



MEMORANDUM

(Supersedes all previous versions)

To: Vermont Employees Not Working under the Service Contract Act

From: Joseph Citrano, Vice President

Re: **Paid Sick Leave**

The State of Vermont has adopted a law that entitles employees who work an average of at least eighteen (18) hours per week during a year within the State of Vermont to certain paid sick leave. Eligible employees may earn: (i) up to twenty-four hours of paid sick leave from January 1, 2017 through December 31, 2018 and (ii) up to forty (40) hours of paid sick leave per year after January 1, 2019. The law provides that paid sick leave can be used for the following purposes:

- Care for the employee's own physical or mental illness, injury or medical conditions that requires homecare, professional medical diagnosis or care, or preventative medical care, including diagnostic, preventative, routine or therapeutic health treatment;
- Care for the employee's family member (including a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child) who is suffering from a physical or mental illness, injury or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;
- Care for the employee's sick or injured family member, including helping that individual obtain diagnostic, preventative routine or therapeutic health treatment, or accompanying the employee's family member to an appointment related to his or her long-term care, including travel to/from an appointment, a pharmacy, or other location;
- Arranging for social or legal services or obtaining medical care or counseling for the employee or for the employee's family member who is a victim of domestic violence, sexual assault, or stalking or who is relocating as the result of domestic violence, sexual assault, or stalking;
- The employee needs to care for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, because the school or business

where the individual is normally located during the employee's workday is closed for public health or safety reasons.

The Vermont law provides that these employees are entitled to accrue one (1) hour of paid sick leave for every fifty-two (52) hours worked for the Company, up to the maximum accrual amounts (24 hours for the period January 1, 2017 through December 31, 2018 and 40 hours per year commencing January 1, 2019). However, under the law, new employees are not entitled to use paid sick time until they have been employed by the Company for one year and existing employees are not entitled to use paid sick time until January 1, 2018.

Metlang uses a consecutive 12-month period based upon the employee's hire date for purposes of a "year." Under our Company policy, Vermont hourly employees not working under the Service Contract Act receive paid time off (which employees are entitled to use for the purposes of paid sick leave) as follows:

- Hourly employees are entitled to accrue paid sick leave for purposes of the Vermont sick leave law, effective with the employee's date of hire or January 1, 2017 (whichever is later), at the rate of one (1) hour for every fifty-two (52) hours worked up to a maximum of twenty-four (24) hours for the period January 1, 2017 through December 31, 2018 and up to forty (40) hours per year commencing January 1, 2019, solely for the purposes set forth in the Vermont law.
 - Hourly employees with unused accrued sick time at the end of the year can rollover up to 40 hours to the new year. However, employees may not use more sick time than they would otherwise accrue in a single calendar year, as set forth above. The rollover provision allows employees to use paid sick time at the start of a year where they might not yet have accrued such time.
- Salaried employees receive two (2) weeks of paid vacation and one (1) week of paid sick leave after one (1) year of service.
 - During a salaried employee's initial year of employment, i.e. that time prior to the employee's first anniversary based upon his/her date of hire and during which time the employee would not have otherwise accrued paid vacation or sick time as set forth above, the employee will be entitled to accrue paid sick leave solely for purposes of the Vermont sick leave law, effective with the employee's date of hire or January 1, 2017 (whichever is later), at the rate of one (1) hour for every fifty-two (52) hours worked up to a maximum of twenty-four (24) hours for the period January 1, 2017 through December 31, 2018 and up to forty (40) hours per year commencing January 1, 2019, solely for the purposes set forth in the Vermont law.

Accordingly, Metlang employees receive paid vacation and/or sick time that may be used for the purposes set forth in the Vermont sick leave law at a rate that is equal to or more generous than what is required under the Vermont sick leave law (i.e., the law provides for

accrual of one (1) hour of paid sick time for every fifty-two (52) hours worked).

Metlang employees who work an average of at least eighteen (18) hours per week during a year within Vermont are entitled to use their accrued paid time off for vacation, personal reasons and for the sick time reasons specified in the law (and outlined above). However, Vermont employees are not entitled to additional paid time off under the Vermont law, on top of the paid vacation and/or sick time accrued under Company policy. Time taken for sick leave purposes under the law will count against the employee's paid vacation or sick time, as applicable.

Employees who are eligible for sick leave under the law will receive written notice of their rights. A copy of this notice is posted in the nearest Metlang admin office and can be found on our website www.metlang.com under the forms section.

If an employee at the end of a calendar year does not accrue as much paid leave as he/she has used during that year, the employee's vacation or sick leave accrual for the following year will be reduced to the extent of such overuse. If an employee's employment is terminated for any reason, other than job elimination, after taking more paid leave than was earned, this will be treated as a wage advance, which the Company can deduct from the employee's final paycheck subject to the provisions of State Law.

Notice of the need to use paid vacation or sick time for purposes of illness of the employee or the employee's family member shall be provided before the start of the employee's shift on the day such leave is required, if possible. If circumstances beyond the employee's control prevent such notice, the employee shall be required to provide as much notice as possible.

Employees who need to use paid vacation or sick time, for any of the other purposes outlined in the Vermont sick leave law, must provide seven (7) calendar days' notice before the requested day off in the case of foreseeable situations, and as soon as practicable in unforeseeable situations.

If an employee is absent for more than three (3) consecutive work days, for any of the purposes outlined in the Vermont sick leave law, the Company may require reasonable documentation from the employee's medical provider that the use of sick time was authorized. The Company may also require the employee to submit written confirmation that the employee used paid sick leave under this policy for one of the purposes outlined in the law.

The use of vacation time for vacation or personal reasons must be requested no less than one (1) month in advance of the need for such leave. In such case, vacation time will generally be approved on a first-come, first-serve basis.

Sick time (whether taken via paid vacation time or sick time) may be taken in no less than one (1) hour increments (for example if an employee needs to come in late after a doctor appointment).

Metlang prohibits retaliation against any employee who uses sick time, or who otherwise exercises their rights under the Vermont sick leave law.

More information for Vermont employees can be found at:

<http://labor.vermont.gov/learn-more-about-vermonts-new-earned-sick-time-law/>

Please direct any questions to me at: Jcitrano@metlang.com

Thank you.