

# LADY JUSTICE

FROM AMICUS LEX FALL/WINTER 2021 NEWSLETTER

It has recently been brought to my attention by HR that I have too much accrued PTO (paid time off) and need to “use it or lose it” by the end of the year. To some, this is ambrosia. For me, it leaves a bit of a bitter taste in my mouth. In this edition, we will tackle the conflicting messages I’m sure we all receive about how we use our company-provided time off.

Whether the time is lumped as PTO, or separated into sick and vacation leave, we all have a certain amount of compensated time away from the office. It’s part of our compensation package; it’s part of the perks; it’s so we don’t want to kill each other, our bosses, or our clients.

Before we dig too deep into this, I’ll first acknowledge that we ALL know that one staff who abuses their PTO. Who conveniently is sick after Sunday night football, Wednesday night poker, and every Friday before a long weekend. That one individual who screws us over because they HAVE to have that beach vacation every Christmas and we’re stuck behind. I’m not talking about THAT office Karen. I’m instead talking about those of us who put the office



first (and by the end of this edition, may decide we shouldn’t). Where you feel like you’ve been run over by Icarus’ flaming chariot and still go to the office because there is work to be done. You plan a trip away and yet Hermes’ message finds its way to the pool or beach and you respond to it anyways.

I spoke with one of my colleagues about this very topic. Her response was this:

As a long-time employee, I know everyone wants to feel important/useful in their workplace. There comes a point when the pressure is put on some to keep “giving” when others do not. I accumulate a lot of vacation time and usually carry over 90 hours (which is the max I can carry over) every year. It is very frustrating to see employees taking every Friday off or getting vacation at any time they want to take it. When I ask, calendars have to be checked, other staff vacation

time needs taken into account (even though I have seniority and may have asked first) or being told that’s not going to work, can you work out other dates or only take a couple of days, not a

whole week? I've been called on the phone when out to ask where a file might be or do I remember... If I'm not at my desk or in the office, I can't help. Right now I have 73 hours I have to use before the end of the year or they're gone (and I'm still carrying over). I actually have used vacation time for medical appointments just to use some of it up. Today I'm going to Staples to buy a laptop so I'll be able to keep up with email when I take next week off (it actually got approved ☑). And yes, I do feel guilty when I take vacation and see that there are RE closings, etc. I don't have much back-up when it comes to my work and when I see what was done, it's part of the reason I don't want to take off.

This "long time" employee is on the verge of retirement and has been with the firm for longer than the lifespan of her fellow colleagues that are getting PTO approved before her. Her dedication to the profession has basically led to an abuse of her good nature, hard work, and commitment. At what point did our culture associate "usefulness" in the workplace to being reachable at all times?

I myself have had those calls about where to find a file while on vacation. The fact that I can say "Third file from the left, 6<sup>th</sup> piece of paper back" is a sad commentary on how well organized I am and how little effort others put in. And even worse, let's talk about the calls and texts I received during my grandmother's funeral. Should I have answered? No. Would I have felt bad if I ignored? You bet. Should I have felt bad? NO. A thousand times, NO.

There comes a point when you need to put your foot down, bring your voice up, and set boundaries. This is OUR time off, given by the company and earned through working. I don't need to justify my sick time. I don't need to justify if I use a day for mental health. I will not give any employer the right to abuse my time to the point where I FORFEIT part of my benefits. Would you forfeit 10% of your salary to prove your dedication to the job?

It's also sometimes necessary to point out to our attorneys that it's impossible to take our time off if they don't approve it or make too many demands. I confronted HR about my "use it or lose it" time: How and when am I sup-

posed to use my PTO when I was assigned the work of one person who quit and two who are out on medical leave at the same time?

I will admit, I have tried to show my dedication and loyalty by planning sick days. I've found days on the attorney schedules that are light, and packed multiple appointments into that day to be convenient to all. But sometimes, I have to remind myself, "If I was genuinely, suddenly sick, would the office fall apart?" Almost always, the answer is no, meaning I should feel no guilt. (Again, we are not talking about those who avoid tasks and call in sick to make others cover something due! That's another issue and edition.)

As demonstrated by my coworker, sometimes the stress of returning to a mess wasn't worth the time off! That means that we, as staff, need to back each other up. I will do my best to cover while you have your PTO and return without stress. I will hope you return the favor.

Please feel free to share with me your stories, frustrations, questions! I would love future topic ideas: CPPALadyJustice@gmail.com

I remain faithfully yours

*Lady Justice*

