



# ST. MICHAEL - ALBERTVILLE SCHOOLS

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## **FREQUENTLY ASKED QUESTIONS ABOUT EARNED SAFE AND SICK TIME**

*Note: For the purposes of these FAQs, any reference to ESST means “Safe and Sick Time” and would include any leave that was previously referred to as “sick time”.*

### **1. Under what circumstances can I request ESST?**

Answer: Staff may access ESST time when an absence is due to:

- physical or mental illness or disability;
- medical, dental or chiropractic treatment or preventative care;
- domestic abuse, sexual assault or stalking of a family member;
- other reasons as expressly provided for in any applicable collective bargaining agreement; or
- any other reasons as cited in Minnesota Statute section 181.9447.

*Sick and safe time may be utilized for absences due to the same reasons cited above for the following family members of the employee:*

- Child, including foster child, adult child, legal ward, child for whom the Teacher is a legal or guardian or child to whom the Teacher stands 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;
- Child of the sibling;
- Sibling of the parents of the Teacher;
- Child-in-law or sibling-in-law;
- Any family members identified above of the Teacher’s spouse or registered domestic partner;
- Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and



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- Up to one individual annually designated by the employee (written notice would need to be provided to Human Resources). The ESST Designation Form can be found on the STMA website under the Earned Sick and Safe Time page.

## 2. Can the district require documentation?

Answer: The District may require documentation, including the written statement of a qualified and licensed medical provider, to qualify an employee's eligibility for the use of sick leave under this section. Documentation requirements must also align with current collective bargaining agreements.

## 3. Where can I go if I have questions?

Answer: STMA Human Resources. You can reach Human Resources at [stmahr@mystma.org](mailto:stmahr@mystma.org) or call 763-497-3180, option 3. We are happy to answer questions or set up a conference to discuss ESST options if it is helpful.

## 4. Why does my master contract say something different?

Answer: It is very challenging to summarize all of the variations on access to sick time as represented in the district's four collective bargaining agreements. The ESST law is intended to reflect a minimum amount of time that must be allocated to all employees. Public employers, including school districts, must also follow collective bargaining agreements provided these agreements meet or exceed the requirements set out in statute. The ESST law does not change your contract rights.

## 5. Where can I find the statute that makes this a law?

Answer: The ESST law is Minnesota Statutes sections 181.9446 and 181.9447, and other statutory provisions as cited in these sections. You can review the law here: <https://www.revisor.mn.gov/statutes/cite/181.9447> (last visited Dec 27, 2023)

## 6. How does a district measure a "year" for the purposes of the ESST law?

Answer: The district uses its fiscal year which runs from July 1st and through June 30th.

## 7. Do I get to cash out ESST time upon separation from the school district?

Answer: No. There are no circumstances where any STMA staff will be able to cash out sick leave upon separation from the district.

## 8. How will I know how much ESST time I have accrued?



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Answer: Your sick or ESST time will be reflected on your check and identified in Skyward. This time may not be reflected for a limited number of staff until Feb 15, 2024 (if you have not previously earned sick time). If you have questions or need to access possible accrued time in advance, please contact Human Resources.

**9. Is there a cap on how much ESST time I can accrue?**

Answer: First, any maximums for sick time set out in a collective bargaining agreement remain applicable. For staff not subject to these agreements, the maximum is eighty (80) hours.

**10. Does this mean the district is taking something away?**

Answer: No. Most STMA permanent staff will not recognize much of a change. And all of the rules as established by current collective bargaining agreements apply. For a limited number of STMA staff, these employees will be earning sick time which was not applicable before. However, there is no one that is worse off than before January 1, 2024.

**11. Do I have to provide medical information to my supervisor?**

Answer: No. If you are required to provide medical documentation, you will be contacted by Human Resources. However, you are never required as a condition of employment to submit actual medical documentation to your supervisor and, for privacy reasons, you may submit directly to Human Resources. HR maintains a firewall with submitted information from all other staff and only discloses such information on a need-to-know basis.

**12. Where can I go if I have a complaint about my employer not allowing access to ESST or retaliating against me?**

Answer: First, you may always bring a complaint to Human Resources. You may also submit any complaint regarding violations of safe and sick time requirements to the Minnesota Department of Labor Standards Division at 651-284-5075 or [dli.laborstandards@state.mn.us](mailto:dli.laborstandards@state.mn.us).

**13. Is the school district using different accrual methods for sick or ESST time?**

Answer: Yes. The Department of Labor has different methods employers may use to track ESST time and employers are permitted to use more than one method provided the same method is used within the same job classification. STMA either applies accrued time or will front-end load a minimum of eighty (80) hours in compliance with these methods and applicable collective bargaining agreements. In some cases, the time will be more than cited here.



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**14. Who is really responsible for this and are you really tracking it?**

Answer: Yes. The district is tracking your ESST time. The director of administrative services is the administrator responsible for compliance with the new law. However, we have an entire team of operational professionals in our Human Resources and Business Services teams dedicated to ensuring employer compliance.

**15. This stuff is really confusing- you must really only get paid by the word. I simply want to know what exactly applies to me. If you are (insert the job classification) this is what the ESST law is actually means for you.**

**a. *Permanent Certified Staff (i.e. teacher)***

New certified staff hired after January 1, 2024, will have a minimum of ten (10) days awarded at the start of employment.

**b. *Principal***

After January 1, 2024, there may be added circumstances in which you can request sick time as previously noted in this Notice.

**c. *Permanent support staff member***

Your time continues to be accrued monthly in accordance with the collective bargaining agreement.

**d. *Permanent maintenance staff member***

After January 1, 2024, there may be added circumstances in which you can request sick time as previously noted in this Notice. Your time continues to be accrued monthly in accordance with the collective bargaining agreement.

**e. *Non-affiliated permanent staff member* (i.e. coordinators, etc.)**

After January 1, 2024, there may be added circumstances in which you can request sick time as previously noted in this Notice. For new staff, a minimum of ten (10) days of sick time will be front-end loaded at the start of employment.

**f. *Kids Play Supervisor***

After January 1, 2024, there may be added circumstances in which you can request sick time as previously noted in this Notice. Your time will continue to be accrued monthly in accordance with the collective bargaining agreement.



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***g. District paid coach or activity advisor***

All district paid coaches or activity advisors will receive eighty (80) hours of ESST time at the start of their initial coaching or advisor assignment during a school year specifically designated for use with any coaching or activity work assignments with the school district. This time may only be used for these assignments and should be accessed in situations where a coach or advisor is unable to attend a practice or event due to illness or other related reasons. Staff will receive more information from their supervisor.

If you are a permanent certified staff or non-certified staff member who also operates in a coaching or advisor capacity, this ESST time is separate from your permanent ESST time.

If you are a coach or activity advisor with no other employment relationship to the school district, you will also receive the same amount of ESST time for the school year at the start of your initial coaching or advisor assignment.

***h. Booster coaches***

All booster coaches will receive eighty (80) hours of ESST time at the start of their initial coaching or advising assignment specifically designated only for any coaching or activity work assignments with the school district. This time may only be used for these assignments and should be accessed in situations where a coach or advisor is unable to attend a practice or event due to illness or other related reasons.

***i. Substitute teacher or substitute support staff/ maintenance***

You will begin to accrue ESST time after you first work eight (80) hours in a calendar/fiscal year. After this point, you will begin to accrue one hour, up to a maximum of eighty (80) hours, for every 30 hours actually worked. If you accept an assignment and are scheduled to work, but you are unable to attend due to illness or other reasons as cited in the ESST law, notify your supervisor and Human Resources. You will need to complete a form prepared by Human Resources separately to request this time. The ESST Request Form can be found on the STMA website under the Earned Sick and Safe Time page.

***j. Seasonal employees and students***



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## COMPLIANCE STATEMENT

The District is fully committed to compliance with all applicable state employment laws including Minnesota Statutes, Chapters 175, 177, 181 (ESST, etc.), 16C and 609 (also referred to as Minnesota's Wage Theft Law). For compliance and reports of non-compliance with any employment law, including questions about wages, you may directly contact the Director of Administrative Services, Douglas Birk, at 763-497-6504 or [douglasbi@mystma.org](mailto:douglasbi@mystma.org).



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## ALTERNATIVE LANGUAGE REQUEST

This document contains important information about your employment. Please check the box on the left in the chart below to receive this information in the language selected and return this form to the Human Resources Department in the District Office at 11343 50<sup>th</sup> Street NE, Albertville, MN 55301.

<input type="checkbox"/>	Spanish / <u>Español</u>	Este documento contiene información importante sobre su empleo. Marque la casilla a la izquierda para recibir esta información en este idioma.
<input type="checkbox"/>	Hmong / <u>Hmoob</u>	Daim ntawv no muaj cov xov tseem ceeb hais txog thaum koj ua hauj lwj. Khij lub npauv ntawm sab laug yog koj xav tau cov xov tseem ceeb no txhais ua lus Hmoob.
<input type="checkbox"/>	Vietnamese / <u>Việt ngữ</u>	Tài liệu này chứa thông tin quan trọng về việc làm của quý vị. Đánh dấu vào ô bên trái để nhận thông tin này bằng Việt ngữ.
<input type="checkbox"/>	Simp. Chinese / <u>简体中文</u>	本文件包含与您的雇用相关的重要信息。勾选左边的方框将接收以这种语言提供的信息。
<input type="checkbox"/>	Russian / <u>русский</u>	Данный документ содержит важную информацию о вашем трудоустройстве. Отметьте галочкой квадрат слева для получения этой информации на данном языке.
<input type="checkbox"/>	Somali / <u>Soomaali</u>	Dokumentigan waxaa ku qoran macluumaad muhiim ah oo ku saabsan shaqadaada. Calaamadi sandu uqan haddii aad rabto inaad macluumaadkan ku hesho luqaddan.
<input type="checkbox"/>	Laotian / <u>ລາວ</u>	ຂອກະສານນີ້ມີຂໍ້ມູນທີ່ສໍາຄັນກ່ຽວກັບການຈ້າງງານຂອງທ່ານ. ກວດເບິ່ງກ່ອງທີ່ຢູ່ເບື້ອງຊ້າຍເພື່ອຮັບຂໍ້ມູນນີ້ໃນພາສານີ້.
<input type="checkbox"/>	Korean / <u>한국어</u>	이 문서에는 귀하의 고용 형태에 관련된 중요한 정보가 담겨있습니다. 이 언어로 이 정보를 받기를 원하시면 왼쪽 상자에 체크하여 주세요.
<input type="checkbox"/>	Tagalog / <u>Tagalog</u>	Ang dokumentong ito ay nagtataglay ng mahalagang impormasyon tungkol sa iyong pagtatrabaho. Lagyan ng tsek ang kahon sa kaliwa upang matanggap ang impormasyong ito sa wikang ito.
<input type="checkbox"/>	Oromo / <u>Oromoo</u>	Waraqaan kun waayee hojii keetii odeeffannoo barbaachisoo ta'an qabatee jira. Saaxinnii karaa bitaatti argamu kana irratti mallattoo godhi yoo afaan Kanaan barreeffama argachuu barbaadde.
<input type="checkbox"/>	Amharic / <u>አማርኛ</u>	ይህ ደብዳቤ አቀጣጠሉን በሚመለከት አስፈላጊ መረጃ የያዘ ነው። ይህንን ደብዳቤ በስተግራ በኩል ባለው ቋንቋ ተተርጉሞ አንዲሰጡት ከፈለጉ በዛው በስተግራ በኩል ባለው ሳፕን ውስጥ ምልክት ያድርጉ።
<input type="checkbox"/>	Karen / <u>ကရင်</u>	လိပ်စာလိပ်စာခေါ်ဆောင်ရန်အတွက်အကူအညီအတွက်အသိပေးအကြောင်းအရာကိုဖော်ပြပါ။ တစ်ခေါ်ဆောင်ရန်အတွက်အသိပေးအကြောင်းအရာကိုဖော်ပြပါ။