An employee who believes that there has been an error in their pay, regardless of whether it is discovered before or after the employee's paycheck is issued, should contact Human Resources so that the matter can be promptly investigated and resolved. There shall be no retaliation against individuals for raising concerns about their compensation.

2. Scheduling at the Time Clock

Employees may review their schedules and request PTO through the Kronos time clock, Kronos Mobile™, or at the employee's computer workstation (where available, for employees who utilize the computer to record time worked.)

The employee must follow normal departmental procedures for reviewing and requesting schedule changes and leave.

The use of Kronos for reviewing time and scheduling is not compensable when performed during non-working time (before or after shift).

C. Employer Maintenance of Records

Timekeeping records are kept for a minimum of three (3) years.

D. Timekeeping Violations

The accurate recording of time not only ensures that employees are paid for all hours worked, but also prevents the organization from paying for time that has not been worked. For this reason, the following acts are considered timekeeping violations that may lead to corrective action, up to and including termination of employment:



1. Repeated failure to clock in or out that is not the result of a factor outside of the employee's control (for example, a non-functioning time clock).
2. Clocking in or out for another employee. All employees are responsible for recording their own work time.
3. Fraudulently recording time as working time when the employee is not at work (for example, clocking-in and then leaving the premises for non-work-related reasons).
4. Working unauthorized overtime. Under normal circumstances, overtime must be approved in advance. An employee who works overtime without prior authorization will be paid for all hours worked, but may be subject to corrective action, up to and including termination from employment. Employees who are unable to accomplish their work within their regularly scheduled shift are encouraged to speak with their supervisor.
5. Failure to report known violations of this policy. Employees who have knowledge of policy violations must report those violations to their supervisor or Human Resources.

Any employee who has knowledge of activities that he or she believes may violate Federal, State and local laws and regulations, both civil and criminal has an obligation to report the matter immediately to his or her supervisor, Human Resources, the Compliance Department or Risk Management.



FAQ

Recording and Payment of Work Time

Q Why must non-exempt employees clock in and out for work?

A UMMS is committed to paying all non-exempt employees for all hours worked and will pay employees overtime as appropriate. By clocking in and out for shifts, you help ensure you are accurately paid for your work.

Q What should I do if I experiences a challenge with the timekeeping clock?

A If you have trouble clocking in or out, you should notify your supervisor, department manager or shift coordinator within 30 minutes of when the issue occurred and use the approved exception notification system established for your department.

Q Do I have the ability to review my time before I am paid?

A Yes. We encourage you to review your time each week to ensure it has been accurately recorded. You can do this at the Kronos time clock, through Kronos Mobile™ at your workstation (where available) or by contacting your timekeeper.

Q What should I do if I think there is an error in my pay?

A If you suspect an error in your pay, you should contact your manager or timekeeper as soon as possible so that the matter can be investigated, and any errors corrected. This applies regardless of whether you discover the suspected error upon reviewing your time or after you receive your paycheck.

**POLICY****Reserved Sick Leave****EFFECTIVE****January 31, 2021****PURPOSE**

The purpose of this policy is to establish a “reserved sick leave bank” for employees who transitioned from having separate leave banks to PTO, and to provide rules for how reserved sick leave can be used.

SCOPE

This policy applies to all employees who are assigned to a 0.5 or greater FTE (full-time equivalent) who were transitioned from separate leave banks to PTO, effective DATE.

This policy may not apply to employees who are covered under a collective bargaining agreement. Employees working under a collective bargaining agreement should refer to that document for information regarding paid sick leave.

POLICY

Effective October 25, 2020, employees who had separate leave banks (for example, sick, vacation, personal, holiday) will be transitioned to a PTO plan. For these employees, accrued but unused sick leave hours will be transferred to a “reserved sick leave bank.” Once a reserved sick leave bank is established, employees do not accrue any additional sick leave into the reserved sick leave bank.

I. Use of Reserved Sick Leave

- A.** Reserved sick leave may only be used for medical absences that would qualify for leave under the Family and Medical Leave Act (“FMLA”), regardless of whether the employee is eligible for leave under the FMLA. For example, an employee who has exhausted their FMLA leave may use reserve sick leave for medical reasons that would otherwise be covered by FMLA if the employee had not exhausted that leave.

1. Reserved sick leave must be used:

- i. Concurrently with otherwise unpaid leave taken under the FMLA, except as provided in paragraph I(A)(3), below.
- ii. For approved absences that would otherwise qualify for FMLA if the employee were eligible (i.e. if the employee has not worked the requisite number of hours, or the employee was eligible but exhausted FMLA-covered leave).
- iii. In these circumstances, an employee must first exhaust Sick and Safe Leave and then must use their reserved sick leave.



2. Reserved sick leave may be used:
 - i. To supplement short term disability benefits.
3. Reserved sick leave may not be used for:
 - i. Wellness appointments, except for prenatal visits covered by the FMLA, see above;
 - ii. Qualifying exigencies arising out of the fact that a covered military member is on active duty or has been notified of an impending call or order to active duty in support of a contingency operation.
 - iii. Occasional absences that may be related to an illness or injury that would not be covered under the FMLA;
 - iv. The bonding period related to the birth or adoption of a child;
 - v. Work-related injuries that are deemed eligible for workers' compensation benefits; or
 - vi. To supplement long-term disability benefits.
4. Relationship to SSL and PTO
 - i. An employee is not required to exhaust accrued PTO before using their reserved sick leave. However, once an employee has exhausted their reserved sick leave bank, they must then use PTO for any additional period of approved absence. When SSL, reserved sick leave, and PTO are exhausted, the employee may be approved for an unpaid leave of absence.

II. How to Access Reserved Sick Leave

To access reserved sick leave, an employee must contact the organization's leave management vendor and properly follow their established department procedure regarding call-outs or absences.

III. Compensation for Reserved Sick Leave

Reserved sick leave is paid at the employee's regular base rate of pay. It does not include shift differentials, overtime rates, or other forms of premium pay.

IV. Intra-System Hires between UMMS Facilities

Eligible employees who terminate employment at one UMMS member organization and are immediately hired at another UMMS member organization will carry their unused reserved sick leave balance to the new UMMS facility.

V. Donation of Reserved Sick Leave Prohibited

Employees may not donate reserved sick leave hours to other employees. Please refer to the Human Resources Policy, Donation of PTO, for additional information regarding the donation of PTO or use of donated PTO.

VI. Status Change Resulting in Ineligibility

An employee will be ineligible to utilize reserved sick leave when an employee's assigned FTE changes to below 0.5 FTE. The reserved sick bank balance will be reinstated if the FTE changes to 0.5 or higher.

VII. No Payment Upon Separation of Employment.

Reserved sick leave hours are forfeited upon separation from employment for any reason, meaning that it is not paid out upon separation from employment.



FAQ

Reserved Sick Leave

Q**What is “reserved sick leave”?****A**

Currently across the System, some employees have separate sick leave banks. We are now transitioning to one combined Paid Time Off (PTO) bank, but want to be sure that sick leave hours are not lost. Our Reserve Sick Leave policy allows employees with unused sick leave to retain these hours in a Reserved Sick Leave Bank.

Q**Will employees be able to continue to accrue sick time?****A**

No. Once the Reserved Sick Leave Bank is established after the transition to the new PTO program, employees do not accrue more additional sick leave into the reserve sick leave bank. Future accruals of leave will be added to the employee’s PTO bank.

Q**How can an employee use their Reserved Sick Leave time?****A**

Reserved Sick Leave may only be used for the same type of absences that would typically qualify for leave under the Family and Medical Leave Act (FMLA). However, an employee can access this Reserved Sick Leave time regardless of whether they are eligible for leave under the FMLA. Employees also can use Reserved Sick Leave in the following situations:

- they are taking otherwise unpaid leave under the FMLA
- they need to supplement short term disability benefits
- they are on an employer-approved medical leave of absence that would have otherwise been approved under the FMLA or that would qualify for FMLA.

Like any absence, use of Reserve Sick Leave must follow the department’s established procedures for call-outs or absences.

Q**Are there limitations on when Reserve Sick Leave can be used?****A**

Yes. Employees may not use this leave for occasional absences related to an illness or injury not covered under FMLA, bonding period related to the birth or adoption of a child, or for wellness appointments (except for prenatal visits covered by FMLA).

Q**What if an employee needs to use more time than what’s in their Reserved Sick Leave bank?****A**

Once an employee has exhausted their Reserved Sick Leave bank and other approved forms of absence with pay, the employee would then be on leave without pay until additional paid time off hours are accrued.

**Q At what rate is Reserved Sick Leave paid?****A** Reserved sick leave is paid at the employee's regular base rate of pay. It does not include shift differentials, overtime rates or other forms of premium pay.**Q Are employees permitted to donate their Reserved Sick Leave?****A** No. Employees cannot donate time from their Reserved Sick Leave bank, but employees can donate PTO. Contact Human Resources or refer to the Donation of PTO Policy for more information about how to donate PTO.**Q If I transfer to a job at another UMMS facility, will my Reserved Sick Leave bank carry with me?****A** Yes. One of the benefits of standard policies across the System is that you can carry your unused Reserved Sick Leave balance to any UMMS facility.**Q If I leave my job at UMMS, may I cash out my Reserved Sick Leave bank?****A** No. While your Reserved Sick Leave hours will not expire throughout the duration of your employment with UMMS, they are not eligible to be paid out upon separation from the System and are no longer available, even if you are later re-hired within UMMS.

Note: The Reserve Sick Leave Policy may not apply to UMMS employees governed under a collective bargaining agreement. Such employees should refer to their labor contract's rules.

**POLICY**

Shift Differential

EFFECTIVE

January 31, 2021

PURPOSE

This policy establishes the start and stop times for weekend, evening, and shifts during which employees are eligible to receive shift differential.

SCOPE

This policy applies to all non-exempt (hourly) employees. Collective Bargaining Agreements may contain provisions that either supersede or are supplemental to the provisions of this policy. Supervisors and employees covered by a CBA should refer to the provisions of the applicable agreement.

Shift differential is paid only for actual hours worked. Shift differential is not applicable to Paid Time Off (PTO), education leave, jury duty, bereavement leave, leave of absence and any other non-work time.

RESPONSIBILITY

It is the responsibility of the manager, or their designee, to verify the hours that an employee works during the weekend, evening or night shift and to authorize payment of shift differential. Employees are responsible for properly recording time worked at designated time clocks.

PROCEDURE**A. Eligibility**

All non-exempt employees who work the weekend, evening or night shift are eligible for shift differential for working during those shifts as described in Section IV, below.

B. Hours for Which Shift Differential is Paid

Shift differential is paid to eligible employees who work the majority of their assigned shift during designated evening, night and weekend shift hours. A “majority” of the shift means that greater than 50 percent (50%) of the shift falls within designated shift differential start and end times. If a shift is split equally between two shift differential time periods, then payment will be made at the higher rate.



The standard start and stop times for shift differential compensation are as follows:

Shift	Start Time	End Time
Evening	3:00 p.m.	11:00 p.m.
Night	11:00 p.m.	7:00 a.m.
Weekend Day	Saturday/Sunday at 7:00 a.m.	Saturday/Sunday at 3:00 p.m.
Weekend Evening	Saturday/Sunday at 3:00 p.m.	Saturday/Sunday at 11:00 p.m.
Weekend Night	Friday/Saturday/Sunday at 11:00 p.m.	Saturday/Sunday/Monday at 7:00 a.m.

C. Rates

The shift differential rate varies by position and shift.

D. Examples:

1. Tom works from from 7:00 p.m. Tuesday until 7:30 a.m. Wednesday. Eligibility for the night shift differential rate begins at 11:00 p.m. Tom will receive the night shift differential for his entire shift because he worked the majority of his shift (8 hours) during the night shift.
2. The next week, Tom works a shift from 7:00 p.m. on Friday until 7:30 a.m. on Saturday. Eligibility for the weekend night shift differential rate starts at 11:00 p.m. on Friday night. Tom will receive weekend night shift differential for his entire shift because he worked the majority of his shift (8 hours) during a weekend night shift.
3. Linda works from 7:00 a.m. until 7:30 p.m. on Tuesday. Eligibility for evening shift differential rate starts at 3:00 p.m. Linda is not eligible for any shift differential because the majority of her hours worked (8 hours) occurred during the day shift.
4. Same as Example #3, but Linda’s supervisor asks her to stay late to cover for a coworker who called out sick. Linda works an additional four hours. Linda has now worked from 7:00 a.m. until 11:30 p.m. Eligibility for evening shift differential begins at 3 p.m. and eligibility for night shift differential begins at 11:00 p.m. Linda will receive evening shift differential for her entire shift because her hours were evenly split between the day shift and the evening shift.