

MEMORANDUM

TO: «Employer_Name»
«Employer_Address_1» «Employer_Address_2»
«Employer_City», «Employer_State»

FROM: State of Vermont, Agency of Human Services
Vermont Homecare United, AFSCME Council 93

DATE: February 6, 2025

SUBJECT: Joint Statement Regarding Earned Paid Time Off (EPTO)

As a result of good faith collective bargaining, the State and the Union are in agreement that:

1. Independent Direct Support Providers will continue to earn leave time as authorized by State law.
2. Effective the first full pay period for the applicable program after February 1, 2025, Providers may use previously accrued sick leave, as well as any subsequently earned leave, for any purpose. This earned benefit, which, moving forward, will be referred to as Earned Paid Time Off (EPTO), allows eligible employees to be compensated for any scheduled or unscheduled absence. Pay stubs will continue to refer to “Sick Time” until system modifications can be fully implemented.
3. Eligibility to Accrue and Use EPTO
EPTO is based on each individual employer/employee relationship. For each employment relationship in which the Provider is an “employee”, as defined in the *Vermont Earned Sick Time Rules (Rules)* adopted by the Commissioner of Labor, a Provider may accrue EPTO. Each quarter (January, April, July, October), the Fiscal Employer/Agent (FE/A) will review a Provider’s work history for the prior 12 months to determine if the Provider met the definition of an “employee,” as contained in the *Rules*.
4. Accrual and Use of EPTO
A Provider earns 1 hour of EPTO for every 52 hours worked for the employer. A Provider begins accruing EPTO on the first date of actual work for the employer; however, the Provider may not use EPTO until the Provider has worked for the employer for 365 days from the first date of actual work.

- A. EPTO may be used in 15-minute increments, as requested by a Provider and as approved by the employer.
- B. Unused EPTO shall roll over each year with a maximum accrual of 80 hours at any given time.
- C. A Provider may use a maximum of 40 hours of EPTO each year.
- D. An employer shall not pay a Provider for any hours of unused EPTO at the end of the annual period or when the Provider leaves employment.

By no later than April 15, 2025, The State of Vermont will work to develop a method to securely submit electronic versions of “paper time sheets” and explore the feasibility of updating the e-Timesheet to allow eligible Providers to submit for EPTO usage. Until this system is determined feasible and is functioning, Provider should continue to enter EPTO usage on the paper timesheet using the code: EPTO.