

State Law Chart Builder

Customizable employment law answers for HR

Sick Leave/Other Paid Time Off

- Does your state have special requirements for employers to provide paid sick leave or other paid time off?

State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
US	<p>There is currently no federal law requiring employers to provide employees with paid sick leave. However a growing number of states and cities have passed laws and ordinances requiring that employers provide paid sick leave. In addition, many employers have chosen to provide paid sick leave as a matter of policy, even if they are not legally required to do so.</p> <p>Employers establishing or amending a sick leave policy should consider other disability income policies, how unused sick leave should be addressed, liability for sick leave, and general discrimination issues. When adopting a policy, employers must be sure that it fully complies with federal or state family/medical leave laws, the Americans with Disabilities Act, and any other applicable laws.</p> <p>There are many alternatives to standard sick leave policies, including flexible leave policies, no-fault attendance policies, leave donation programs, and paid-time-off banks.</p> <p>The Families First Coronavirus Response Act (FFCRA): The FFCRA became law when President Donald Trump signed it on March 18, 2020, and it will become effective on April 1, 2020. The Act builds on an \$8.3 billion emergency COVID-19 spending package enacted into law on March 6, 2020, to address the immediate public health crisis of the COVID-19 pandemic. Broadly, these provisions include but are not limited to the following: emergency paid sick leave; emergency/expanded family and medical leave; unemployment benefits; and free coronavirus testing. The FFCRA modifies U.S. Department of Agriculture (USDA) food assistance and nutrition programs to allow certain waivers to requirements for school meal programs, suspend the work requirements for the Supplemental Nutrition Assistance Program (SNAP, formerly known as the food stamp program), and allow states to request waivers to provide certain emergency SNAP benefits. In addition, the Act requires the Occupational Safety and Health Administration (OSHA) to issue an emergency temporary standard that requires certain employers to develop and implement a comprehensive infectious disease exposure control plan to protect healthcare workers. The Act also includes provisions that establish a federal emergency paid leave benefits program to provide payments to employees taking unpaid leave due to the COVID-19 outbreak, expand unemployment benefits and provide grants to states for processing and paying claims, require employers to provide paid sick leave to employees, establish requirements for providing coronavirus diagnostic testing at no cost to consumers, treat personal respiratory protective devices as covered countermeasures that are eligible for certain liability protections, and temporarily increase the Medicaid federal medical assistance percentage (FMAP).</p> <p>Sick Leave. The Act requires employers with less than 500 employees to provide up to 80 hours of paid sick leave for local/state/federal imposed quarantine or self-quarantine for COVID-19, for their own illness or a family member's illness related to COVID-19, and for school/daycare closures related to COVID-19. Employees are not entitled to paid sick leave, however, if they are simply home because their workplace is closed. In these situations, employees may be eligible for unemployment compensation. Paid leave required under the Act is separate and above any existing sick leave entitlements. Outside of those circumstances, an employee is subject to existing sick leave entitlements. For absences related to the employee's own exposure to coronavirus, employers must pay 100% of the employee's regular wages. Pay may be capped at \$511 per day and \$5,110 in the aggregate. For absences related to the employee's family member or school and/or childcare closings, employers must pay the paid sick time at $\frac{2}{3}$ the employee's regular wages. Pay may be capped at \$200 per day and \$2,000 in the aggregate. Note that part-time employees are entitled to the number of paid sick time hours equal to the average number of hours they work over a 2-week period.</p> <p>Emergency Family and Medical Leave. The FFCRA gives government employees and employees of companies with fewer than 500 employees the right to take up to 3 months of leave from their jobs if they have to care for a family member who is quarantined or for a child whose school has been closed. Under the Emergency Family and Medical Leave Act (Expanded FMLA or EFMLA), for absences related to COVID-19, employees must only be employed for 30 consecutive days and there are no hours-worked requirements. Specifically, the EFMLA provisions temporarily expand the current FMLA to allow up to 12 weeks of job-protected leave for employees who are unable to work because they must care for a child whose school/daycare provider has closed due to a public health emergency declared as a result of COVID-19 by a federal, state, or local authority. Paid FMLA leave for this reason is required after the first 10 days (during which the paid sick leave may be used). Employees may choose to use previously available sick leave, vacation leave, or paid time off. Employers cannot require employees to utilize such leave, however. Employees taking leave are entitled to pay at $\frac{2}{3}$ their regular rate or $\frac{2}{3}$ the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period). The Act also exempts certain healthcare providers from the expanded coverage. The right to EFMLA leave related to COVID-19 expires December 31, 2020.</p> <p>Employers will receive tax credits for payments to employees under the FFCRA, and the Internal Revenue Service (IRS) recently issued guidance</p>		

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	<p>addressing how those credits would be provided, available online at https://www.irs.gov/newsroom/treasury-irs-and-labor-announce-plan-to-implement-coronavirus-related-paid-leave-for-workers-and-tax-credits-for-small-and-midsize-businesses-to-swiftly-recover-the-cost-of-providing-coronavirus.</p> <p>In short, the IRS is allowing employers to take immediate advantage of the paid leave credits by retaining and accessing funds that they would otherwise pay to the IRS in payroll taxes. If those amounts are not sufficient to cover the cost of paid leave, employers can seek an expedited advance from the IRS. On March 24, 2020, the Wage and Hour Division of the U.S. Department of Labor (DOL) issued additional guidance for employers and employees relating to the two paid leave provisions of the FFCRA: the Emergency Paid Sick Leave Act and the Emergency Family and Medical Leave Expansion Act. The provisions will become effective on April 1, 2020, and will apply to leave taken between April 1, 2020, and December 31, 2020. The DOL noted that leave taken and/or provided before April 1, 2020, will not count toward the FFCRA requirements.</p> <p>UPDATE: As of April 8, 2020, the U.S. Department of Labor (DOL) has issued three separate FAQs to provide guidance concerning the FFCRA. On March 28, 2020, the DOL released its third batch of Questions and Answers (FAQs #38-59), which became effective April 1, 2020. According to the most up-to-date guidance, on April 1, the FFCRA will require private employers with 499 or fewer employees, and certain public employers, to provide covered employees with emergency paid sick leave (EPSL) and emergency unpaid and paid family leave (FMLA+). Additionally, the DOL also clarified some information it previously provided in other Questions and Answers (FAQs #1-37). Additional information on the DOL's guidance can be found at https://www.dol.gov/agencies/whd/pandemic/ffcra-questions. A summary of the provisions of the Act may be found at https://www.congress.gov/bills/116th-congress/house-bill/6201/text.</p>		
AL	There is no Alabama law that requires private sector employers to provide employees sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.
AK	Alaska law does not require employers to provide employees with sick leave benefits, either paid or unpaid.	An employer may not penalize an employee who is a crime victim because the employee is subpoenaed or requested by the prosecuting attorney to attend a court proceeding for the purpose of giving testimony. "Penalize" means to take action affecting the employment status, wages, and benefits payable to the victim, including demotion or suspension; dismissal from employment; and loss of pay or benefits, except pay and benefits that are directly attributable to the victim's absence from employment to attend the court proceeding. <i>Citation:</i> AS 12.61.017.	All employers in the state are covered by the crime victims law.

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AZ	<p>Employers must provide employees with paid time off. Employees will earn one hour of sick leave for every 30 hours worked. The total amount of required sick leave is capped, depending on the size of the employer. Employers with fewer than 15 employees must allow workers to earn 24 hours of sick leave per year, while employers with 15 or more employees must grant 40 hours of earned paid sick leave annually. In addition to the employee's own sickness, the leave can be used for preventive care, physical or mental illness, and services related to domestic or sexual violence for the employee or an employee's family member. "Family member" is broadly defined to include the employee's spouse or domestic partner as well as parents, children, grandparents, grandchildren, and any individuals regardless of age who acted, or for whom the employee or employee's spouse or domestic partner acted, in a parental role during childhood. Employers will be able to require advance notice of a foreseeable need to use paid sick leave, but only if they put the requirement in a written policy that has been provided to employees.</p> <p><i>Citation: A.R.S. § 23-371-4</i></p>	There is no provision for this topic in this state.	There is no provision for this topic in this state.
AR	<p>In addition to any medical, personal, or other paid leave provided by the employer, a private employer shall grant an employee an unpaid leave of at least 90 days absence to allow the employee to serve as an organ donor or a bone marrow donor if the employee requests a leave of absence in writing. If the leave is paid, the employer is entitled to a tax credit.</p> <p><i>Citation: Ark. Code Ann. § 11-3-205.</i></p> <p>Employees of state agencies are entitled to one day of sick leave for each complete month worked.</p> <p><i>Citation: Ark. Code Ann. § 21-4-207.</i></p>	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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CA	<p>The Healthy Workplaces, Healthy Families Act requires California employers to provide paid sick leave to covered employees.</p> <p>Covered employees are entitled to accrue sick leave at a rate of no less than one hour for every 30 hours worked. Although accrual begins from the commencement of employment, an employee is not entitled to use the accrued sick leave until the 90th day of employment.</p> <p>Accrued sick leave carries over from one calendar year to the next; however, the employer may limit the maximum accrual to 48 hours or six days, and may limit an employee's use of sick leave to 24 hours or three days in each year of employment. There is no obligation to pay accrued, unused paid sick days upon separation from employment for any reason.</p> <p>Employees may take sick leave for: (1) diagnosis, care, or treatment of a health condition of, or preventive care for, an employee or an employee's covered family member; and (2) various specified reasons where the employee is a victim of domestic violence, sexual assault, or stalking. Employers must provide written notice to current employees that sets forth the amount of paid sick leave available or paid-time-off (PTO) leave provided in lieu of sick leave and to each newly hired employee explaining (among other information) the right to accrue and use sick leave, to request and use accrued paid sick leave, and not be terminated or retaliated against for using or requesting paid sick leave as well as the right to file a complaint against an employer that retaliates. Employers must keep records documenting the hours worked and paid sick days accrued and used by an employee for at least 3 years.</p> <p>Municipal laws: In addition to the state law, several California cities have local paid sick leave laws that apply to employees working within the geographic boundaries of the specified city. Where state and local laws conflict, the most generous entitlement/</p>	<p>Voting time: If a voter does not have sufficient time outside of working hours to vote at a statewide election, the employer must provide up to two hours of paid time off to enable the voter to vote, provided the employee gave the required notice. The time off for voting shall be only at the beginning or end of the regular working shift, whichever allows the most free time for voting and the least time off from the regular working shift.</p> <p>Paid family leave: California provides paid family leave benefits for workers to provide care for a child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner with a serious health condition or to bond with a new child (newborn, adopted, or foster care child).</p> <p>Under the state Paid Family Leave Law (PFL), most California workers are entitled to receive partial wage replacement benefits for six weeks in a 12-month period. PFL benefits are not available for the employee's own medical condition. PFL does not create leave entitlement or provide job protection.</p> <p>Organ and bone marrow donation: Employers with 15 or more employees are required by state law to grant paid leave to qualifying employees for the purpose of organ or bone marrow donation. The law provides a paid leave of absence of up to 30 business days per 12-month period for donating an organ to another person and up to 5 business days per 12-month period for bone marrow donation.</p> <p>School leave: Employers with 25 or more employees are prohibited from discharging or discriminating against an employee whose child aged from kindergarten to grade 12, or with a licensed child care provider, for taking off up to 40 hours each year to (1) find, enroll, or reenroll his or her child in a school or with a licensed child care provider, or to participate in activities</p>	<p>Voting time: All employers.</p> <p>PFL: Employees covered by State Disability Insurance (SDI) are also covered by PFL insurance. If a Voluntary Plan Insurer provides your company's disability insurance coverage, in lieu of SDI, then it must also provide PFL insurance coverage.</p> <p>Organ and bone marrow donation: Employers with 15 or more employees are covered.</p>

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	<p>employee right will apply.</p> <p>California cities with local paid sick leave laws include San Francisco, Oakland, Emeryville, Los Angeles, San Diego, Santa Monica, and Berkeley.</p> <p><i>Citation: Cal. Lab. Code §§ 233, 245 et seq.</i></p>	<p>of the school or licensed child care provider of his or her child (up to 8 hours in any calendar month), or (2) to address a child care provider or school emergency. Notice must be given to the employer. Documentation may be required.</p> <p>Covered parents include a parent, guardian, stepparent, foster parent, or grandparent of, or a person who stands in loco parentis to, a child. Employees must give reasonable notice and may either use existing vacation, personal leave, or compensatory time off or may take leave without pay.</p> <p><i>Citation: Cal. Lab. Code §§ 1508 et seq.; Cal. Elec. Code § 14000.</i></p>	
CO	<p>On July 14, 2020, SB20-205, or the Colorado Healthy Families and Workplaces Act (HFWA), was signed into law. The HFWA requires all Colorado employers to provide three types of paid sick leave: 1) COVID-19 emergency paid sick leave (CO-EPSSL) (the provisions of the CO-EPSSL take effect immediately).; 2) paid sick and safe time (PSST); and 3) public health emergency paid sick leave (PHEL). The requirement goes into effect for covered employers with 16 or more employees on January 1, 2021, and for all other covered employers (regardless of how many employees they employ) on January 1, 2022.</p>	<p>There is no provision for this topic in this state.</p>	<p>There is no provision for this topic in this state.</p>

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CT	<p>With the exception of service employees, there is no Connecticut law requiring employers to provide employees with either paid or unpaid sick leave. State law mandates that paid sick leave be provided to service workers such as waiters, cashiers, and hairstylists. The law requires covered employers to provide service workers one hour of sick time for every 40 hours worked, up to a maximum of 40 hours per the employer's benefit year. Eligible employees may use the sick leave for:</p> <ul style="list-style-type: none"> • Their own illness, injury, or health condition; the medical diagnosis, care or treatment of their own mental or physical illness, injury or health condition; and preventive medical care. • The medical diagnosis, care, or treatment of an employee's spouse or child's illness, injury, or health condition and preventive medical care for an employee's spouse or child. • Personal needs of an employee who is a victim of family violence or sexual assault. <p>An employer will be in compliance with the sick leave law if the employer offers any other paid leave, or combination of other paid leave, that may be used for the same purposes as the law provides, and the other paid leave is accrued in total at a rate equal to or greater than the rate provided in the law. Other paid leave may include, but is not limited to, paid vacation, personal days, or paid time off. An employee is entitled to use accrued paid sick leave when he or she has 680 hours of employment. Up to 40 hours of unused accrued paid sick leave may be carried over from year to year. However, the employee is legally entitled to use only 40 hours of paid sick leave in any one year, during whatever 365-day year the employer uses to calculate employee benefits. No employer shall (1) terminate any employee, (2) dismiss any employee, or (3) transfer any employee from one worksite to another solely in order to not qualify as an employer, as defined by the act.</p>	<p>Employers must allow employees to use up to two weeks of accumulated sick leave to care for the serious health condition of the employee, child, spouse, parent, domestic partner, or the partner's parent or child, for the birth or adoption of a child, or so that the employee may serve as a bone marrow or organ donor. Employers are prohibited from discriminating in any way against an employee for using or attempting to use sick leave for these purposes.</p>	<p>Paid sick leave: The law applies to service companies with 50 or more workers in the state during the week containing October 1.</p>

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	Notice must be given of the amount of sick leave provided, and the terms under which sick leave may be used; that retaliation is prohibited; and that the employee has a right to file a complaint with the Labor Commissioner for any violation of the law. Employers may comply with the notice provision by displaying a poster in a conspicuous place, accessible to employees and must be printed in both English and Spanish.		

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DC	<p>The District of Columbia's Accrued Sick and Safe Leave Act of 2008 entitles employees to paid sick and "safe" leave for use under certain circumstances. The amount of paid sick leave given to the employee depends on the size of the employer, as follows:</p> <ul style="list-style-type: none"> • Employers with 100 or more employees must provide one hour of paid leave for every 37 hours worked, not to exceed seven days per calendar year. • Employers with at least 25, but not more than 99, employees must provide one hour of paid leave for every 43 hours worked, not to exceed five days per calendar year. • Employers with 24 or fewer employees must provide one hour of paid leave for every 87 hours worked, not to exceed three days per calendar year. <p>Paid leave accrued under the Sick and Safe Leave Act may be used by an employee for any of the following reasons:</p> <ul style="list-style-type: none"> • Physical or mental illness, injury, or medical condition of the employee; • Obtaining professional medical diagnosis or care, or preventive medical care, for the employee, provided that the employee makes a reasonable effort to schedule such leave in a manner that does not unduly disrupt the operations of the employer; • Caring for a child, a parent, a spouse, domestic partner, or any other family member who has a physical or mental illness, injury, or medical condition or needs for diagnosis or care; or • If the employee or the employee's family member is a victim of stalking, domestic violence, or sexual abuse; provided, that the absence is directly related to social or legal services pertaining to the stalking, domestic 	There is no provision for this topic in this state.	All employers.

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	<p>violence, or sexual abuse.</p> <p><i>Citation:</i> D.C. Code § 32-131.01 <i>et seq.</i></p>		
DE	<p>There is no Delaware state law that requires private sector employers to provide employees with paid or unpaid sick leave.</p>	<p>There is no provision for this topic in this state.</p>	<p>There is no provision for this topic in this state.</p>
FL	<p>There is no Florida law that requires private sector employers to provide sick leave, paid or unpaid.</p>	<p>There is no provision for this topic in this state.</p>	<p>There is no provision for this topic in this state.</p>
GA	<p>There is no Georgia law that requires private employers to provide employees with paid or unpaid sick leave.</p> <p>However, note that employers who voluntarily choose to provide employees with paid sick leave must comply with the state kin care law, which provides that employers with at least 25 employees allow eligible employees (those working at least 30 hours per week) to use up to five days of sick leave to care for immediate family members.</p> <p><i>Citation:</i> GA Code Ann Sec. 34-1-10 <i>et seq.</i></p>	<p>There is no provision for this topic in this state.</p>	<p>There is no provision for this topic in this state.</p>
HI	<p>It is unlawful for employers with 100 or more employees under a collective bargaining agreement to fire, demote, or withhold pay from an employee who uses accrued and available sick leave. The law also applies to labor organizations. Under the law, employers may require the employee to provide written verification from a physician indicating that the employee was ill when the employee uses three or more consecutive days of sick leave. The law does not provide any specific recourse for employers when an employee fails to provide such verification.</p> <p><i>Citation:</i> HRS § 378-32.</p>	<p>There is no provision for this topic in this state.</p>	<p>There is no provision for this topic in this state.</p>
ID	<p>There is no Idaho law requiring private sector employers to provide employees with paid or unpaid sick leave.</p>	<p>There is no provision for this topic in this state.</p>	<p>There is no provision for this topic in this state.</p>

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IL	Effective January 1, 2017, the Illinois Sick Leave Act requires employers that provide sick leave benefits to employees to allow employees to take such leave for absences due to the illness, injury, or medical appointment of the employee's family member. Family members covered include children, spouses, parents-in-law, grandchildren, grandparents, and stepparents. Employers may limit sick leave benefits for absences due to family members to one-half of an employee's annual leave entitlement.	Chicago/Cook County: Effective July 1, 2017, the Chicago and Cook County Sick Leave ordinances will require nearly all employers in the City / County, regardless of the number of employees in an employer's workforce, to provide paid sick leave. The sick leave must accrue at a rate of one hour of paid sick leave for every 40 hours worked. Accrued sick leave may be capped at 40 hours. Employers must allow employees to carry over one-half of his/her unused/ accrued paid sick leave, up to a maximum of 20 hours. To be eligible, employees must work in the city/county for at least 80 hours in any 120-day period, and in any two-week period, must perform at least two hours of work while physically present in the geographical boundaries of the city/county. Employees must be allowed to begin using the paid sick leave no later than the 180th calendar day following the commencement of employment. The ordinances contain broad rules on reasons the leave may be used and detailed rules on notice requirements, and other items.	There is no provision for this topic in this state.
IN	No Indiana law requires private employers to provide employees with sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.
IA	There is no Iowa law requiring private sector employers to provide employees with sick leave, paid or unpaid, except an unpaid pregnancy leave of up to eight weeks in Iowa Code 216.	There is no provision for this topic in this state.	There is no provision for this topic in this state.
KS	There is no Kansas law that requires private sector employers to provide sick leave, paid or unpaid. For leave laws governing public employers in regard to sick leave, see Kan. Admin. Reg. § 1-9-5.	For leave laws governing public employers in regard to other paid time off, see Kan. Admin. Reg. § 1-9-1 <i>et seq.</i>	Public employers.
KY	There is no Kentucky law requiring private employers to provide employees sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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LA	<p>There is no Louisiana law requiring private sector employers to provide employees sick leave, paid or unpaid. Employees of every parish and city school board are entitled to take up to 90 days of extended sick leave in each six-year period of employment to provide for personal illness or illness of an immediate family member. Unused days during any six-year period of employment will not cumulate or carry forward into the next six-year period of employment. Rules of leave transfer for school employees are enumerated by statute. Local governmental subdivisions are barred by state law from establishing a mandatory, minimum number of vacation or sick leave days for employees of private employers, whether paid or unpaid.</p> <p><i>Citation:</i> La. Admin. Code § 17:1206.2; La. Rev. Stat. Ann. §§ 40:1263.4, 23:642.</p>	<p>Bone marrow: Employees who work an average of 20 or more hours per week may take paid leaves of absence to donate bone marrow. The combined length of the leaves cannot exceed 40 work hours, unless agreed to by the employer. The employer can require physician verification of the purpose and length of each leave. If there is a medical determination that the employee does not qualify as a donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.</p> <p><i>Citation:</i> La. Admin. Code § 17:1206.2; La. Rev. Stat. Ann. § 40:1263.4.</p>	<p>Bone marrow: This Act applies to employers with 20 or more employees.</p>

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ME	<p>Paid time off. Effective January 1, 2021, Maine's Act Authorizing Earned Employee Leave requires covered employers to provide earned paid leave, which employees may use for any reason, including those for which sick leave is typically used.</p> <p>Accrual. Employees are entitled to earn one hour of paid leave from a single employer for every 40 hours worked, up to 40 hours in one year of employment.</p> <p><i>Citation:</i> 26 MRSA Sec. 637.</p> <p>Kin care. Employers with 25 or more employees must also allow an employee who receives paid leave, such as sick leave, vacation time, or compensatory time, to use that time to care for an ill immediate family member. Covered family members are defined as the employee's child, spouse, or parent.</p> <p>Paid leave does not include paid short-term or long-term disability, catastrophic leave, or similar types of benefits. An employer may adopt a policy limiting the number of hours of paid leave taken to care for an ill family member but may not limit the number of hours allowed to fewer than 40 hours for a 12-month period.</p> <p><i>Citation:</i> 26 M.R.S.A. § 636.</p>	There is no provision for this topic in this state.	<p>Paid time off: Employers with more than 10 employees in the usual and regular course of business for more than 120 days in any calendar year must provide (permit each employee to earn) paid leave. Seasonal employers are not included.</p> <p>Kin care: Employers with 25 or more employees.</p>

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MD	<p>Effective February 11, 2018, Maryland's Healthy Working Families Act requires covered employers to provide leave time to employees for illness or other specified personal obligations.</p> <p>Leave time accrues at a rate of at least 1 hour for every 30 hours worked by an employee, up to a maximum of 40 hours of leave accrual per year. Employers may also opt to front-load an employee's full amount of sick and safe leave at the beginning of a leave year. Unused leave may be carried over to the following year. Employers may cap total leave accrual at a maximum of 64 hours. Up to 64 hours of leave may be used in a single year.</p> <p>Whether leave must be provided on a paid basis depends on the size of the employer.</p> <ul style="list-style-type: none"> • Employers with 15 or more employees whose primary work location is in Maryland must provide leave on a paid basis. • Employers with 14 or fewer employees whose primary work location is in Maryland may provide leave on an unpaid basis. <p>Leave may be taken for a variety of personal reasons, including:</p> <ul style="list-style-type: none"> • The employee's own mental or physical injury, illness, or condition; • To obtain preventive medical care for the employee or a family member; • To care for the mental or physical injury, illness, or condition of a family member; • For maternity or paternity leave; or • To obtain services in connection with an incident of domestic violence, sexual assault, or stalking. <p>Employers with preexisting leave policies are not required to modify those policies or provide additional leave as long as the existing policies are at least equivalent to the minimum accrual and reasons for use set forth by the Act.</p> <p>The Act prohibits local jurisdictions from enacting their own paid leave ordinances on or after January 1, 2017. However, Montgomery</p>	<p>The state Flexible Leave Act requires covered employers that provide paid leave under a policy or collective bargaining agreement to allow employees to use their paid leave (sick, vacation, or compensatory time) for the illness of an immediate family member.</p> <p><i>Citation:</i> Md. Code Ann., Lab. & Employ. § 3-802 <i>et seq.</i></p> <p>Montgomery County's paid sick leave ordinance applies to employers with at least one employee in the county. Under this ordinance, employees of employers with at least 5 employees accrue leave at a rate of 1 hour per 30 hours worked, up to an annual maximum of 56 paid hours. Employees of employers with fewer than 5 employees accrue leave at a rate of 1 hour per 30 hours worked, up to an annual maximum of 32 paid hours and 24 unpaid hours. The leave may be used by the employee for his or her own illness, for the illness of a family members, or to obtain medical treatment or other services in connection with domestic violence, sexual assault, or stalking.</p> <p><i>Citation:</i> Mont. County Code, § 27-76 <i>et seq.</i></p>	<p>The state Healthy Working Families Act applies to all employers with employees whose primary work location is in Maryland. This may include employers not otherwise headquartered in Maryland.</p> <p>Whether leave must be provided on a paid basis depends on the size of the employer.</p> <ul style="list-style-type: none"> • Employers with 15 or more employees whose primary work location is in Maryland must provide leave on a paid basis. • Employers with 14 or fewer employees whose primary work location is in Maryland may provide leave on an unpaid basis. <p>The state Flexible Leave Act applies to any employer with 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding year.</p>

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Sick Leave/Other Paid Time Off

- Does your state have special requirements for employers to provide paid sick leave or other paid time off?

State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
	County's existing paid leave ordinance is not preempted. <i>Citation:</i> Md. Code Ann., Lab. & Employ. § 3-1301 et seq.		

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Sick Leave/Other Paid Time Off

- Does your state have special requirements for employers to provide paid sick leave or other paid time off?

State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
MA	<p>Effective July 1, 2015, all covered employers must provide sick leave. For employers with 11 or more employees, up to 40 hours of paid sick leave per calendar year must be allowed to accrue for all employees, including part-time, seasonal, per diem, etc. For employers with 10 or fewer employees, the sick leave may be unpaid. For foreseeable or pre-scheduled use of earned sick time, the employer may, if they have a written policy, require up to seven days' notice, except where the employee learns of the need to use earned sick time within a shorter period. Notice required for unforeseeable absences is what is reasonable under the circumstances.</p> <p>Employers must provide a minimum of 1 hour of earned sick time for every 30 hours worked by an employee up to 40 hours per benefit year. Exempt employees are assumed to work 40 hours in each workweek for purposes of earned sick time accrual, unless their normal workweek is less than 40 hours, in which case earned sick time will accrue based on that normal workweek. Employees will begin accruing earned sick time on the date of hire (or the date this law becomes effective, whichever is later). Employees will not be entitled to use accrued earned sick time until the 90th calendar day following commencement of their employment. After this 90-day period, employees may use earned sick time as it accrues.</p> <p>Earned sick time must be provided by an employer for an employee to:</p> <ol style="list-style-type: none"> 1. Care for the employee's child, spouse, parent, or parent of a spouse, who is suffering from a physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventive medical care; 2. Care for the employee's own physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventive medical care; 3. Attend the employee's routine medical appointment or a routine medical appointment for the employee's child, spouse, parent, or parent of spouse; 	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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- Does your state have special requirements for employers to provide paid sick leave or other paid time off?

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	<p>4. Address the psychological, physical, or legal effects of domestic violence; or</p> <p>5. Travel to and from an appointment, a pharmacy, or other location related to the purpose for which the time was taken. The smallest amount of sick time an employee can use is one hour. For leave needed beyond one hour, the leave must be measured in the smallest increment the employer's payroll system uses to account for absence or use of other time. Employees may carry over up to 40 hours of unused earned sick time to the next benefit year but are not entitled to use more than 40 hours in 1 benefit year. An employer may define the year used which may be any consecutive 12-month period. Employers are not required to pay out unused earned sick time upon the separation of the employee from the employer. An employer may require written documentation in the following circumstances: the leave exceeds 24 consecutively scheduled work hours; the leave exceeds 3 consecutively scheduled work days; the leave occurs within 2 weeks prior to an employee's final scheduled day of work (except for in the case of temporary workers); leave occurs after 4 unforeseeable and undocumented absences within a 3-month period; or leave for employees ages 17 and under occurs after 3 unforeseeable and undocumented absences within a 3-month period.</p> <p>Any reasonable documentation signed by a healthcare provider indicating the need for earned sick time taken is acceptable certification for absences under the law.</p> <p>For sick leave taken for domestic violence, any of the following is acceptable documentation: restraining order or other documentation of equitable relief issued by a court; a police record documenting abuse; documentation that the perpetrator of the abuse has been convicted; medical documentation of the abuse; a statement provided by a counselor, social worker, health worker, member of the clergy, shelter worker, legal advocate, or other professional who has assisted the employee in addressing the effects of the abuse on the</p>		

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State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
	employee or the employee's family; or a signed written statement from the employee attesting to the abuse. <i>Citation:</i> Mass. Gen. Laws ch. 149 § 148C, 940 C.M.R. §§ 33.00-33.11.		

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Sick Leave/Other Paid Time Off

- Does your state have special requirements for employers to provide paid sick leave or other paid time off?

State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
MN	<p>There is no Minnesota law requiring private employers to grant their employees sick leave, paid or unpaid. But if a covered employer does offer sick leave, it must allow eligible employees to use sick leave to care for covered family members for reasonable periods of time as the employee's attendance may be necessary, on the same terms upon which the employee is able to use sick leave benefits for the employee's own illness or injury. Covered family members include the employee's child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent. With the exception of minor children, an employer may limit the use of an employee's personal sick leave benefits for relatives to no less than 160 hours in any 12-month period. Upon return from leave, the employee is entitled to return to his or her former position. <i>Citation:</i> Minn. Stat. §§ 181.940, 181.9413, 181.942.</p> <p>Minneapolis Sick Leave Ordinance: Effective July 1, 2017, Minneapolis employers with more than five employees must provide employees with one hour of paid sick leave for every 30 hours worked, up to 48 hours of accrued sick leave each year. Employees may begin using the paid leave after 90 calendar days. Up to 80 hours can be carried over from year to year. Minneapolis employers with five or fewer employees must provide the leave, but it may be unpaid.</p> <p>St. Paul Sick Leave Ordinance: Effective July 1, 2017, St. Paul employers with 23 or more employees must provide employees with one hour of paid sick leave for every 30 hours worked, up to 48 hours of accrued sick leave each year. Employees may begin using the paid leave after 90 calendar days. Up to 80 hours can be carried over from year to year. The effective date for St. Paul employers with fewer than 23 employees is January 1, 2018.</p> <p>Duluth Sick Leave Ordinance: Effective January 1, 2020, Duluth will become the third city in Minnesota to enact a paid sick leave</p>	<p>Bone marrow and organ donation: Covered employers must grant up to 40 work hours of paid leave to any eligible employee who seeks to undergo a medical procedure to donate bone marrow. The employer may require verification by a physician of the purpose and length of each leave requested by the employee to donate bone marrow. If there is a medical determination that the employee does not qualify as a bone marrow donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.</p> <p>Domestic abuse, sexual assault or stalking: An employee may use sick leave for "safety" leave, whether or not the employer allows use of sick leave for that purpose, for such reasonable periods of time as may be necessary. "Safety leave" is defined as leave for the purpose of providing or receiving assistance because of sexual assault, domestic abuse, or stalking, and it may be used for assistance to the employee or the employee's child, adult child, spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent, or stepparent. An employer may limit the use of safety leave to no less than 160 hours in any 12-month period.</p> <p>School leave: An employee may substitute up to 16 hours or accrued paid leave each year to attend school conferences or school-related activities for the employee's child if such activities cannot be scheduled during non-work hours.</p> <p><i>Citation:</i> Minn. Stat. §§ 181.9412, 181.9413, 181.945, 181.9456.</p>	<p>Sick leave for family members: Law applies to all employers with 21 or more employees at at least one site.</p> <p>Bone marrow: Law applies to all employers with 20 or more employees at at least one site.</p> <p>Organ donation: Law applies to public employers with 20 or more employees.</p> <p>School leave: Law applies to all employers with one or more employees. <i>Citation:</i> Minn. Stat. §§ 181.940, 181.945, 181.9456.</p>

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- Does your state have special requirements for employers to provide paid sick leave or other paid time off?

State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
	ordinance. The ordinance requires employers with five or more employees to offer paid sick and safe time. Additional details are available from the Duluth City Counsel website .		
MS	There is no Mississippi law requiring private employers to grant their employees paid or unpaid sick leave.	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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MI	<p>Effective March 29, 2019, Michigan's Paid Medical Leave Act (a significantly revised version of the previously-adopted Earned Sick Time Act) will require covered employers to provide eligible employees with paid leave for certain covered reasons.</p> <p>Covered employers/employees. The act applies to employers with 50 or more employees.</p> <p>Eligible employees broadly include individuals for whom the employer must withhold federal income taxes, but several categories of workers are excepted, including exempt workers, those primarily working outside the state of Michigan, and those working an average of fewer than 25 hours per week.</p> <p>Accrual of leave. Employees are entitled to at least 1 hour of paid leave for every 35 hours worked.</p>	<p>There is no provision for this topic in this state.</p>	<p>There is no provision for this topic in this state.</p>

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State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
	<p>Employers may limit accrual, use, and carryover of leave to 40 hours in a benefit year. Employers may also frontload at least 40 hours of leave at the beginning of a benefit year (and those who do so will have a rebuttable presumption of compliance).</p> <p>Use of leave. Leave may be used:</p> <ul style="list-style-type: none">• For absences resulting from an employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;• To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care of a family member who		

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State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
	<p>needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care;</p> <ul style="list-style-type: none"> • For absences related to domestic violence or sexual assault of the employee or the employee's family member, including, but not limited to, medical or psychological care or counseling, victim services, legal services, relocation, and participation in civil or criminal proceedings related to the incident; • For meetings at a child's school or place of care related to the child's health, disability, or effects of domestic violence or sexual assault on the child; <i>and</i> • When the employee's place of business has 		

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State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
	<p>been closed by order of a public official for any health-related reason or when an employee's child's school or place of care has been closed for a health-related reason.</p> <p>Notice and verification of leave. Employees may be required to follow the employer's usual and customary leave notice, documentation, and procedural requirements for requesting leave. Employees must be given at least 3 days to provide documentation.</p>		
MO	There is no Missouri law that requires private sector employers to provide employees sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.
MT	There is no Montana law requiring private sector employers to provide employees with sick leave, paid or unpaid. A permanent, full-time employee of the state earns sick leave credits from the first day of employment. <i>Citation:</i> Mont. Code Ann. § 2-18-618.	There is no provision for this topic in this state.	There is no provision for this topic in this state.
NE	There is no Nebraska law that requires private sector employers to provide employees with sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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NV	<p>Effective January 1, 2020, Nevada law requires covered employers to provide earned paid leave, which employees may use for <i>any</i> reason, including those for which sick leave is typically used.</p> <p>Covered employers. “Employer” means a private employer with 50 or more employees in private employment in the state of Nevada. New employers are not required to comply with the law for the first 2 years of operation.</p> <p>Employers who already provide paid time off pursuant to a contract, policy, collective bargaining agreement, or other agreement are not required to provide additional rights or leave under this law as long as the leave provided meets the minimum accrual rate</p> <p>Accrual and use. Employees are entitled to earn at least 0.01923 hours of paid leave for every hour of work performed. An employee’s leave entitlement may be accrued over the course of the year or may be front-loaded. The amount of leave used in a year may be limited to 40 hours; leave carryover may also be limited to 40 hours per year. Employees are eligible to use leave beginning on the 90th calendar day of employment.</p> <p>Employees may use available leave for any reason; more specifically, employees may use leave without providing a reason for doing so.</p> <p><i>Citation:</i> 2019 SB 312.</p>	There is no provision for this topic in this state.	There is no provision for this topic in this state.
NH	There is no New Hampshire law that requires private employers to grant their employees sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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NJ	<p>Effective October 29, 2018, New Jersey's Paid Sick Leave Act requires covered employers to provide paid sick leave for a number of uses. The Act also preempts the multitude of existing city ordinances throughout the state.</p> <p>Covered employees. With a few exceptions, the Act covers all employees engaged in service for compensation in the state of New Jersey. Excluded from the Act are construction workers covered by collective bargaining agreements, certain per diem healthcare employees, and public employees who already receive sick leave under other state laws.</p> <p>Leave entitlements. Covered employees will be entitled to one hour of paid sick leave for every 30 hours worked, up to an annual accrual, use, and carryover maximum of 40 hours. In lieu of the accrual method, employers may also frontload a year's worth of leave for employees' use. Employers may impose a 120-day waiting period before new hires use accrued leave.</p> <p>New Jersey's law has some unique aspects. First, employers may choose the increment in which sick leave is used, provided that the largest</p>	<p>The state's Temporary Disability Benefits Law (TDB) provides eligible employees with up to 26 weeks of temporary disability benefits. New Jersey's Paid Family Leave Act provides eligible employees with up to six weeks of payments during time off to:</p> <ul style="list-style-type: none"> Bond with a child during the first 12 months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual is a biological parent of the child, or the first 12 months after the placement of the child for adoption with the covered individual; and Care for a family member with a serious health condition supported by a certification provided by a healthcare care provider. <p>If the leave is taken to care for a seriously ill family member, the leave may be taken during one continuous period, up to a maximum of six weeks or intermittently up to a 42-day maximum in a 12-month period. If the leave is taken to bond with a newborn or newly adopted child, the leave must be taken during one continuous period of time of seven days or more, unless both the employee and the employer have agreed to an intermittent leave schedule. In those cases, leave may be taken in noncontinuous intermittent periods of seven days or more. The law does not entitle an employee to leave time, but it does entitle a covered employee to receive paid family leave benefits while taking leave. <i>Citation: N.J.S.A. 43:21-25 et seq.</i></p>	<p>Paid sick leave: The Paid Sick Leave Act applies to all private employers with employees in the state of New Jersey, including temporary help service firms. Public employers already required to provide employees with sick leave pursuant to any other state law or regulation are not covered by the law.</p> <p>TDB and paid family leave: Employees of all private and governmental employers subject to the New Jersey unemployment compensation law are covered, regardless of size.</p>

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	<p>increment is the number of hours the employee was scheduled to work during the missed shift. The law also specifically explains how it will apply to temporary help service firms—specifically, earned sick leave will accrue based on an employee’s total time worked on assignment <i>with the temporary help service firm</i>, rather than separately for each client to which the employee is assigned. The New Jersey law also provides a framework for annual buyback programs for employers who opt to frontload leave.</p> <p>Reasons for leave. Following the example set by other state and city sick leave laws, sick leave may be taken for many of the expected purposes—the employee’s own mental or physical health needs; care of covered family members; and needs related to domestic or sexual violence victim status—as well as some more permissive purposes, including school and work closures related to public health emergencies and attending school-related conferences and events.</p> <p>Family members. “Family member” is interpreted broadly and includes numerous relations not limited to child, grandchild, sibling, spouse, domestic partner, civil union partner, parent, or grandparent of an employee. The Act also covers “any other individual related by blood to the employee or whose close</p>		

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	<p>association with the employee is the equivalent of a family relationship."</p> <p>Notice and administration. Employers may require notice of the need for leave—up to 7 calendar days when the need is foreseeable, and as soon as practicable when the need is not foreseeable. Additionally, employees may be required to make a reasonable effort to schedule foreseeable leave in a manner that is not unduly disruptive to the employer’s operation. Employers may also require reasonable documentation of the use of leave for more than 3 consecutive days.</p> <p>Existing policies. Employers with preexisting leave policies and combined PTO plans (including vacation, personal, and sick days) are not required to modify those policies or provide for additional leave as long as the leave provided under the PTO policy is at least equivalent to the minimum accrual and reasons for use set forth by the Act. Additionally, the Act does not restrict</p>		

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	<p>employers from providing more generous leave entitlements and benefits, nor does the Act prohibit employers from adopting leave donation programs.</p> <p>Unless an employer policy or collective bargaining agreement provides otherwise, employees are not entitled to payment of unused earned sick leave upon separation from employment. However, if an employee is reinstated after discharge within 6 months, any unused accrued leave must also be reinstated.</p> <p>Restrictions. Employers may not require employees who are requesting earned sick leave to search for or find a replacement worker to cover the employee's time off. Employers are also prohibited from taking retaliatory personnel action or discriminating against an employee because the employee requests or uses earned sick leave. However, these restrictions do not prevent employers from taking disciplinary action against</p>		

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	<p>employees who misuse sick leave for purposes other than those permitted by the law.</p> <p>Posters and recordkeeping. Employers are required to provide notice of employees' rights under the Act within 30 days of the issuance of a sample notification from the Department of Labor and Workforce Development. Employers must also maintain records of hours worked and earned sick leave taken for a period of 5 years. Employers that fail to maintain records will be presumed to have failed to comply with the law, and applicable penalties will be assessed.</p> <p>Preemption. The Act prohibits New Jersey counties and municipalities from adopting any ordinance, resolution, law, rule, or regulation regarding earned sick leave. Additionally, the Act will preempt any existing ordinance, resolution, law, rule, or regulation regarding earned sick leave. Thus, the multitude of city sick leave ordinances adopted throughout</p>		

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	<p>New Jersey will have no further effect after October 29, 2018.</p> <p><i>Citation: NJ Rev. Stat. Sec. 34:11-56a et seq.</i></p>		
NM	<p>There is no New Mexico state law requiring private sector employers to provide employees with paid or unpaid sick leave.</p> <p>Bernalillo County - Paid Time Off Effective July 1, 2020, the Employee Wellness Act requires employers to provide paid time of to full-time, part-time, seasonal, or temporary employees for <i>any</i> reason. The law covers the county government and private employers with a physical presence within the unincorporated limits of the county. Employers must have 2 or more employees within the unincorporated limits. Employees accrue 1 hour of PTO for every 32 hours worked. The initial annual cap is 24 hours with incremental increases of 16 hours per year up to the final cap of 56 hours. <i>Citation: County Ord. Ch. 14 Art. XIII</i></p>	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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NY	<p>On April 3, 2020, the Budget Bill (Senate Bill S7506B) was signed into law, which includes a provision that amends the New York Labor Law (Sec. 196-b) to require all employers to provide annual sick leave to their employees, and the majority of this paid sick leave must be paid. This Paid Sick Leave Law is in addition to the mandatory PSLL enacted on March 18, 2020 in response to COVID-19.</p> <p>The additional provisions of the April 3rd PSLL will become effective on September 30, 2020, and employees will begin accruing leave on that date. Employees may not begin to use accrued leave until January 1, 2021.</p> <p>The amount of leave an employer is required to provide varies based on the size of the employer's workforce in any calendar year and the amount of net income in the previous tax year.</p> <p>For the purposes of calculating the number of employees, a "calendar year" is defined as the 12-month period from January 1st through December 31st. For the purposes of using and accruing leave, a "calendar year" means either January 1st through December 31st or any regular and consecutive 12-month period.</p> <p>Leave provided by the law is available for the following purposes:</p> <ul style="list-style-type: none"> • For a mental or physical illness, injury or health condition of an employee or an employee's family member, regardless of whether that condition has been diagnosed or requires medical care at the time the employee requests leave; • For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition of, or need for medical diagnosis of, or preventative care for, an employee or an employee's family member; and • For certain absences from work due to domestic violence, a family offense, sexual offense, stalking, or human trafficking, of an employee or an employee's family member. 	<p>Blood donation: Covered employers must grant employees at least three hours of leave in any 12-month period to donate blood. Employers may also satisfy this requirement by allowing employees to donate blood during work hours at least two times per year at a convenient time and place set by the employer without use of accumulated leave time, including allowing an employee to participate in a blood drive at the employee's place of employment. Employees must provide advance notice of their intention to take such leave. According to guidance issued by the state commissioner of labor, leave granted to employees for off-premises blood donation is not required to be paid leave.</p> <p>Leave taken by employees at a company-designated donation alternative (such as an employer-sponsored blood drive at the workplace) must be paid leave that is provided without requiring the employee to use accumulated vacation, personal, sick, or other leave time. Employers with a unionized workforce may negotiate the terms and conditions of employee blood donation leave as a matter of collective bargaining, as long as any collectively bargained agreement does not diminish the minimum requirements set forth by law.</p> <p><i>Citation: NYS Lab. Law § 202-j.</i></p>	<p>New York Paid Sick Leave Law:</p> <ul style="list-style-type: none"> • Employers with 4 or fewer employees and net income of \$1 million or less in the previous tax year are required to provide 40 hours of unpaid sick leave per calendar year. • Employers with 4 or fewer employees and net income of greater than \$1 million in the previous tax year are required to provide 40 hours of paid sick leave per calendar year. • Employers with 5 to 99 employees must provide 40 hours of paid sick leave per calendar year. • Employers with 100 or more employees must provide 56 hours of paid sick leave per calendar year. <p>Blood donation: Employers with 20 or more employees at a work site.</p>

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	<p>Employees may begin accruing sick leave on September 30, 2020, or when employment begins, whichever is later. Employees shall accrue sick leave at a rate of 1 hour for every 30 hours worked.</p> <p>Employers may choose to frontload the total amount of sick leave at the beginning of the year, but any employer who chooses to frontload leave may not later reduce or revoke the amount of leave provided to any employee based on the number of hours the employee actually worked.</p> <p>Leave may also be carried over from year to year, subject to a usage cap depending on the size of the employer, or 40 hours per year for employers with less than 100 employees and 56 hours per year for employers with 100 or more employees.</p> <p>Finally, interactions with current employer sick leave policies, local and municipal laws and regulations, and collective bargaining agreements must be considered.</p> <p>In New York City, the Earned Sick and Safe Time Act requires New York City employers with five or more employees to provide up to 40 hours of paid sick time per year to eligible employees. Employers with less than five employees working in NYC must provide those employees with up to 40 hours of job-protected unpaid sick leave, as accrued.</p> <p>Eligible employees must be employed within NYC for more than 80 hours in a calendar year and perform work on a full-time, part-time, temporary, or seasonal basis, including work performed in a transitional jobs program.</p> <p>Employees may use accrued sick leave under the Act for the employee's own mental or physical illness, injury, or health condition, or the need for the employee to seek medical diagnosis, care, treatment, or preventive medical care; care of a family member (includes</p>		

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Sick Leave/Other Paid Time Off

- Does your state have special requirements for employers to provide paid sick leave or other paid time off?

State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
	<p>a child, grandchild, spouse, domestic partner, parent, grandparent, child or parent of an employee's spouse or domestic partner, or sibling, including half-, adoptive, or step-siblings) in need of such diagnosis, care, treatment, or preventive medical care; or closure of the place of business because of a public health emergency, as declared by a public health official, or the employee's need to care for a child whose school or childcare provider has been closed because of such a declared emergency.</p> <p>Additionally, effective May 5, 2018, this paid time off may also be used for "safe time."</p> <p>Notice must be posted, as well as provided to new employees in English and the employee's primary language. Notice by the employee and certification of the need for leave may be required.</p> <p><i>Citation:</i> NYS Lab. Law § 202-j; N.Y. City Admin. Code §§ 20-911 - 20-924, Intro 1313-A.</p>		
NC	There is no North Carolina law that requires private employers to grant their employees paid or unpaid sick leave.	There is no provision for this topic in this state.	There is no provision for this topic in this state.
ND	There is no North Dakota law requiring private sector employers to provide employees paid or unpaid sick leave.	There is no provision for this topic in this state.	There is no provision for this topic in this state.
OH	<p>There is no Ohio law that requires private sector employers to provide employees with paid or unpaid sick leave. Public employees may use sick leave, upon approval of the responsible administrative officer of the employing unit, for absence due to personal illness, pregnancy, injury, exposure to contagious disease that could be communicated to other employees, and illness, injury, or death in the employee's immediate family.</p> <p><i>Citation:</i> Ohio Rev. Code § 124.38.</p>	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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- Does your state have special requirements for employers to provide paid sick leave or other paid time off?

State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
OK	There is no Oklahoma law that requires private sector employers to provide employees sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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- Does your state have special requirements for employers to provide paid sick leave or other paid time off?

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OR	<p>All employers with more than 10 employees (and 6 in Portland) must provide up to 40 hours of paid leave per year. Employers with less than 10 employees (less than 6 in Portland) must provide 40 hours of unpaid protected sick time. Employees accrue 1 hour of sick time for every 30 hours worked or 1-1/3 hours for every 40 hours worked and are eligible to take sick time on their 91st day of employment.</p> <p>Reasons for leave. Paid sick leave may be taken for an employee's or a family member's mental or physical illness, injury, or health condition, need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition or need for preventive medical care; and for any other purpose specified in the state family and medical leave law, leave for domestic violence, harassment, sexual assault, or stalking, leave for a public health emergency such as closure of the place of business, or closure of an employee's child's school or childcare. Sick leave may also be taken when a public health authority or healthcare provider determines that the employee's or a family member's presence in the community would jeopardize the health of others. The employer must also grant use of paid sick time for the exclusion of the employee from the workplace under any law or rule that requires the employer to exclude the employee from the workplace for health reasons.</p> <p>Requests and certification of leave. An employer may require the employee to comply with the employer's usual and customary notice and procedural requirements for absences or for requesting time off if those requirements do not interfere with the ability of the employee to use sick time. For foreseeable leave, the employer may require reasonable advance notice, not to exceed 10 days before sick time is to begin, or as soon as otherwise practicable. If leave is unforeseeable, notice must be provided as soon as practicable and must comply generally with the employer's notice or procedural requirements for requesting or reporting other time off if those requirements do not interfere with the ability of the employee to use sick time.</p>	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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	<p>An employer may discipline an employee for violating workplace policies and procedures (but not for the use of sick time) if the employee fails to provide notice as required by the rules or fails to make a reasonable effort to schedule leave in a manner that does not unduly disrupt the operations of the employer. The employer may not deny sick time based on failure to provide notice unless the employee has been provided a copy of a written policy regarding notice.</p> <p>Medical verification or certification. If an employee takes more than 3 consecutive scheduled workdays of sick time for any authorized reason other than leave donation or a public health emergency, the employer may require the employee to provide verification from a healthcare provider of the need for the sick time, or certification of the need for leave for domestic violence, harassment, sexual assault, or stalking.</p> <p>If leave is foreseeable, verification or certification may be required before the sick time commences or as soon as otherwise practicable. If the employee begins sick time without providing prior notice required by the employer, medical verification must be provided to the employer within 15 calendar days after the employer requests the verification. For leave due to domestic violence, harassment, sexual assault, or stalking, certification must be provided to the employer within a reasonable time after the employee receives the request for certification. The employer must pay any reasonable costs for providing medical verification or certification, including lost wages, that are not paid under a health benefit plan.</p> <p>Pay. Employees must be paid their regular rate of pay, not including bonuses, other incentive pay, tips, overtime, holiday pay, or other premium rates. If an employee is paid on a commission or piece-rate, the employee needs to be paid at least Oregon minimum wage. An employer does not have to pay out accrued unused sick time at termination of employment.</p> <p>Existing policies. Employers with an existing sick time or PTO policy that is substantially equivalent to or more generous to the employee</p>		

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	<p>than the minimum requirements of the state paid sick time law will be deemed to be in compliance with the law. A substantially equivalent policy must provide at least the same number of sick time hours an employee would earn under the statute and must comply with all other minimum requirements listed in the statute (e.g., when employees can use sick time; the rate of accrual; the regular rate of pay; qualifying absences; conditions of notice and documentation; and employment protections).</p> <p>Use and carryover. Employees may carry over up to 40 hours of paid sick time to the next year, but they can use only 40 hours in any one year. If an employer has fewer than 10 employees working in the state, it must allow 40 hours of unpaid sick time to be accrued per year at the rate of one hour for every 30 hours worked. Employers may agree with their employees to cash out unused paid sick time at the end of the year as long as they immediately credit affected employees 40 hours of paid sick leave at the beginning of the next year. Employers may cap accrual of leave at 40 hours per year and/or 80 hours per employee.</p> <p>Notice. An employer must provide written notification at least quarterly to each employee of the amount of accrued and unused sick time available for use by the employee. Inclusion of the amount of accrued and used sick time on the wage statement meets the requirements of the sick time law. Employers must provide written notice of the law to all their employees no later than the end of the first pay period after hire. Copies of the employee notice letter and poster satisfying the notice requirements are available on the state Bureau of Labor and Industries (BOLI) website at www.oregon.gov/boli.</p> <p>Exemptions. The paid sick leave law does not apply to an employee who is covered by a collective bargaining agreement, so long as the employee is employed through a hiring hall or similar referral system operated by the labor organization or third party; and the employee's benefits are provided by a joint multiemployer-employee trust or benefit plan. All three conditions must exist for the exemption to apply;</p>		

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	<p>otherwise, the employee is entitled to statutory paid sick leave. <i>Citation:</i> ORS 653.256 and 659A.885.</p>		
PA	<p>There is no Pennsylvania state law requiring private employers to provide employees with sick leave, paid or unpaid.</p> <p>Philadelphia 21st Century Minimum Wage and Benefits Standard: Certain Philadelphia employers must provide full-time employees with one hour of paid sick leave for every 40 hours worked. Covered employers include certain contractors and subcontractors, depending on number of employees and value of contracts with City. <i>Citation:</i> Phila. Code § 17-1300—17-1312.</p> <p>Philadelphia Promoting Healthy Families and Workplaces Ordinance: Certain Philadelphia employers must provide certain employees with paid and unpaid sick leave. Employers required to pay one hour of paid sick leave for every 40 hours worked for a maximum of 40 hours per year are employers with 10 or more employees for at least 40 weeks in the calendar year and chain establishments with 15 or more establishments under the same name (regardless of where the other establishments are located).</p>	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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RI	<p>Paid sick leave: Effective July 1, 2018, the Healthy and Safe Families and Workplaces Act requires covered employers to provide employees with paid sick or safe leave. (<i>R.I. Gen. Laws 28-57-1 et seq.</i>).</p> <p>Leave accrual. Leave begins to accrue at the beginning of employment or July 1, 2018, whichever is later. Covered employees will accrue at least 1 hour of paid sick and safe leave time for every 35 hours of work, up to a maximum of 24 hours during the 2018 calendar year. In 2019, employees may accrue up to 32 hours of leave. In 2020 and thereafter, employees accrue up to 40 hours of leave.</p> <p>Employers may provide more generous annual limits in both accrual and use. Additionally, employers may provide all paid sick leave an employee is expected to accrue at the beginning of the year. Exempt employees accrue leave based on a 40-hour workweek (or, if fewer hours are worked, the normal workweek).</p> <p>Reasons for leave. Paid sick leave may be used for:</p> <ul style="list-style-type: none"> • An employee’s own physical or mental illness, need for diagnosis, care, or treatment; • Care of an employee’s family member’s mental or physical illness, need for diagnosis, care, or treatment; • Closure of the employee’s place of business or child’s school due to a public health emergency; <p>or</p> <ul style="list-style-type: none"> • Time needed when the employee or a family member is a victim of domestic violence, sexual assault, or stalking. <p>“Family member” is interpreted broadly, and includes a child, parent, spouse, mother-in-law, father-in-law, grandparent, grandchild, domestic partner, sibling, care recipient, or member of the employee’s household. “Care recipient” means a person for whom the employee is responsible for providing or arranging health or safety-related care, including, but not limited to, helping the person obtain diagnostic, preventive, routine, or</p>	There is no provision for this topic in this state.	<p>Paid sick leave: Employers with 18 or more employees in Rhode Island. Employers with fewer than 18 employees are exempt from the paid leave requirements; however, prohibitions against retaliation under the act apply to all employers.</p> <p>Temporary caregiver benefits: All employers (private or public) that participate in the Rhode Island Temporary Disability Insurance program.</p>

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State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
	<p>therapeutic health treatment or ensuring the person is safe following domestic violence, sexual assault, or stalking.</p> <p>Exceptions. The law does not cover:</p> <ul style="list-style-type: none"> • Individuals who, under the Rhode Island Minimum Wage Act, are not considered employees (e.g., outside salespersons, golf caddies, certain seasonal resort employees); • Independent contractors; • Subcontractors; • Federal work-study participants; • Apprentices and interns; <i>and</i> • Licensed nurses employed on a per diem basis by a healthcare facility. <p>Carryover of leave. Paid sick leave may be carried over to the following calendar year, but the use of leave in a given calendar year may not exceed the limits discussed above (e.g., 24 hours in 2018, 32 hours in 2019, and 40 hours in 2020 and beyond).</p> <p>Payout of unused leave. Employers are not required to pay out accrued, but unused, sick leave upon separation from employment. If, however, an employee separates from employment and is rehired within 135 days by the same employer, previously accrued paid sick and safe leave time must be reinstated, and the employee must be entitled to use and accrue additional leave at the re-commencement of employment.</p> <p>Interaction with existing policies. If an employer has a paid leave policy, including PTO, that provides at least the minimum amount of annual paid leave hours required by this law, the employer is exempt from the law's accrual, carryover, and use requirements, even if the employee uses the paid leave for purposes other than sick or safe leave. Nothing in this law should discourage or prohibit an employer from adopting a paid sick and safe leave policy that grants greater rights or benefits than those provided here.</p>		

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	<p>Temporary caregiver benefits: Effective January 1, 2014, the state temporary disability insurance (TDI) benefits provisions are expanded to cover up to 4 weeks of wage replacement in a benefit year for workers who take time off to care for a seriously ill child, spouse, domestic partner, parent, parent-in-law, or grandparent, or to bond with a new child, whether through birth, adoption, or foster care. An employer may require an employee who is entitled to leave under the federal FMLA or the Rhode Island Parental and Family Medical Leave Act to take any temporary caregiver benefits received concurrently with any leave taken under the state and federal leave laws.</p> <p>Covered children include biological, adopted, foster or step-children, as well as a legal ward, a son or daughter of a domestic partner, or a son or daughter of an employee who stands <i>in loco parentis</i> to that child. Upon expiration of such leave, the employee shall be restored to his/her previous position or to a position with equivalent seniority, status, pay, etc. During any caregiver leave, employers must maintain the employee's existing health benefits for the duration of such leave, with the employee only responsible for paying his or her contribution.</p> <p>Employers must provide notice to each new employee hired on or after January 1, 2014, and to each employee taking leave from work on or after January 1, 2014, due to pregnancy or the need to provide care for any sick or injured family member or new child. The state will require each employer to post and maintain information regarding the program. Notice and certification by the employee may be required. The law limits the benefit to four weeks per year, however, should an employee suffer his or her own disability or illness the same year as taking temporary caregiver benefits, he or she would also be able to access the full amount of his or her own temporary disability benefits that year, provided the total over the course of the year is no more than 30 weeks of his or her income. Employees cannot file for both temporary caregiver benefits and temporary disability</p>		

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State	Main provision of the paid sick leave law	Main provision of other paid leave laws	Covered employers
	benefits for the same purpose, concurrently.		
SC	There is no South Carolina law requiring private sector employers to provide employees with paid or unpaid sick leave.	There is no provision for this topic in this state.	There is no provision for this topic in this state.
SD	State employees are entitled to sick leave. <i>Citation:</i> SDCL § 3-6C-7; SDCL § 3-6C-9 (advanced sick leave).	State employees are entitled to holiday pay (SDCL § 3-6C-20), vacation pay (SDCL §§ 3-6C-4, -5).	State.
TN	There is no Tennessee law requiring private employers to provide employees sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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TX	<p>There is no Texas <i>state</i> law requiring private sector employers to provide employees sick leave, paid or unpaid.</p> <p>However, Texas cities have made efforts to enact local paid sick leave ordinances. These ordinances have been subject to legal challenge, so employers should review the latest developments regarding active injunctions and expected effective/enforcement dates.</p> <p>Specifically:</p> <p>Effective October 1, 2018, Austin employers with 6 or more employees must provide eligible workers with at least one hour of paid sick leave (PSL) benefits for every 30 hours of work. Employers with 5 or fewer employees must provide leave no later than October 1, 2020.</p> <p>Effective December 1, 2019, the San Antonio Sick and Safe Leave Benefits Ordinance requires all private employers to provide eligible employees with paid sick and safe leave benefits.</p> <p>Effective August 1, 2019, Dallas employers with 6 or more employees must provide paid sick leave benefits. Employers with 5 or fewer employees must provide leave effective August 1, 2021.</p> <p><i>Citation: Austin City Code Section 4-19-1 et seq.; City Code of San Antonio, Sec 15-269 et seq.; Dallas City Code Section 20-1 et seq.)</i></p>	There is no provision for this topic in this state.	There is no provision for this topic in this state.
UT	There is no Utah law requiring private employers to grant their employees sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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VT	Employers are required to provide sick leave as paid time off. Paid sick leave accumulates at no less than one hour for every 52 hours worked. Sick time may be used to recover from an injury or illness or to attend healthcare appointments (including physical therapy appointments); to care for a family member who is sick, injured, or attending healthcare appointments; to arrange for social, legal, or medical support or assistance with relocating for the employee or a family member who is a victim of domestic violence, sexual assault, or stalking; and to care for a family member whose school or business is closed for health or safety reasons. H.187 (2016).	There is no provision for this topic in this state.	There is no provision for this topic in this state.
VA	There is no Virginia law requiring private sector employers to provide employees sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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WA	<p>State Paid Sick Leave: Effective January 1, 2018, Washington employees subject to the state's minimum wage law are entitled to accrue at least one hour of paid sick leave for every 40 hours worked. Leave accrual begins January 1, 2018, or the beginning of employment, whichever is later.</p> <p>Employees may use accrued leave: (1) for their own illness, injury, or medical treatment; (2) to care for an ill or injured family member; (3) for the closure of their place of business or a child's school for a health-related reason; and (4) for absences that qualify for domestic violence leave. Employers may require new hires to wait for up to 90 days after hire before using accrued leave.</p> <p>Employees using paid sick leave may be required to give reasonable notice, and employers may require verification that employees' absences are for an authorized purpose if they exceed three days.</p> <p>Employers are permitted to limit the number of hours an employee can carry over each year to 40. Employers aren't required to pay for sick leave when employment is terminated, but they are required to restore previously accrued sick leave if an employee is rehired within 12 months.</p> <p>If employees have paid leave banks available, employers must permit employees to substitute paid leave (e.g., vacation or PTO) for unpaid sick leave in situations that qualify under the Washington Family Leave Act or Family Medical Leave Act.</p> <p><i>Citation:</i> 2016 IM 1433; Chapter 49.46.010 RCW <i>et seq.</i></p> <p>City of Seattle: Seattle has also adopted a Paid Sick and Safe Time (PSST) Ordinance. Effective July 1, 2018, amendments to the PSST ordinance aligned and expanded the city's existing law in response to the broader state requirements.</p>	<p>Paid family leave: Beginning January 1, 2020, eligible employees in Washington state will be entitled to up to 18 weeks of paid family and medical leave per year. Funding for the leave will be collected through payroll contributions based on employee wages.</p> <p>Additional details on family and medical leave are available in the Family and Medical Leave chart.</p> <p><i>Citation:</i> 2017 SB 5976; Chapter 50A RCW.</p>	<p>Washington State Paid Sick Leave: All employers.</p> <p>City of Seattle: All employers with Seattle-based employees. Accrual and carryover rates vary based on employer size.</p>

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	<p>Notable differences between the state and city law are detailed below.</p> <p><i>Coverage:</i> The PSST requires all private sector employers to provide paid sick and safe leave to their Seattle-based employees, <i>including overtime-exempt workers</i>. Employees of the City of Seattle are also entitled to leave. Employees who are typically based outside of Seattle, but work in Seattle on an occasional basis, are also covered once more than 240 hours of work are performed in the city in a year.</p> <p><i>Accrual, use, and carryover:</i> The amount of paid leave an employee may accrue and carry over from year to year depends on the size of the employer, with large employers being required to provide additional leave:</p> <ul style="list-style-type: none"> • Tier 1 employers (fewer than 50 full-time equivalents): Employees accrue 1 hour per every 40 hours of work. Employees may carry over 40 hours of leave per year. • Tier 2 employers (between 50 and 249 full-time equivalents). Employees accrue 1 hour per every 40 hours of work. Employees may carry over 56 hours of leave per year. • Tier 3 employers (250 or more full-time equivalents). Employees accrue 1 hour per every 30 hours of work. Employees may carry over 72 hours of leave per year. Tier 3 employers with combined PTO plans must permit carryover of 108 hours of PTO per year. <p>There is no cap on accrual or use of leave in a year. As is the case with the state law, employers may opt to provide paid sick and safe time in advance of accrual provided that the frontloading meets or exceeds the city law's accrual, use, and carryover requirements.</p> <p><i>Recordkeeping.</i> Each time wages are paid,</p>		

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	<p>employees must be provided with written notification of their available paid sick and safe leave, including details on newly accrued leave, any reductions to leave, and the amount of unused leave available.</p> <p><i>Notice.</i> Employers must provide employees with written notice of their rights under the law and of the employer's applicable policy and procedures.</p> <p>Additional details of the PSST's requirements, changes made by amendments to the ordinance, instructive guidance documents, and answers to Frequently Asked Questions are available from the city's Office of Labor Standards</p> <p><i>Citation:</i> Seattle Municipal Code, Ch. 14.16.010 <i>et seq.</i></p> <p>City of Tacoma. Effective January 1, 2018, the City of Tacoma revised its existing sick leave ordinance to align with state requirements. Additional information on the amendments and current requirements is available from the City of Tacoma website.</p> <p><i>Citation:</i> Tacoma Municipal Code Chapter 18.10.</p> <p>City of SeaTac. The city of SeaTac (the 10-square-mile area surrounding the Seattle-Tacoma International Airport) passed an ordinance granting paid sick leave to nonmanagerial, nonsupervisory employees working for covered employers in the hospitality and transportation industries within the city. The ordinance does not apply to employees of the airport.</p> <p><i>Citation:</i> SeaTac Municipal Code Ch. 7.45.</p>		
WV	There is no West Virginia law that requires private sector employers to provide employees with sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.

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WI	By state statute, municipalities (cities, villages, towns, and counties) are prohibited from enacting any ordinance that requires an employer to provide leave from employment, paid or unpaid, for an employee's health condition, to care for a family member who has a health condition, to seek medical attention, counseling, or other services for the employee or a family member due to domestic violence, sexual abuse, or stalking, or to deal with any other family, medical, or health issues of the employee or family member. <i>Citation: Wis. Stat. § 103.10(1m).</i>	There is no provision for this topic in this state.	There is no provision for this topic in this state.
WY	There is no Wyoming law requiring private sector employers to provide employees sick leave, paid or unpaid.	There is no provision for this topic in this state.	There is no provision for this topic in this state.