

## EARNED PAID LEAVE FOR NON-UNIONIZED EMPLOYEES

Maine has enacted a new law (effective January 1, 2021) which provides earned paid leave for employees. This earned paid leave may be used for any purpose, and to the extent that the leave qualifies for paid leave under another leave policy, law or individual employment agreement (such as sick leave, personal leave or vacation, as may be applicable), earned paid leave and the other type of leave will run concurrently.

### A. Accrual

1. Employees shall accrue one hour of earned paid leave for every forty (40) hours worked, beginning with the first day of employment, up to a maximum of forty (40) hours per year.
2. Employees may not use earned paid leave until they have been employed for 120 calendar days. Earned paid leave cannot be used before it is earned, and must be taken in one (1) hour increments.
3. The designated year for purposes of accrual and use shall be **July 1**.

### B. Allowable Uses and Notice Requirements

Earned paid leave may be used for any purpose, but the notice requirements differ between planned and emergency purposes.

1. **Planned Purpose:** Employees shall provide at least two weeks' advance, written notice to their supervisor to use earned paid leave for a purpose that can be planned. Examples include, but are not limited to, wedding/social event, vacation or recreational activity. Any such use of earned paid leave shall run concurrent with any other type of leave for which the employee is eligible for this purpose (such as vacation or personal leave).

In general, planned earned paid leave should not be used for more than three (3) consecutive work days in a row. Planned earned paid leave cannot be used on the days immediately before and/or after a holiday or vacation period; or on any other days determined by the supervisor to conflict with operational needs.

2. **Emergency Purpose:** Earned paid leave may be used for a sudden emergency, sudden illness or injury, or other sudden necessity for which the employee does not have advance notice; is beyond the employee's control to schedule; and is otherwise unforeseeable. Examples include, but are not limited to, sudden illness or injury; car accident; unanticipated child care closure; or residential issues such as burst pipes. In such cases, the employee is required to notify their supervisor as soon as practicable in the circumstances.
3. The supervisor will request appropriate documentation demonstrating the necessity of using earned paid leave for emergency purposes if an employee requests such leave for three consecutive days or more. Any such use of earned paid leave shall run concurrent with any other type of leave for which the employee is eligible for this purpose (such as sick, personal or vacation leave).

### C. Carryover

Staff that have sick, vacation, and personal time front-loaded: There will be no carry-over, and any unused leave is forfeited at the end of the year.

Staff that does not have time front-loaded: Up to forty (40) hours of unused, accrued earned paid leave may be carried over to the next calendar year. However, the amount of leave that an employee may accrue in that year will be reduced by the number of hours that are carried over. For example, if an employee carries over eight (8) hours of earned paid leave from one year to the next, that employee shall only be eligible to earn thirty-two hours (32) in the second calendar year.

First Reading: December 21, 2020

Adopted: January 4, 2021