

## APPENDIX D

### For Maryland Paving Non Exempt Plant Operators and Maryland Paving Shop Lead Positions

Effective 1/1/2020

#### **PAID TIME OFF**

*This section replaces Section Four, Part B (pages 30 – 32) in your Employee Handbook.*

1. Full time (regularly working 30 hours or more per week) employees are eligible for Paid Time Off.
2. See Human Resources for details on leave time for employees working a part time regular schedule (12 to 29 hours per week).
3. Paid Time Off is calendar year based, i.e., January 1 through December 31.
4. The amount of Paid Time Off earned by an employee is determined by his or her years of service with the Company.
5. An employee will earn the next level of Paid Time Off during the calendar year containing the anniversary of hire.
6. No Paid Time Off is earned for a particular year until the first day worked in that year. For employees on seasonal layoff or disability, attendance at the Annual Safety/HR meeting does not count as a day worked for this purpose.

Paid Time Off Schedule:

<b>Timing</b>	<b>Amount of Paid Time Off</b>
Date of Hire to 12/31 of 1 <sup>st</sup> year of employment	During the 1 <sup>st</sup> calendar year of employment, the employee will receive a prorated amount of Paid Time Off based on the number of full months from date of hire to year end. See “New Hire” section below for details.
January 1 of 1st full calendar year of employment	5 days
January 1 of calendar year containing 2nd anniversary	6 days
January 1 of calendar year containing 3rd anniversary	7 days
January 1 of calendar year containing 4th anniversary	9 days
January 1 of calendar year containing 5th anniversary	10 days
January 1 of calendar year containing 6 <sup>th</sup> anniversary	11 days
January 1 of calendar year containing 7 <sup>th</sup> anniversary	12 days
January 1 of calendar year containing 8 <sup>th</sup> anniversary	13 days
January 1 of calendar year containing 9 <sup>th</sup> anniversary	14 days
January 1 of calendar year containing 10 <sup>th</sup> anniversary	15 days

January 1, 2020

New Hires:

- a. An employee is not eligible to use Paid Time Off during the first 90 days of employment
- b. On the first day of the month after hire, an employee will receive a prorated amount of Paid Time Off for the balance of the calendar year.
- c. The prorated amount will be calculated by:
  - i. Dividing the number of full months remaining in the year by 12
  - ii. Multiplying the full annual amount of Paid Time Off (5 days) by (i.) above

New Hire Example:

- a. An employee is hired on 4/1/2020. To calculate the amount of Paid Time Off:
- b. 9 months left in 2020 calendar year/12 months in year = 75%
- c. Will receive 75% x 5 days for balance of calendar year = 3.75 days for 2020
- d. New hire completes 90 days of service on 6/29/2020
- e. Will be eligible to use Paid Time Off on 7/1/2020
- f. On 1/1/2021 will get full 5 days of Paid Time Off
- g. On 1/1/2022 will get 10 days of Paid Time Off.

Scheduling Paid Time Off:

- a. **Supervisor review and approval is required prior to using any Paid Time Off.**
- b. Employees should submit Annual Time Off requests to their supervisors.
  - i. Employees should provide 60 days advance notice whenever possible
  - ii. In approving time off, supervisors will consider such things as work force needs, seniority, amount of advance notice provided, Maryland Flexible Leave Act situations and the order of requests received
  - iii. While every effort will be made to honor employees' time off requests, there is no guaranty that every request will be approved.

Using Paid Time Off and Carryover:

- a. Employees are generally expected to take all their earned days by the end of the last pay period in March following the year in which it was earned.
- b. Paid Time Off may be used in ½ day (4 hours) or full day (8 hours) increments only.
- c. Employees will be able to carryover up to a maximum of 40 hours of unused Paid Time Off.
- d. At the end of the last pay period in March, all balances will be reviewed to ensure that the maximum balance is not greater than the annual allotment plus 40 hours of unused Paid Time Off.
- e. Any amounts in excess of d. above will be forfeited.
- f. Each employee will have a single Paid Time Off balance that reflects the combination of the annual allotment and any carryover.

Using Paid Time Off Under Maryland Healthy Working Families Act (Sick and Safe Leave):

After 90 days of employment, an employee may use earned Paid Time Off for Sick and Safe leave under the following conditions:

- a. To care for or treat the employee's mental or physical illness, injury, or condition;
- b. To obtain preventative medical care for the employee or the employee's family member;

- c. To care for a family member with a mental or physical illness, injury, or condition;
- d. For maternity or paternity leave; or
- e. The absence from work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention; (2) to obtain services from a victim services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence, sexual assault, or stalking.

A family member includes a spouse, child, parent, grandparent, grandchild, or sibling.

Employees are permitted to use earned sick and safe leave in increments in certain amounts established by their employer. Employees are required to give notice of the need to use earned sick and safe leave when it is foreseeable. An employer may deny leave in certain circumstances.

The Maryland Healthy Working Families Act does not add or detract from an employee's eligibility for FMLA leave (although it is possible to have overlapping MD HWFL and FMLA leave).

#### Termination of Employment or Layoffs:

- g. No Paid Time Off balances will be paid out if the employee terminates before the 1<sup>st</sup> anniversary of employment.
- h. Any earned Paid Time Off and carryover balances will be paid to the employee if termination or retirement occurs on/after the 1<sup>st</sup> anniversary of employment.
- i. Employees subject to layoff may elect to have any unused earned Paid Time Off and carryover paid out upon layoff. Employees subject to layoff may also authorize deductions to be taken from such a payout to cover their employee benefits premiums during layoff.

### **PERSONAL DAYS**

The Company provides Headquarters employees with 5 paid personal days per calendar year. Employees are eligible to use personal days after 90 days of continuous employment. Personal days may not be taken consecutively unless they are being used as sick days or management gives its approval. Personal days may be carried over to the next calendar year but must be used by the last pay period in the following March or they will be forfeited.

Employees are not paid for their unused personal days following their separation of employment (unless separation is due to Retirement) with the Company.

### **AUTOMOBILE**

The Company will reimburse employees for the periodic use of their personal vehicle on company-related business. Reimbursement will be made at the prevailing Federal Standard Rate. Employees anticipating using their personal vehicles on Company-related business must obtain permission from their supervisor in advance.

### **INCLEMENT WEATHER POLICY**

Employees not reporting to work due to snow will be expected to use their personal and/or vacation days.

### **EARLY CLOSINGS**

If the office closes early, non-exempt employees who report for work will be paid for actual hours worked

in addition to any hours the Company may deem compensable.

January 1, 2020