



COURAGEOUS SAILING

# Earned Sick Time Policy<sup>1</sup>

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<sup>1</sup> Last edited 4/12/23, Russell Ronalds

## **Courageous' Earned Sick Time Policy exceeds the minimums of the [Massachusetts Earned Sick Time Notice](#), which went into effect July 2015.**

### **Who qualifies for it?**

Courageous Earned Sick Time applies to all employees except those eligible for Benefits for Full Time Employees, who are covered by a superseding policy.

### **How is it earned?**

- Employees earn 1 hour of sick leave per 30 hours worked.
- Employees can earn up to 40 hours of sick time per year.
- Employees can rollover up to 40 unused sick leave hours per year<sup>2</sup>.
- An employee's sick time "bank" is capped at 40 hours.
- New employees begin earning sick leave on their first day of employment and may begin using earned sick time as soon as it has accrued, with no waiting period.
- Employees rehired within 12 months of their most recent employment with Courageous (i.e. seasonal hires) will have any accrued sick time reinstated (and "rolled over" for the current year) and may use their sick leave immediately, with no waiting period.

### **How is it paid?**

- As Courageous has more than 11 employees (regardless of their status), Courageous is required by law to pay for sick time.
- A sick time hour is equivalent to one hour of an employee's pay for the work missed<sup>3</sup> and will appear on the paycheck of the pay period during which the sick time was taken.

### **When can it be used?**

- Earned sick time can be used to<sup>4</sup>:
  - care for the employee's child, spouse, parent, or parent of a spouse, who is suffering from a physical or mental illness, injury, or medical condition that

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<sup>2</sup> NOTE: While employees can rollover up to 40 hours of unused sick leave, Courageous is only obligated to provide 40 hours of sick leave per year, so that rollover does not build up over time. See [Massachusetts Attorney General's Office – Earned Sick Time FAQs, Subsection B](#).

<sup>3</sup> "the wages the employee would have been paid for the hours that, but for the use of earned sick time, the employee would have worked"

<sup>4</sup> See [Massachusetts Attorney General's Office – Earned Sick Time FAQs Subsection C](#) for more information

- requires home care, professional medical diagnosis or care, or preventative medical care.
- care for the employee's own physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care.
- attend a routine medical appointment or a routine medical appointment for the employee's child, spouse, parent, or parent of spouse.
- address the psychological, physical or legal effects of domestic violence.
- and/or travel to and from an appointment, a pharmacy, or other location related to the purpose for which the time was taken.
- The smallest increment of sick time employees can take is 1 hour.
- Sick time *cannot* be used as an excuse to be late to work without advance notice of a proper use.
- Use of sick time for other purposes is not allowed and may result in employee discipline.
- Earned Sick Time does not get paid out upon employee termination or end of employment.

## **Are there ever any superseding policies regarding sick time?**

Courageous has a superseding sick leave policy for its full-time benefited employees, which matches or exceeds the Massachusetts policy. Please see your benefits policy package for more information.

Courageous has a policy for all employees in the event of sick time needed for Covid-19. This is outlined in Courageous' Employee Guidelines, COVID-19 Response policy.

Courageous employees are also eligible for Massachusetts' [Paid Family & Medical Leave](#), though leave must meet the program's requirements.

## **Retaliation for taking sick time**

- Employees using earned sick time cannot be fired or otherwise retaliated against for exercising or attempting to exercise rights under the law.
- Examples of retaliation include:
  - Denying use or delaying payment of earned sick time
  - firing an employee
  - taking away work hours
  - or giving the employee undesirable assignments

## **Notice and Verification**

- Courageous employees must make a good faith effort to provide notice of the need *in advance of the use of earned sick time*, except in an emergency.

- Courageous employees shall notify their supervisors about sick time usage, with as much reasonable time as possible for a supervisor to find coverage for the employees' work, except in an emergency. Supervisor notification should happen over text/phone/email/Slack, in addition to submitting a Time Off Request. A supervisor can never ask employees to find their own coverage for earned sick time.
- Courageous requires up to seven days' notice if the employee has a pre-scheduled or anticipated time the employee plans to take off to use earned sick time.
- Courageous reserves the right to [request written verification](#) from an employee that sick time of any length is being used for allowable purposes. Additionally, if an employee is out of work for 3 consecutive days OR uses sick time within 2 weeks of leaving their job, Courageous requires documentation from a medical provider.

## **Questions about the Massachusetts Earned Sick Time Notice**

If you have questions or concerns about Courageous' Sick Time Policy, please contact the Massachusetts Fair Labor Division at (617) 727-3465 or visit [www.mass.gov/ago/earnedsicktime](http://www.mass.gov/ago/earnedsicktime)