

Paid Sick and Safe Days Model Legislation: Main Points

Coverage: All employers, regardless of size, are covered.

Earning Paid Sick and Safe Time: Workers earn one hour of paid sick and safe time for, for example, every 30 hours worked. Workers start to earn paid sick time when they start work; they can use it after the expiration of a probationary period (usually 60 to 90 days on the job).

Limit on Use: Workers are limited in the amount of paid sick time they can use in a year.

Use of Paid Sick and Safe Time: Workers can use paid sick and safe time to

- Care for their own illness or get preventative care for themselves;
- Care for a family member or help that family member get preventative care; and
- Address issues for self or family member arising from domestic violence, stalking, or sexual assault, including seeking legal assistance and relocation.
- Address school (or business) closing due to a public health emergency (optional).

What Happens to Unused Paid Sick and Safe Time: Workers carry forward to the next year the amount of time they have earned, but they can only use up to the limit each year. There is no requirement for employers to pay workers for unused paid sick and safe time when the worker leaves the job.

Notification to Employers: Workers must let the employer know, either orally or in writing, that they need paid sick and safe time. For an absence of three days or longer, the employer can require reasonable certification.

Protections from Interference, Discrimination, and Retaliation: Employers cannot interfere with a worker's rights under the Act, or discriminate or retaliate against a worker for exercising those rights or complaining about an employer's failure to follow the Act. Employers cannot use paid sick and safe time taken pursuant to the Act against the worker in an absence control policy.

Employers' Existing Policies: As long as the employer allows for the same amount of leave that can be used for the same reasons and used in the same way, the employer does not have to change its policies. Collective bargaining agreements that have more generous policies are not affected. Alternatively, collective bargaining agreements must guarantee a certain amount of paid sick and safe time to be exempt.

Treatment of Small Businesses: Employees of small businesses can earn paid sick time at a slower rate (one hour for every 40 hours worked, for example) or can have a lower cap on how much can be used in a year.

Enforcement: The Act can be enforced by the Agency that oversees it and/or by individual court actions.