

POLICY

Paid Time Off (PTO) (Effective 01/01/2021)

LAST REVISED ON 09/2022

This policy applies to: Regular full-time and part-time staff in non-exempt positions (*does not include hourly paid PAS staff*) whose primary appointment is in divisions 40 (School of Medicine and Dentistry), 50 (Strong Memorial Hospital), 60 (School of Nursing), 90 (Health Sciences), 91 (Medical Faculty Group), and 92 (Eastman Institute for Oral Health).

Individuals represented by collective bargaining agreements receive benefits in accordance with those agreements.

I. Policy

The intent of the PTO plan is to recognize an individual's need to have protected time away from work to address mental or physical illness, injury, medical/preventative care or to address issues related to domestic violence for one's self or for a qualified family member, and for other purposes covered by the New York State Sick Leave Law (NYSSL). PTO also provides for personal time off to attend to personal business. It is also intended to provide the staff member with flexibility and tangible reward for time unused at the end of each Plan Year where applicable.

A "qualified family member" is defined as child, spouse/domestic partner, parent, sibling, grandchild, grandparent and child or parent of the employee's spouse/domestic partner. Child or parent relationships include: biological, foster, step/adoptive, legal guardian/ward, and loco parentis.

II. Guidelines

The Plan provides an eligible employee with up to 56 hours of time off during the plan year. The calculation of PTO time is based on a projection of annual work hours applied to a formula of 1 hour of sick time for every 30 hours worked up to a maximum of 56 hours per plan year. See chart (https://www.rochester.edu/policies/wp-content/uploads/2021/01/PST_PTO_Bank_Chart1.pdf).

A. The PTO Plan Year begins on the first day of the first full pay period in January for eligible employees.

B. New employees are eligible for PTO immediately upon hire in the PTO eligible position. PTO hours will be a pro-rated allocation based on the pay period of entry into the Plan.

C. PTO time can be used in full and partial day increments of not less than one-half hour. The maximum amount of PTO time that can be used in a plan year is 56 hours.

D. Payout of Unused PTO:

1. **Full-Time and Part-time Employees with Standard Hours of 33 or More, Who will Receive 56 Hours of PTO for the following Plan Year:** At the end of each Plan Year, PTO banks for these employees will be purged and reset for the new Plan Year. An employee may elect only one option for unused PTO time. The payment of PTO time is at the employee's current rate of pay. Any shift differential is included if the employee's standard shift qualifies for shift differential. Employees must be in a PTO-eligible position on the last day of the PTO Plan Year to be eligible for this payout.
 - a. **Cash Payout Option:** Employees electing a cash payout will receive pay for all unused PTO hours up to 56 hours (minus time used during the year) in the paycheck reflecting the first full pay period in January, subject to all applicable taxes. If an election is not made, this will be the default option.
 - b. **Retirement Contribution:** Employees making voluntary contributions to the Retirement Program may have the value of unused PTO hours, up to 56 hours, placed in an existing 403(b) Retirement Account(s). This allocation is subject to all current IRS regulations and limits and applicable taxes

E. Part Time Employees with Standard Hours less than 33 hours who will receive less than 56 hours of PTO in the following Plan Year: At the end of each Plan Year, PTO banks for these employees will roll over into the next year and a new entitlement will be added to the PTO balance based on the standard hour's calculation listed in II. This will allow the employee to accrue enough PTO over time to reach the 56-hour annual maximum as required by NYS law.

F. Terminations/Status Changes/Transfers:

1. Employees who terminate employment (voluntary or involuntary) from the University, after at least six months of PTO-eligible service, will be paid for unused PTO hours up to 56 hours. If an employee is rehired to a PTO-eligible position within the same PTO plan year, the employee will immediately receive a pro-rated amount of PTO time based on the time in the year they are rehired. However, they will be ineligible for a PTO payout that plan year.
2. Employees who are placed on indefinite layoff will be paid for unused PTO hours up to 56 hours as long as they have at least six months of PTO-eligible service.
3. Employees remaining in a PTO eligible position who change their standard hours only (e.g., Part-time to Full-time), will receive an associated adjustment to increase their PTO Bank if the change results in an increase in standard hours. If the change results in a decrease in standards hours, the employee will not receive an adjustment in PTO until the subsequent PTO Plan Year. PTO provided in the next plan year will be based on the standard hours in the first full pay period in January.
4. Time as Reported (TAR) staff, who change to part-time or full-time status in a medical center division and who remain in a non-exempt position, will be eligible for PTO immediately. PTO hours will be a pro-rated allocation based on the pay period of entry into the Plan. Any sick time balance that they have from their TAR sick leave plan will move to their PTO bank. PTO balance may exceed 56 hours however, only 56 hours of PTO can be used in a Plan year.
5. Employees changing status to Temporary Layoff or Leave of Absence will not be paid out the PTO Bank. Upon recall from Temporary Layoff or Leave of Absence the PTO bank will be available.
6. Employees changing status to Time As Reported (TAR), during the Plan Year will have the PTO balance moved to the TAR sick plan. The employee will then start accruing sick time based on that plan. See [Policy 337: Sick Leave Plan \(https://www.rochester.edu/policies/](https://www.rochester.edu/policies/)

[policy/sick-leave-plan/](#)).

7. In the event that an employee moves out of the PTO plan for any reason (for ex., separation from the University or transfer to the sick plan) and then returns to the PTO plan during the same plan year, all prior PTO time taken or paid out in that same plan year will be counted towards the annual maximum of 56 hours.
8. Employees absent from work at the beginning of the Plan Year due to [Short-Term Disability](https://www.rochester.edu/policies/policy/short-term-disability/) (<https://www.rochester.edu/policies/policy/short-term-disability/>), [Workers' Compensation](https://www.rochester.edu/policies/policies/workers-compensation) (<https://www.rochester.edu/policies/policies/workers-compensation>) or [Paid Family Leave](https://www.rochester.edu/policies/policies/paid-family-leave/) (<https://www.rochester.edu/policies/policies/paid-family-leave/>), will receive a pro-rated allocation of PTO hours based on the pay period of return to work.
9. Employees transferring into a PTO-eligible position from another non-exempt benefits-eligible position (divisions 10, 20, 21, 22, 23, 24, 30, or 70) will be eligible for PTO immediately. The employee's current sick leave balance will move to the PTO bank, and the employee will receive PTO hours on a pro-rated allocation based on the pay period of entry into the Plan. PTO balance may exceed 56 hours; however, only 56 hours of PTO can be used in a plan year.
10. Employees transferring into a PTO-eligible position from a regular Full-Time or Part-Time Professional, Administrative and Supervisory (PAS) position will be eligible for PTO immediately. PTO hours will be calculated based on their standard hours at the time of transfer and the employee will be given their full entitlement for that plan year (the balance they would have received if in the PTO plan in January).
11. PTO-eligible employees who transfer to a regular Full-Time or Part-Time non-exempt position that is not PTO-eligible (in division 10, 20, 21, 22, 23, 24, 30, or 70), will receive the appropriate sick time based on their eligibility in the sick plan (10 days). See [Policy 337: Sick Leave Plan](#) (<https://www.rochester.edu/policies/policy/sick-leave-plan/>). In these cases, there will be no payout of the PTO bank and the Supplemental Bank will be purged
12. PTO-eligible employees who transfer to a regular Full-Time or Part-Time Professional, Administrative and Supervisory (PAS) position (Including those paid hourly), will be entitled to benefits in accordance with that PAS position. See [Policy 337: Sick Leave Plan](#) (<https://www.rochester.edu/policies/policy/sick-leave-plan/>). In these cases, there will be no payout of the PTO bank and the Supplemental Bank will be purged.

III. Procedures

A. All eligible employees must follow departmental procedures for reporting scheduled and unscheduled PTO time.

B. PTO time should be recorded by the employee or timekeeper via Time and Labor as PTO time with the number of hours used. PTO can be taken in increments of one-half hour or greater.

C. For PTO eligible staff, the online pay statement reflects available PTO and Supplemental balances as of the end of the pay period. Employees may access a summary of PTO time earned and used in HRMS.

D. All PTO time up to 56 hours (if earned) under NYSSL purposes is protected time under the law. Departmental procedures must reflect this protection. Protections under other federal and state regulations may also exist. Supervisors should consult with their HR Business Partner before taking corrective action due to the use of sick time.

The University reserves the right to interpret, modify, amend, or terminate any or all of the benefit plans at any time, including actions that may affect coverage, cost-sharing, or covered benefits. A paper copy of this information is available for free from Leave Administration.

ABOUT THIS POLICY

Policy Number

340

Policy Group

Human Resources

Issuing Authority

Human Resources

Responsible Officer

Kathy Miner

Contact Information

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ADDITIONAL RESOURCES

[Chart: PTO Bank by Standard Weekly Hours \(https://www.rochester.edu/policies/wp-content/uploads/2021/01/PST_PTO_Bank_Chart1.pdf\)](https://www.rochester.edu/policies/wp-content/uploads/2021/01/PST_PTO_Bank_Chart1.pdf)

[Human Resources: Leave and Disability \(https://www.rochester.edu/human-resources/benefits/leave-disability/\)](https://www.rochester.edu/human-resources/benefits/leave-disability/)

[340 Paid Time Off \(PTO\) Policy - Prior to 1/1/2021 !\[\]\(eafc244b53721dd1ec133f0772f70fc7_img.jpg\) \(https://www.rochester.edu/policies/wp-content/uploads/2019/08/340.pdf\)](https://www.rochester.edu/policies/wp-content/uploads/2019/08/340.pdf)

RELATED POLICIES

[Time Off to Receive a COVID-19 Vaccine \(https://www.rochester.edu/policies/policy/time-off-to-receive-a-covid-19-vaccine/\)](https://www.rochester.edu/policies/policy/time-off-to-receive-a-covid-19-vaccine/)

[Sick Leave Plan \(https://www.rochester.edu/policies/policy/sick-leave-plan/\)](https://www.rochester.edu/policies/policy/sick-leave-plan/)

[Reassignment/Absence to Prevent Contagion Due to Workplace Exposure \(https://www.rochester.edu/policies/policy/reassignment-absence-to-prevent-contagion-due-to-workplace-exposure/\)](https://www.rochester.edu/policies/policy/reassignment-absence-to-prevent-contagion-due-to-workplace-exposure/)

[Short-Term Disability Plan \(https://www.rochester.edu/policies/policy/short-term-disability/\)](https://www.rochester.edu/policies/policy/short-term-disability/)

[Workers' Compensation Insurance \(https://www.rochester.edu/policies/policy/workers-compensation/\)](https://www.rochester.edu/policies/policy/workers-compensation/)

[Paid Family Leave \(PFL\) \(https://www.rochester.edu/policies/policy/paid-family-leave/\)](https://www.rochester.edu/policies/policy/paid-family-leave/)

POLICY KEYWORDS

[Benefits \(https://www.rochester.edu/policies/all/?filter%5Btopics%5D=306\)](https://www.rochester.edu/policies/all/?filter%5Btopics%5D=306)

[Compensation \(https://www.rochester.edu/policies/all/?filter%5Btopics%5D=326\)](https://www.rochester.edu/policies/all/?filter%5Btopics%5D=326)

[Payroll \(https://www.rochester.edu/policies/all/?filter%5Btopics%5D=506\)](https://www.rochester.edu/policies/all/?filter%5Btopics%5D=506)