

City Market Retail Contract

ARTICLE 41 - SICK LEAVE

Section 113. All employees covered by this Agreement (except for Courtesy Clerks' coverage, which is set forth below) who, in their first anniversary year, work one thousand two hundred and forty eight (1,248) hours or more and who have been continuously employed by their Employer for a period of one (1) year, shall be credited with forty-eight (48) hours of sick leave with pay.

Full-time Courtesy Clerks shall be eligible for sick leave benefits.

Unused sick leave shall be cumulative, and after the first (1st) year of continuous employment, said employees shall accumulate unused sick leave at the rate of four (4) hours per month for each month of continuous employment in which they work at least ninety-six (96) hours in a four (4) week month, and one hundred twenty (120) hours in a five (5) week month, but not to exceed a maximum accumulation of six hundred (600) hours.

A doctor's certificate or other authoritative verification of illness may be required by the Employer. Said sick leave is to commence on the second (2nd) full workdays' absence for sickness or non-occupational injury, and on the first (1st) full workday's absence if the employee is hospitalized, undergoes outpatient surgery, or has accumulated in excess of **one hundred and ninety-two (192)** hours. The waiting period provided herein shall apply for each illness or non-occupational injury. **Any employees ineligible for first day sick pay under this provision shall be permitted to use up to five (5) days per year of vacation accrued pursuant to Section 47 or unused personal holidays as payment for such employee's first day sick time at the employee's election. Notwithstanding other requirements to use personal holidays or unused and accrued vacation, there shall be no management discretion to deny pay for such absence, except that a doctor's certificate or other authoritative verification of illness may be required by the Employer. In order to use personal holidays and/or vacation pay for a sick absence, the employee must provide at least two (2) hours' notice prior to the start of such employee's scheduled shift.**

Sick leave shall be paid after the appropriate waiting period and will be based on the number of scheduled hours missed due to the sickness or non-occupational injury. For consecutive absences which exceed one (1) week, the maximum hours paid will be the same as the hours scheduled in the week in which the illness or non-occupational injury occurred. Sick leave pay must be requested by the employee and will be paid, if

eligible as provided above, at the employee's regular classification rate, calculated at straight-time, not to exceed eight (8) hours per day until accumulated sick leave is used up or employee returns to work.

Sick leave benefits are not convertible to cash.

Section 114. Employees hired on or after March 6, 2005. Full-Time employees covered by this Agreement hired after March 6, 2005, who, in their first anniversary year, worked two thousand (2,000) hours or more and who have been continuously employed by their employer for a period of one (1) year, shall be credited with twenty-four (24) hours of sick leave pay. Employees (excluding part-time courtesy clerks) who in their first anniversary year work one thousand two hundred and forty-eight (1,248) hours or more (but less than two thousand [2,000] hours) and who have been continuously employed by their employer for a period of one (1) year, shall be credited with hours of sick leave with pay on the basis of the total hours worked (including vacation hours) in their anniversary year divided by two thousand eighty (2,080) hours times twenty-four (24) hours. It is understood that employees shall not be credited with more than twenty-four (24) hours of sick leave credit per anniversary year.

For Employees hired after March 6, 2005, unused sick leave shall be cumulative, and after the first (1st) year of continuous employment, full-time employees shall accumulate unused sick leave at the rate of two (2) hours for each month of continuous employment in which they work one hundred sixty (160) hours in a four (4) week month and two hundred (200) hours in a five (5) week month. Employees who work at least ninety-six (96) hours (but less than one hundred sixty (160) hours) in a four (4) week month and one hundred twenty (120) hours (but less than two hundred (200) hours) in a five (5) week month shall accumulate unused sick leave for each month of continuous employment on the basis of total hours worked during the preceding month divided by one hundred sixty (160) hours in a four (4) week month and two hundred (200) hours in a five (5) week month times two (2). Said monthly credit shall not exceed two (2) hours for each month. Unused sick leave shall not exceed a maximum accumulation of two hundred and forty (240) hours.

A doctor's certificate or other authoritative verification of illness may be required by the Employer. Said sick leave is to commence on the third full workday's absence for sickness or non-occupational injury, on the first workday's absence if the employee is hospitalized, undergoes outpatient surgery, or has accumulated in excess of one hundred and ninety-two (192) hours, and on the second workday's absence if the employee has accumulated in excess of ninety-six (96) hours but less than one hundred ninety-two (192) hours. The waiting period provided herein shall apply for each illness or non-occupational injury. Any employees ineligible for first day sick pay under this provision shall be permitted to use up to five (5) days per year of vacation accrued pursuant to Section 47 or unused personal holidays as payment for such employee's first day

sick time at the employee's election. Notwithstanding other requirements to use personal holidays or unused and accrued vacation, there shall be no management discretion to deny pay for such absence, except that a doctor's certificate or other authoritative verification of illness may be required by the Employer. In order to use personal holidays and/or vacation pay for a sick absence, the employee must provide at least two (2) hours' notice prior to the start of such employee's scheduled shift.

Sick leave benefits are not convertible to cash.