

The Vermont Earned Sick Time (VEST) benefit allows eligible employees to accrue a bank of hours that may be used as paid time off for certain health or safety needs and/or for the care of a qualifying family member.

Eligibility

In order to be eligible for VEST an employee must:

1. Be classified as a non-benefits-eligible faculty or staff employee* OR as a student employee, AND
2. Work primarily in Vermont, AND
3. Be at least 18 years of age, AND
4. Work for a least a full year, AND
5. Average at least 18 hours of paid time per week in the year.

**benefits-eligible staff employees should refer instead to the Combined Time Off policy and benefits-eligible faculty members to the Faculty Leave Reserve Policy.*

Allowable Uses

In any calendar year leave period (January 1 to December 31) a VEST eligible employee may use up to their accrued VEST balance - but no more than 24 hours total - for any of the following reasons:

Self (Employee)

- Care for the employee's own physical or mental illness, injury, or medical condition that requires homecare, professional medical diagnosis or care, or preventative medical care.

Family

- Care for the employee's sick or injured parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild or foster child's physical or mental illness, injury, or medical condition that requires homecare, professional medical diagnosis or care, or preventative medical care.
- Care for the employee's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild or foster child including help to obtain diagnostic, preventative, routine, or therapeutic health treatment. Routine healthcare treatment includes travel to and from an appointment, a pharmacy, or other location related to the purpose for which time was taken.
- Accompanying the employee's parent, grandparent, spouse or parent-in-law to an appointment related to his or her long-term care.
- Arranging for social or legal services or obtaining medical care or counseling for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild or foster child who is a victim of domestic violence, sexual assault, or stalking.
- Care for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild or foster child because the school or business where the individual is normally located during the employee's workday is closed for public health or safety reasons.

VEST may not be used for personal absences such as for family vacation or for scheduled school closings or for any other reason not specifically outlined in this policy.

VEST Waiting and Accrual Period

VEST accrues on an annual basis; to be eligible for an accrual an employee must have been employed for a full year and have averaged 18 or more paid hours (including: regular worked time, overtime, and any other paid time) for the period. Average hours are calculated by dividing total hours worked in the year by 52.

During the first pay period after the year ends eligible employees will be credited with a lump sum accrual of 1 hour of VEST for each 52 hours paid *up to a maximum accrual of 24 hours per year*.

Carryover

Accrued, unused VEST will carryover at the end of the calendar year.

Using VEST

- VEST can be used to *replace scheduled work time* (that is, it cannot be used for time an employee is not scheduled to work) which was missed for qualifying health or safety reasons.
- VEST is used in increments of not less than 15 minutes and not greater than the length of the scheduled shift.
- Employees must make reasonable efforts to avoid scheduling routine or preventative healthcare during work hours.
- Employees must provide reasonable advance notification of their need to use VEST, following established departmental procedures for requesting time off.
- Employees who are absent for longer than three days may be required to give medical evidence of illness and/or medical certification of fitness to return to work.
- VEST is paid at employees' regular hourly rates.
- Employees may be asked to provide reasonable proof that their use of VEST is for a purpose allowed by the policy.

Recording time used:

- Non-exempt (hourly) staff and student employees: use the VST earn code to record time on BannerWeb timesheets.
- Exempt (salaried) staff and faculty employees: record used VEST hours by emailing hr@middlebury.edu and copying direct supervisor within 1 week of the used time.

Other Important Information

VEST is not recognized as hours worked for purposes of calculating eligibility for overtime pay.

- Employees are not entitled to be paid for accrued but unused VEST upon resignation or other termination of employment; accrued, unused balances will be forfeited at termination.
- Available VEST balances may be viewed in Banner Web (Employee/Time Off Current Balances and History).
- VEST hours used will show on employee paystubs and may be viewed in Banner Web.
- An employee who transfers to work in a state other than Vermont will no longer accrue VEST but may continue to use VEST that has already accrued.
- An employee who transfers from a VEST eligible position into a position eligible for CTO will have his/her accrued, unused VEST balance transferred to SLR and may use that code to record time used for any purpose allowable under VEST. Similarly, an employee who transfers from a VEST eligible position into a position eligible for Faculty Leave Reserve (FLR) will have his/her accrued, unused VEST balance transferred to FLR.
- There is no cash-out of accrued VEST under any circumstances.
- Vest may not be used for any purpose not specifically covered by this policy.

