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## WHITE LAKE TOWNSHIP

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### Memorandum of Record

**To:** Board of Trustees  
**From:** Cathy Derocher; Human Resources Manager CMD  
**Date:** January 14, 2025  
**Re:** Earned Sick Time Act

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The Earned Sick Time Act, passed by the Michigan legislature, replaces the Paid Medical Leave Act (PA 369) of 2018.

The Act requires employers with ten (10) or more employees to allow those employees to accrue at least one (1) hour of sick time for every thirty (30) hours worked and allows employees to use at least seventy-two (72) hours of paid sick time per year. This benefit applies to part time and temporary employees as well as full time employees.

The attached policy provides greater detail how time is accrued, when leave time can be used and who it can be used for.

This will not affect employees currently covered under a collective bargaining agreement. However, it will apply to all non-union full time and part time employees effective February 21, 2025. Final implementation of this policy is subject to approval of the Act.

Please contact me if you have any questions.

Attachment

**CHARTER TOWNSHIP OF WHITE LAKE**  
**Earned Sick Time Policy**  
**For Full Time and Part Time Employees**

**Purpose**

The Earned Sick Time Act replaces the Paid Medical Leave Act. This benefit is intended to provide an opportunity for eligible full time, part-time and temporary employees to accrue paid sick leave to be used in accordance with the Earned Sick Time Act.

**Application**

This Policy establishes the parameters of the Township of White Lake Policy and is not intended to amend, expand or reduce, the benefits provided to employees in accordance with Township Policy or an applicable collective bargaining agreement.

**Policy**

The Township of White Lake is required to adhere to State of Michigan Earned Sick Time Act. An act to require certain employers to provide certain employees with paid medical leave for personal or family health needs, as well as purposes related to domestic violence and sexual assault and to specify the conditions for accruing and using paid medical leave. Eligible employees shall include any individual engaged in service to the Township of White Lake except as noted herein.

**Eligible Employees**

Full time, part time and seasonal or temporary employees including employees provided through a temporary service or similar entity. Employees working at least 30 hours in a calendar year will be eligible to earn and accrue sick time.

**Accrual of Sick Time for Part Time Employees**

Accrual of sick time begins on February 21, 2025 or upon the commencement of the employee's employment, whichever is later in accordance with the Earned Sick Time Act. Employees will accrue one (1) hour of sick time for every thirty (30) hours worked. Employees shall be allowed to use at least (72) hours of paid sick time in a calendar year. If the employee uses over 72 hours of sick time, the Township has the right to request prior notice of leave time.

An employee is required to wait until the 90<sup>th</sup> calendar day after commencing employment before using accrued earned sick time.

Unused sick time will carry over from year to year but is not compensable at termination of employment.

**Leave Usage**

An employee may use earned sick time accrued for any of the following:

- An eligible employee or an eligible employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or preventative medical care.
- If the eligible employee or his or her family member is a victim of domestic violence or sexual assault, for the medical care of psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child.
- For the closure of employee's workplace or a school or childcare of employee's child due to public health emergencies.
- Earned Sick Time shall not be considered as a right which an employee may use at his/her discretion but shall be allowed only in case of necessity. Full Time employees are required to use earned sick time concurrent with FMLA time.

### Documentation

If an employee uses earned sick time due to sexual assault or domestic violence, the Township may require documentation showing that the leave was used for that purpose. Satisfactory documentation includes:

- (a) a police report.
- (b) a signed statement from a victim and witness advocate; or
- (c) a court document.

The Township does not require that the documentation explains the details of the violence or sexual assault or the details of any medical condition. Any information the Township of White Lake has on the violence, sexual assault, or medical condition will be kept confidential.

Medical certification will not normally be required to substantiate earned sick time of three consecutive calendar days or less.

### **Family Members**

Under the Earned Sick Time Act family members include all of the following:

A biological, adopted or foster child, stepchild or legal ward, or a child to whom the eligible employee stands in loco parentis (i.e., is the legal guardian).

A biological parent, foster parent, stepparent, or adoptive parent or a legal guardian of an eligible employee or an eligible employee's spouse or an individual who stood in loco parentis when the eligible employee was a minor child.

An individual to whom the eligible employee is legally married under the laws of any state.

A grandparent.

A grandchild.

A biological, foster, or adopted sibling.

An individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

### **Payment of Sick Time Leave**

Eligible employees using earned sick time shall be paid at a pay rate equal to their base hourly wage in effect as of the date of earned sick time usage.

Earned sick time balances will not be paid out to employees upon separation of any kind, including termination, resignation, or retirement.

### **Leave Increments**

Employees using EST for eligible absences must use their leave time in 30-minute increments.

### **Presumption**

The Township of White Lake is in compliance with the Earned Sick Time Act with those employees that are already provided with at least 40 hours of paid leave. Paid leave includes vacation, sick, personal, and paid time off. Those employees will not receive additional PML.

Full time employees will however be allowed to use sick time under this law as designated for personal or family health needs, as well as purposes related to domestic violence and sexual assault and other conditions under the law.

This policy shall not reduce an employee's benefits as provided under the collective bargaining agreement.

The Earned Sick Time Policy is in effect February 21, 2025 for all non-union and part time employees.