

## **Frequently Asked Questions: VA Sick Leave**

**1. How do I qualify for paid sick leave?**

*Consumer Directed Attendants who work an average of at least 20 hours per week or 90 hours per month will qualify for sick leave.*

**2. If I don't qualify initially for paid sick leave, will I have another opportunity to qualify?**

*Yes, eligibility criteria will be evaluated on a quarterly basis.*

**3. Once I qualify for paid sick leave, how long does the qualification last?**

*Once attendants meet the eligibility for sick leave, you will remain eligible until the end of the current fiscal year (July 1<sup>st</sup> – June 30<sup>th</sup>). Eligibility will be reassessed each fiscal year.*

**4. What is the fiscal year period?**

*The fiscal year period is from July 1<sup>st</sup> – June 30<sup>th</sup>.*

**5. How many hours of sick leave will I accrue?**

*Attendants will accrue one hour of paid sick leave for every 30 hours worked.*

**6. What's the total amount of sick leave hours I can accrue?**

*Attendants may accrue up to 40 hours of paid sick leave in a fiscal year.*

**7. Can I roll any unused sick leave hours over to the next fiscal year?**

*Yes, attendants may carry over any unused sick leave to the next fiscal year. However, you can only have a maximum of 40 hours per fiscal year.*

**8. Once I meet eligibility, when can I use my sick time?**

*When your eligibility is met, you will be able to see your earned sick leave hours in your FEA's portal and on your paystubs within the month after the qualifying quarter. Your sick time is available to use on the 1st day of the second month after the qualifying quarter. For example, if you qualify Quarter 2 (October – December) you can use earned sick time beginning February 1st.*

**9. How do I request sick leave when I need to be off?**

*Attendants must notify their Employer of Record (EOR) when requesting to use sick leave. Notification can be verbally, in writing, or by any other means acceptable to the EOR.*

**10. How do I submit my sick leave hours for payment?**

*Sick leave must be submitted using the web portal. Attendants must submit sick leave hours used within 30 days. Sick leave hours submitted for payment after 30 days will be denied.*

**11. I am an EOR, how do I approve sick time for my caregiver?**

*The time is approved in the web portal using the same time approval process.*

**12. Can an EOR deny an attendant's request to use sick leave?**

*No, however, the attendant must provide a reasonable notice to the EOR when sick leave is foreseeable. EOR's cannot penalize an attendant for requesting and/or taking sick leave.*

**13. What happens if I only need to use 30 minutes of paid sick leave? Do I have to use an hour?**

*No, sick leave may be used in 15 minutes increments.*

**14. What happens if I fail my criminal background check?**

*Attendants with a full failure criminal background check do not qualify for paid sick leave.*

**15. Can I use paid sick leave if I switch EOR's?**

*Yes, the paid sick leave remains with the attendant and should transfer to the new EOR, as long as the member and the attendant remains the same.*

**16. If the member switches to a different Managed Care Organization (MCO), will I keep my sick leave hours that I've already earned?**

*Yes, a transition process is in place.*

**17. How will I know how many sick leave hours I have available to use?**

*Sick leave hours will be displayed on the attendant's pay stubs.*

**18. If I'm terminated, can I get paid for any unused sick leave?**

*No, unused sick leave hours cannot be paid out upon termination.*

**19. Can I get overtime when I use sick leave?**

*No, sick leave is not counted as time worked and will not be included when calculating overtime payments.*

**20. When I use my sick leave, will my patient pay obligation be deducted?**

*Yes, patient pay will be deducted from the attendant's pay, even if sick leave has been used.*

**21. Do I need to provide my EOR with a doctor's note when using sick leave?** *Documentation may be required for paid sick leave of three or more consecutive days. Your EOR will make that decision; DMAS or the FEA will not.*

**22. What happens at the end of my eligibility year?**

*At the end of your eligibility year, your FEA will recalculate your eligibility based on hours worked in Quarter 4 (April – June). Eligible attendants can continue to earn and use sick time during Quarter 4. Your remaining sick time balance as of June 30<sup>th</sup> will be applied as carry-over to the next eligibility year.*

**23. What Sick Time can I use during the re-eligibility process?**

*During the re-eligibility process, you can only use sick leave hours carried over from the previous year. If you become eligible again for the next fiscal year, all earned hours will be added to your sick leave balance and available to use November 1st.*

**24. What if I don't requalify the next eligibility year?**

*Your FEA will check eligibility each quarter. You will be able to use any carry-over hours from the previous year, even if you do not requalify.*

**25. What if I don't have any Sick Time to carry over?**

*You will not be able to use any paid sick leave until you requalify as eligible.*