

Multi-State Paid Sick Leave

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SCOPE AND GENERAL INFORMATION

Prolink Staffing Services, LLC and all related entities (collective “Prolink” or the “Company”) provides paid sick leave in compliance with the applicable laws of the state and locality in which an external employee is assigned to work. In the event any portion of this policy conflicts with applicable state or local law, the affected portion will be disregarded and Prolink will follow applicable law. Additionally, Prolink will meet the requirements of any supplemental paid sick leave laws passed in response to a public health emergency.

COVERED EMPLOYEES

Due to the nature of the temporary assignments that may take external employees from one assignment in one state or locality to the next, this policy provides for paid sick leave accrual whenever external employees work in any location that has a statutory paid sick leave requirement.

During any assignment with Prolink, external employees may use previously accrued, but unused paid sick leave from previous assignments. However, they will not accrue any additional paid sick leave during any assignment that is in a state and/or locality that does not have a paid sick leave law or ordinance.

- For example, external employee who worked and accrued paid sick leave in California (which has a paid sick leave law) during one assignment may use the paid sick leave that they accrued but did not use during their assignment in California even if the next assignment is in Alabama (which does not have a paid sick leave law).
- If that same external employee, then accepts an assignment in Colorado (which has a paid sick leave law), they will begin accruing paid sick leave, which will be combined with any accrued but unused paid sick leave remaining from their previous assignment in California.

¹Defined here to include Prolink Staffing, LLC and its current and former affiliated or related corporate entities (including but not limited to Prolink Healthcare, LLC, Prolink Resources, LLC, Prolink Information Technology, LLC, and Prolink Home Health, LLC).

LEAVE ACCRUAL

While working on assignment in one of the locations listed, external employees will accrue paid sick leave to the maximum accrual cap set by applicable state or local law.¹

Accrued and unused paid sick leave will carry over from year to year as required by the state or locality in which the time was accrued.

The amount of paid sick leave available for use as of the end of each pay period will be reflected on the itemized wage statements (i.e., paystubs). Although the paystub may list “available” sick time, paid sick leave is only available for use once the waiting period (if applicable) has passed (see chart below). If you have any questions on the amount reflected, please contact Payroll or Human Resources.

USE OF SICK LEAVE

Employees may use paid sick leave at any time during their employment with Prolink after it has been accrued.

Sick leave may be used for absences when the employee or the employee’s family member is ill, and for medical appointments for diagnosis, treatment of mental or physical illness, injury, or health condition (including pregnancy, childbirth, postpartum care), and/or preventive, routine, or therapeutic care, including travel time. Sick leave is also available for employees who are absent from work because they are or a family member is the victim of domestic violence, sexual assault or violence, abuse, harassment, stalking, or human trafficking. Sick leave is also available for the closure of an employee’s place of business, or closure of a child’s school or place of care by order of a public official for any health-related reason. Meetings at the employee’s child’s school or place of care related to the child’s health or disability. Sick leave may also be taken for any other reason permitted by state or local law.

For purposes of this policy, “family member” includes the employee’s child (including biological, adopted, stepchild, foster, legal ward, or a child to whom you stand in loco parentis and is applicable regardless of age or dependency status), parent (including biological, foster, step, adoptive, legal guardian, or in loco parentis), spouse, registered domestic partner, parent of a spouse or domestic partner, child or parent of the employee’s spouse or domestic partner, grandparent (including step), grandchild (each including biological, adopted, step and foster care relationships), sibling (biological, foster, step, or adopted), spouse or domestic partner of a family member, or any other blood relative or individual whose association is the equivalent of a family relationship.

If the need for paid sick leave is foreseeable, you must provide reasonable advance notice to your supervisor and Prolink Recruiter. If the need for paid sick leave is unforeseeable, you must provide notice to your supervisor as soon as practicable. Appointments should be scheduled either at the beginning or the end of your workday when possible. If you become sick during the day, you must inform your supervisor before you leave the facility.

¹ As required by state law, the following states accrue at the outlined rates:

Alaska, California, Colorado, Maryland, Massachusetts, New Jersey, Oregon: one (1) hour of paid sick leave for every thirty (30) hours worked up to a maximum of forty (40) hours per calendar year.

New York: one (1) hour of paid sick leave for every thirty (30) hours worked up to a maximum of fifty-six (56) hours per calendar year.

Washington: one (1) hour of paid sick leave for every forty (40) hours worked. All other states will follow the accrual rates required by applicable state and local law.

Paid Sick Leave Policy

Paid sick leave is available in one-hour increments and only for days on which you would have been scheduled to work but were unable to work because of one of the purposes described above.

For non-exempt employees, sick leave will be paid at the employee's regular rate of pay for the workweek in which the employee uses paid sick time, whether or not the employee actually works overtime in that workweek. Sick leave is not considered hours worked for purposes of calculating overtime.

Paid Sick Leave Policy

Employees who are absent and using sick leave for more than three consecutive days are required to provide a doctor's statement certifying the reason for the absence. The employee shall be allowed 14 days from the date they return to work to provide such documentation. This information is confidential, nothing in this policy requires employees to disclose the diagnosis of the illness, but only a certification that the employee needed time off for medical reasons for themselves or a family member.

Paid sick leave will be integrated with state disability insurance benefits and/or workers' compensation insurance benefits in such a way that the total sick leave benefits paid by Prolink, and those received from state disability insurance or workers' compensation insurance, will not exceed 100 percent of regular weekly wage.

NO RETALIATION OR DISCRIMINATION

Prolink shall not deny any employee the right to use accrued sick days, nor will Prolink discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using accrued sick days, attempting to exercise the right to use accrued sick days, filing a complaint with any governmental agency or alleging a violation of this policy, cooperating in an investigation or prosecution of an alleged violation of this policy, or opposing any policy or practice or act that is prohibited by this policy.

When using paid sick leave, the facility to which the external employee is assigned reserves the right to decide that time off work is not approved and such failure may lead to cancellation of assignment. Prolink will honor paid sick leave.

END OF EMPLOYMENT

Under no circumstances will unused paid sick leave be converted to cash or payment of any kind. Paid sick leave will not be paid out upon termination, resignation, retirement, or other separation from employment. Accrued but unused paid sick leave will be reinstated upon rehire of employment as determined by each state or locality's applicable law.

ARIZONA EMPLOYEES ONLY

Employees have the right to file a complaint if they reasonably believe their sick leave has been denied or if the Employee reasonably believes they have been subjected to retaliation for requesting or using sick leave. The contact information for the Industrial Commission of Arizona is as follows:

Industrial Commission of Arizona Labor Department, Phoenix Office:
800 W Washington St.
Phoenix, AZ 85007
(602) 542-4661

Industrial Commission of Arizona Labor Department, Tucson Office:
2675 E. Broadway Blvd.
Tucson, AZ 85716
(520) 628-5188

For more information, see <https://www.azica.gov/>.

