

Earned Sick and Safe Time

Effective January 1, 2024, following Minnesota Statutes section 181, Cook County School District provides Earned Sick and Safe Time (ESST) to employees that can be used for certain reasons, including when an employee is sick, to care for a sick family member or to seek assistance if an employee or their family member has experience domestic abuse.

The District's Paid Leave contract language, which provides accrued time off for any personal reason, and/or accommodates for ESST language, for all regular and probationary full-time and part-time employees, meets and/or exceeds the requirements of ESST and will continue to apply to all regular and probationary full-time and part-time employees. No additional earned sick and safe time will be accrued.

All seasonal and temporary employees (i.e. substitutes) of the District will be eligible for ESST if they work at least 80 hours in a year and are not an independent contractor.

Seasonal and temporary employees shall accrue one hour of ESST for every 30 hours worked up to a maximum of 48 hours of earned sick and safe time in a year. Accrued and unused sick and safe time will carry over into the following year. The total amount of accrued but unused ESST for an employee must not exceed 80 hours at any time.

Employees begin to accrue ESST at the commencement of employment and may use time as it is accrued. An employee may use accrued ESST time for:

1. an employee's:
 - mental or physical illness, injury, or other health condition;
 - need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or
 - need for preventive medical or health care;
2. care of a family member:
 - with a mental or physical illness, injury, or other health condition;
 - who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or other health condition; or
 - who needs preventive medical or health care;
3. absence due to domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the absence is to:
 - seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
 - obtain services from a victim services organization;
 - obtain psychological or other counseling;
 - seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault, or stalking; or
 - seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking;
4. closure of the employee's place of business due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency;

5. the employee's inability to work or telework because the employee is: (i) prohibited from working by the employer due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or (ii) seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or the employee's employer has requested a test or diagnosis; and
6. when it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For the purposes of this subdivision, a public emergency shall include a declared emergency as defined in section 12.03 or a declared local emergency under section 12.29.

For purposes of this policy, a "family member" is defined as:

1. an employee's:
 - child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis;
 - spouse or registered domestic partner;
 - sibling, stepsibling, or foster sibling;
 - biological, adoptive, or foster parent, stepparent, or a person who stood in loco parentis when the employee was a minor child;
 - grandchild, foster grandchild, or step grandchild;
 - grandparent or step grandparent
 - a child of a sibling of the employee;
 - a sibling of the parents of the employee; or
 - a child-in-law or sibling-in-law;
2. any of the family members listed in clause (1) of a spouse or registered domestic partner;
3. any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and
4. up to one individual annually designated by the employee.

Earned sick and safe time hours used shall not count toward the calculation of overtime. Employees receiving Worker's Compensation benefits may use accrued ESST hours to return to 100% of their net salary.

Earned sick and safe time can be utilized for the purposes listed above, subject only to necessary request/approval procedures. Planned use of ESST must be requested in advance. Supervisors are responsible for scheduling ESST for eligible employees and shall do so in a manner consistent with the interest of the District. Consideration shall be given to seasonal demands and staffing needs prior to granting leave requests. The employee's preference is to be considered, but the Supervisor shall have final approval of any planned use of ESST. Unplanned use of ESST must be reported to the employee's supervisor as soon as possible.

Employees using ESST for more than three consecutive days may be required to provide reasonable documentation that the time was used for an allowable use. Reasonable documentation may include a signed statement from a health care professional, a written statement by employee, or other records. See Minnesota Statutes, section 181.9447, subdivision 3 for more information.