

# EssilorLuxottica

## Connecticut Paid Sick and Safe Leave - Update

### Frequently Asked Questions (FAQs)

#### Q. Why was the Paid Leave Ordinance created?

A. The Connecticut Statutes required employers to provide paid sick and safe leave to eligible employees working in the retail industry for the purposes of caring for themselves or family members.

#### Q. What is changing?

A. As of October 1, 2023, the amended law expands the use for paid sick and safe leave to also include:

- Allowing employees paid time to maintain their mental well-being.
- Care for eligible employee's child that is a victim of family violence or sexual violation.

#### Q. Who is eligible for Paid Leave?

A. All full-time, part-time (includes casual part-time and seasonal) employees who perform work in Connecticut and are nonexempt or hourly; eligible for overtime per federal laws.

#### Q. Why PTO instead of Paid Leave for Full-Time Employees?

A. The law allows companies to meet the Paid Leave requirements with a PTO plan as long as it is at least as generous as what the law requires. Our full-time PTO plan for Connecticut employees provides the coverage required while still offering flexibility.

#### Q. When do employees begin to accrue Paid Leave?

A.

Status & Business Unit	Accrual Begins	Accrued Leave Use Begins	Amount of Leave	Carryover and Annual Benefit Year Maximum
Casual Part-Time and Seasonal (ALL)	January 1, 2012 or Date of Hire (whichever is later)	January 1, 2012 or Date of Hire (whichever is later)	Up to 40 hours of Paid Sick Leave*	Up to 40 hours
Part-time Retail	January 1, 2012 or Date of Hire (whichever is later)	January 1, 2012 or Date of Hire (whichever is later)	Up to 40 hours of Paid Sick Leave*	Up to 40 hours
Full-Time Retail (0-1yr.)*	January 1, 2012 or Date of Hire (whichever is later)	January 1, 2012 or Date of Hire (whichever is later)	Up to 40 hours of Paid Time Off (PTO)	Up to 40 hours

\*Employees will accrue one hour of paid leave for every 40 hours worked (excludes paid time off, sick, vacation, or leaves of absences) in Connecticut, up to 40 hours in an employee's calendar year (based on anniversary date or from date of hire). The maximum amount an employee may accrue during their first calendar year is up to 40 hours.

\*\* After the first year of employment, employees will follow the standard PTO plan for full-time and non-retail part-time employees.

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## **Q. Will employees accrue Paid Leave when on vacation or PTO?**

**A.** No, the paid leave can only be accrued when the employee is actively working in Connecticut.

## **Q. Is Paid Leave hours accrued on overtime hours worked?**

**A.** For hourly/nonexempt employees (not exempt from earning overtime) paid leave hours accrue on all hours worked.

## **Q. What can I use Paid Leave for?**

**A.** An employee may use the accrued paid leave for any reason which may include:

- For an eligible employee's illness, injury, or health condition, the medical diagnosis, care, or treatment of an eligible employee's mental illness or physical illness, injury, or health condition, or preventative medical care;
- For an eligible employee's child's or spouse's illness, injury, or health condition, the medical diagnosis, care, or treatment of an eligible employee's child's or spouse's mental or physical illness, injury, or health condition, or preventative medical care for a child or spouse of an eligible employee; and
- Where an eligible employee is a victim of family violence or sexual assault, (a) for medical care or psychological or other counseling for physical or psychological injury or disability, (b) to obtain services from a victim services organization, (c) to relocate due to such family violence or sexual assault, or (d) to participate in any civil or criminal proceedings related to or resulting from such family violence or sexual assault.

## **Q. What are the expanded uses for Paid Leave?**

**A.**

- For a "mental health wellness day;" which is defined as "a day during which an eligible employee attends to such eligible employee's emotional and psychological well-being in lieu of attending a regularly scheduled shift."
- Where an eligible employee is the parent or guardian of a child who is a victim of family violence or sexual assault, for (a) medical care or psychological or other counseling for physical or psychological injury or disability, (b) obtaining services from a victim services organization, (c) relocating due to such family violence or sexual assault, or (d) participating in any civil or criminal proceedings related to or resulting from such family violence or sexual assault.

Paid sick and safe leave can be used for the purposes above only if the eligible employee is not the perpetrator or alleged perpetrator of such family violence or sexual assault.

## **Eligible Family Members**

- "Child" - means a biological, adopted or foster child, stepchild, legal ward of a service worker, or a child of an eligible employee standing in loco parentis, who is
  - under eighteen years of age; or
  - eighteen years of age or older and incapable of self-care because of a mental or physical disability
- "Spouse" - means a husband or wife

## **Q. Can an employer set a limit on how many Paid Leave hours an employee can accrue?**

**A.** Yes. Employees may accrue up to 40 hours per benefit year and carryover accrued, unused of up to 40 hours per year.

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## **Q. Once an employee reaches their benefit year of Paid Leave hours, do they receive credit for additional hours worked?**

**A.** No. Once an employee reaches the yearly (benefit year) cap of 40 paid leave hours, the employee no longer accrues paid leave hours for that benefit year. Once an employee reaches 40 hours of paid leave the leave ceases to accrue until the employee has used paid leave hours.

## **Q. How do I check accrued Paid Leave balances?**

**A.** PTO/Paid Leave will appear on employee paycheck. Casual part-time and retail part-time employees will see accrued time under "Balance" on their paystub. Non-retail part-time and all full-time employees will continue to see PTO. For additional questions please contact HR Service Center via the [HR Services Portal](#).

## **Q. How will we input and track an employee's use of Paid Leave?**

**A.** Managers and employees using the Kronos Time Off Request process should code the time away from work as follows:

- If under a PTO policy, select "PTO" in Kronos. PTO will be deducted from the employee's PTO balance; OR
- If under a Paid Leave Plan Only, select "Sick" in Kronos.

Hours used will be deducted from the PTO or Balance shown on the employee's paycheck. Beyond the negative PTO balance allowed under the full-time PTO plan (does not apply to part-time employees), an employee will not be paid for any hours taken in excess of the accrued balance.

## **Q. Will we require employees to give us notice of their need for Paid Leave?**

**A.** Yes. When the need to take Paid Leave is foreseeable the employee should provide at least 7 days advance notice and make a reasonable effort to schedule the leave in a manner that does not unduly disrupt business operations. Where unforeseeable, employees will be required to notify us as soon as practicable and follow the normal call-in procedures. For example, employees will not be permitted to come in an hour late without prior notification, and then say that they wish to use PTO/Paid Leave.

## **Q. Will an employee be asked to provide documentation verifying the need for Paid Leave?**

**A.** An employer may request documentation for paid sick and safe leave of three (3) or more consecutive workdays (does not need to be full days), an employee is unable to work. If the leave is for medical purposes, a healthcare provider should provide the documentation. The employer is not permitted to seek clarification of the healthcare provider's note or for a second opinion.

If the leave is for family violence/sexual assault, the documentation from victim services organization, an attorney, police officer, other counselor or court record is sufficient. Documentation must indicate the need for the number of days for paid sick and safe leave but not the details of the situation.

## **Q. Can an employee be required to find coverage for their absence?**

**A.** No. An employee is not required to find a replacement to cover their shift but is encouraged to seek out and participate in voluntary shift trades. If agreed to by both the employee and manager, the employee may work additional hours or shifts during the same pay period to make up for the missed time. However, the manager is **not** permitted to require the employee to make up for the missed work.

## **Q. Can Paid Leave count as an absence under the attendance policy?**

**A.** No. It is unlawful for employers to count Paid Leave as an absence that may result in discipline, discharge, demotion, suspension, or any other adverse action. However, any related absences

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extending beyond an employee's accrued PTO/Paid Leave balance will count as an unexcused absence, provided the absence is not covered by a Company-approved leave of absence or other applicable law.

Retaliation against any employee that asserts his or her rights to receive Paid Leave is prohibited.

## **Q. Is using Paid Leave the same as taking intermittent leave under the Family and Medical Leave Act (FMLA)?**

**A.** No. Paid Leave differs from intermittent FMLA leave in many ways. Most importantly, employees do not have to contact EssilorLuxottica Leave and Disability or submit medical certification paperwork before using Paid Leave. As long as employees have accrued enough hours of PTO/Paid Leave to cover their absences and provided sufficient notice for their individual circumstance, they may use their PTO/Paid Leave without further Company approval.

**Note:** Employees should still contact EssilorLuxottica Leave and Disability at 1-866-431-8484 to initiate a leave of absence if their absence is due to their own or a family member's serious health condition.

Please refer employees to the EssilorLuxottica Employee Guide for additional information on FMLA and Company Leave requirements. In such cases, employees may choose to use their accrued, unused PTO/Paid Leave while taking a leave of absence. Managers should enter the time in the POS, which will run concurrently with their designated leave of absence.

## **Q Q: What if an employee's employment status changes in a calendar year?**

**A: Part-Time to Full-Time:** If an employee's status changes from part-time to full-time, their status change date will be the date used to determine when full-time rules begin to apply. Employees will not lose the Paid Leave they have accrued and will need to take the following steps to request that their remaining accrued Paid Leave be transferred to PTO hours:

1. Go to [My Personal Desk](#)
2. Click the HR Service Portal tile
3. Click "Chat or E-mail Us"
4. Answer the questions when prompted
5. Select "PTO Balance Inquiries"
6. Click on Email
7. Complete PTO Balance Inquiries form

- **Full-Time to Part-Time:** If an employee's status changes from full-time to part-time, any accrued, unused PTO hours beyond Paid Sick and Safe Leave requirement will be paid out at the time of their status change. They will then be eligible to begin accruing Paid Sick and Safe Leave under the part-time Paid Sick and Safe Leave plan.

## **Q. Are we required to pay out an employee's accrued, unused Paid Leave when the employee terminates?**

**A.** Part-time employees not on a PTO plan will not be paid out their remaining paid sick and safe leave balance on termination (if permitted/required by state/local laws or company policy). Full-time and non-retail employees will be paid out their remaining accrued PTO balance per current PTO policy termination (if permitted/required by state/local laws or company policy).

## **Q: If I leave the Company and am re-hired, will I need to re-accrue Paid Sick and Safe Leave?**

**A:** Full-time employees will begin accruing all over again, as remaining PTO balances are paid out at the time of termination. Previously accrued, unused Paid Sick Leave will be reinstated for

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part-time employees if they are rehired within 90 days from their termination date.

Documents can be found on **HR Solutions>Benefits, PTO & Holidays>Paid Sick and Safe Leave> Paid Sick Leave** (via [My Personal Desk](#)). For all other questions, please contact your HR Business Partner.