

Paid Sick Days Statutes

OCTOBER 2023

Paid sick days laws are or will soon be in place in **36 jurisdictions** across the country, including in **15 states** (including the District of Columbia), **17 cities** and **four counties**.

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Paid Sick Days – State and District Statutes

JUNE 2023

Key: **EE:** employee; **ER:** employer; **SB:** small business; **LB:** large business; **FTE:** full-time equivalent; **DV:** domestic violence; **SAFE:** safe time coverage; **PHE:** public health emergency; **CBA:** collective bargaining agreement; **PSL:** paid sick leave

Summary

Location	Summary
District of Columbia D.C. Code (2008, amended 2013) (effective 2014)	EEs accrue one hour of paid sick time for every 37 to 87 hours worked and can accrue and use up to three to seven days, depending on ER’s size. EEs in certain industries receive one hour for every 43 worked and can accrue and use up to five days regardless of ER size. Covers sick time for EE or family members’ care and for absences associated with domestic violence, sexual abuse or stalking.
Connecticut (2011) (effective 1/2012)	Enumerated EEs whose place of business has 50 or more staff accrue one hour of paid sick time for every 40 hours worked and can accrue and use up to 40 hours. Covers sick time for EE or family members’ care and for absences associated with domestic violence or sexual assault.
California (2014, amended 2015, 2016, 2022 and 2023) (effective 7/2015; 2016 expansion effective 7/2018; 2022 expansion effective 2023; 2023 expansion effective 2024)	EEs accrue one hour of paid sick time for every 30 hours worked and can use up to 40 hours and accrue up to 80 hours. ERs may use alternate accrual method if accrual is regular and provides sufficient time. Covers sick time for EE or family members’ care and for absences associated with EE’s domestic violence, sexual assault or stalking.

[Massachusetts \(2014\) \(effective 7/2015\)](#)

EEs whose place of business has 11 or more staff accrue one hour of paid sick time for every 30 hours worked and can accrue and use up to 40 hours. All others receive equivalent unpaid time. Covers sick time for EE or family members' care and for absences associated with EE or dependent child's domestic violence.

[Oregon \(2015\) \(effective 1/2016\)¹](#)

EEs whose place of business has 10 or more EEs (six or more EEs if ER is in a city with population above 500k, so that Portland's law remains in effect) accrue one hour of paid sick time for every 30 hours worked, and can accrue and use up to 40 hours. All others receive equivalent unpaid time. Covers sick time for EE or family members' care, for Oregon family leave purposes, for reasons related to a public health emergency and for absences associated with EE or minor child/dependent's domestic violence, sexual harassment, assault or stalking.

[Vermont \(2016\) \(effective 1/2017 for LB, and 1/2018 for SB\)](#)

EEs accrue one hour of paid sick time for every 52 hours worked and can accrue or use up to 24 hours in 2017 and 2018, and 40 hours in 2019 and following years. Workers in small businesses begin to accrue and use time in 2018. Covers sick time for EE or family members' care (including long-term care appointments for parent, grandparent, spouse or parent-in-law), absences associated with EE or family member's domestic violence, sexual assault or stalking, and closures for public health or safety reasons.

[Arizona \(2016\) \(effective 7/2017\)](#)

EEs accrue one hour of paid sick time for every 30 hours worked. EEs whose place of business has 15 or more EEs can accrue and use up to 40 hours per year. All others can accrue and use up to 24 hours per year. Covers sick time for EE or family members' care, absences associated with EE or family member's domestic violence, sexual violence, abuse or stalking, closures for public health or safety reasons, and care for EE's or family member's exposure to a communicable disease.

[Washington \(2016\) \(effective 1/2018\)](#)

EEs accrue one hour of paid sick time for every 40 hours worked. Covers sick time for EE or a family member's care, absences associated with EE or a family member's domestic violence, sexual assault, or stalking, closures for public health reasons.

[Rhode Island \(2017\) \(effective 7/2018\)](#)

EEs of ERs with 18 or more EEs accrue one hour of paid sick time for every 35 hours worked and can accrue and use up to 24 hours in 2018, 32 hours in 2019, and 40 hours in 2020 and beyond. ERs who employ fewer than 18 EEs are not required to allow workers to accrue paid sick days but must allow use of unpaid sick time of up to 24 hours in 2018, 32 hours in 2019 and 40 hours in 2020. Covers sick time for EE or family members' care, absences associated with EE or family

¹ Oregon's law preempted the ordinance that was enacted by Eugene, Ore.; Eugene's ordinance was no longer in effect as of January 1, 2016.

member's domestic violence, sexual assault or stalking, and closures for public health or safety reasons.

[Maryland \(2018\) \(effective 2/2018\)](#)

EEs whose place of business has 15 or more employees accrue one hour of paid sick time for every 30 hours worked and can accrue up to 40 hours in a year and 64 hours at any time, and can use up to 64 hours in a year. All others receive equivalent unpaid time. Covers sick time for EE or family members' care and for absences associated with EE or family member's domestic violence, sexual assault or stalking.

[New Jersey \(2018\) \(effective 10/2018\)²](#)

EEs accrue one hour of paid sick time for every 30 hours worked, and can accrue up to 40 hours in a year. Covers sick time for EE or family members' care and for absences associated with EE or family member's care; absences associated with EE or family member's domestic violence, sexual assault or stalking, closures for public health emergencies or to attend child's school-related conference or meeting.

[New York \(2020\) \(Accrual effective 9/2020\) \(Benefits effective 1/2021\)](#)

EEs accrue one hour of sick time for every 30 hours worked. EEs whose place of business has four or fewer employees and whose place of business has a net income of less than one million dollars can accrue up to 40 hours of unpaid sick time; EEs whose place of business has five to 99 employees can accrue and use up to 40 hours of paid sick time; EEs whose place of business has 100 or more employees can accrue up to 56 hours of paid sick time. Covers sick time for EE or family members' care and for absences associated with EE or family member's care; absences associated with EE or family member's domestic violence, family offense, sexual offense, stalking or human trafficking.

[New Mexico \(2021\) \(effective 7/2022\)](#)

EEs accrue at least one hour of paid sick time for every 30 hours worked. EEs can carry over unused time, but ERs can limit EE's use of time to 64 hours of leave every 12 months. Covers sick time for EE or family member's care, for meetings at the EE's child's school or place of care related to the child's health or disability, and for absences associated with EE or family member's domestic abuse, sexual assault or stalking.

[Colorado \(2020\) \(effective 1/2021 for LBs and 1/2022 for SBs\)](#)

PSL: EEs accrue one hour for every 30 hours worked. EEs can carry over unused time, but ERs can limit EE's use of time to 48 hours of leave every 12 months. Covers sick time for EE or family member's care and for absences associated with EE or family member's domestic abuse, sexual assault, or harassment.

PHE: During a PHE, full-time EEs are given additional PSL so that they have at least 80 hours and part-time EEs are given additional time so that they have time

² New Jersey's statewide law superseded previously passed local paid sick days laws when it went into effect in October 2018.

equivalent to what they work (or are scheduled for, if greater) in two weeks. Covers leave for PHE-related care (or precautions) for EE or family member, including school and place of care closings.

[Minnesota \(2023\) \(effective 1/2024\)](#)

EEs accrue at least one hour of paid sick time for every 30 hours worked, and can accrue up to 48 hours in a year. Covers sick time for EE or family member’s care, absences associated with EE or family member’s domestic abuse, sexual assault or stalking, closures of EE’s place of business or family member’s school or place of care due to weather or other public emergency, and certain other needs associated with a public health emergency.

Law/Bill Number and Impact

Location	Law/Bill Number	Impact
<u>District of Columbia</u>	§ 32-131.01 et seq.	Approx. 220,000 workers formerly without sick time gained it through this law. ¹
<u>Connecticut</u>	Public Act 11-52	Approx. 200,000 workers formerly without sick time gained it through this law. ²
<u>California</u>	Cal. Labor Code §§ 245, 2810.5	Approx. 6.9 million workers formerly without sick time will gain it through this law. ³
<u>Massachusetts</u>	Mass. Gen. Laws ch. 149, § 148(c), (d)	Approx. 900,000 workers formerly without sick time will gain it through this law. ⁴
<u>Oregon</u>	ORS §§ 653.256, 659A.885	Approx. 473,000 workers formerly without sick time will gain it through this law. ⁵
<u>Vermont</u>	21 Vt. Stat. §§ 384, 481-485, 345; 29 Vt. Stat. § 161	Not yet determined. Approx. 60,000 workers were without paid sick time before the law’s passage, but carve-outs create challenges in estimating the number who will gain access. ⁶
<u>Arizona</u>	Ariz. Title 23, Ch. 2, Art. 8, §§ 23-363, 23-364; Title 23, Ch. 2, Art. 8.1	Approx. 934,000 workers formerly without sick time will gain it through this law. ⁷
<u>Washington</u>	RCW 49.46.005, 49.46.020, 49.46.090, 49.46.100	Approx. 1,000,000 workers formerly without sick time will gain it through this law. ⁸

Rhode Island	H. 5413	Approx. 100,000 workers formerly without sick time will gain it through this law. ⁹
Maryland	H.B. 0001	Approx. 750,000 workers were without sick time before the law's passage. ¹⁰
New Jersey	A. 1827	Approx. 1.2 million workers formerly without sick time will gain it through this law. ¹¹
New York	S. 7506-B/A. 9506-B	Approx. 2.6 million workers formerly without sick time will gain it through this law. ¹²
New Mexico	H.B. 20	Approx. 286,000 workers formerly without sick time will gain it through this law. ¹³
Colorado	Colo. Rev. Stat. Ann. § 8-13.3-401-.416	Approx. 813,000 workers formerly without sick time will gain it through this law. ¹⁴
Minnesota	Minn. Sess. Laws ch. 53, article 12	Not yet determined.

Exemption

Location	Exemption
District of Columbia	Does not apply to independent contractors; students employed by their higher education institution for less than 25 hours/week; health care workers in premium pay programs; volunteers that engage in activities of an educational, charitable, religious, or nonprofit organization; casual baby-sitter; some religious organization members.
Connecticut	Does not apply to EEs not employed in one of the 68 enumerated service occupations or by ERs with fewer than 50 EEs; salaried or exempt workers; temporary workers; certain state EEs; manufacturing ERs; nationally chartered nonprofits (i.e., the YMCA).
California	Does not apply to EEs of any governmental entity who receive a retirement allowance and are now reemployed without reinstatement into retirement system; EEs covered by a CBA with express sick time; construction EEs covered by a CBA; in-home support service workers who have worked less than 30 days in the state; certain airline flight deck or cabin crew members; EEs who have worked less than 30 days for the same ER.

<u>Massachusetts</u>	Does not apply to city or town EEs.
<u>Oregon</u>	Does not apply to EEs who are covered by a CBA, who are employed through a labor organization referral system and whose benefits are provided by a multi-employer-employee plan; are ER's child, spouse or parent; EEs who receive paid sick time under federal law; independent contractors; work-study students; work training program participants; railroad workers exempted under the Federal Railroad Insurance Act.
<u>Vermont</u>	Does not apply to workers who average less than 18 hours of work per week in a year, federal government EEs; state government EEs who are exempt from state classified service; EEs who work for an ER for 20 or fewer weeks in a year on a job scheduled to last 20 weeks or fewer; per diem/intermittent health care or long-term care facility EEs; substitute teachers who are not contracted to provide long-term substitute coverage; EEs under age 18; per diem or temporary EEs who work only when they indicate they are available, are under no obligation to work for ER and have no expectation of continuing employment with the ER; new ERs are not subject to the law for one-year period after hiring first EE.
<u>Arizona</u>	Does not apply to state or federal government EEs; persons employed by a parent or a sibling; or persons performing babysitting services in ER's home on a casual basis.
<u>Washington</u>	Does not apply to workers who are exempt from Washington state minimum wage law.
<u>Rhode Island</u>	Does not apply to state or municipal EEs; ERs with fewer than 18 EEs, provided they allow EEs to use up to 24 hours in 2018, 32 hours in 2019 and 40 hours in 2020 of unpaid sick time; ERs with a paid time off policy or paid sick and safe leave policy that makes available at least the same amount of time as the bill; construction EEs covered by a CBA; licensed nurses who are employed by a health care facility, are under no obligation to work a regular schedule, work only when they are available and are under no obligation to work when unavailable, and receive higher pay than an EE at the same facility who works a regular schedule.
<u>Maryland</u>	Does not apply to individuals who are casual employees, independent contractors, licensed real estate salespersons, licensed associate real estate brokers, under the age of 18, employed in the agricultural sector on an agricultural operation, regularly work less than 12 hours a week, employed by temporary services agency to provide temporary staffing services if the agency does not have day-to-day control over work assignments and supervision, directly employed by an employment agency to provide part-time or temporary services to another person, or who are employed in

	the construction industry and covered by a CBA that expressly waives the terms of the bill.
New Jersey	Does not apply to public employees, construction workers under contract pursuant to a collective bargaining agreement or per diem hospital health care employees.
New York	Applies to all employees.
New Mexico	Does not apply to public EEs, certain railroad EEs, and flight deck/cabin crews subject to the Railway Labor Act.
Colorado	Does not apply to EEs subject to the Railroad Unemployment Insurance Act.
Minnesota	Does not apply to EEs who work fewer than 80 hours in a year for an employer, independent contractors, and flight deck/cabin crews subject to the Railway Labor Act who work less than a majority of hours in Minnesota and receive at least as much paid leave as the amount of paid sick time provided under the law.

Accrual Rate and Maximum

Location	Accrual Rate and Maximum
District of Columbia	<p>SB (1-24 EEs): One hour for every 87 hours worked, up to three days</p> <p>MB (25-99 EEs): One hour for every 43 hours worked, up to 5 days</p> <p>LB (100 or more EEs): One hour for every 37 hours worked, up to seven days.</p> <p>Tipped restaurant and bar workers: One hour for every 43 hours worked, up to five days</p>
Connecticut	50 or more EEs: One hour for every 40 hours worked, up to 40 hours
California	One hour for every 30 hours worked, can use up to 40 hours, accrue up to 80 hours.
Massachusetts	<p>SB (1-10 EEs): One hour of <i>unpaid</i> time off for every 30 hours worked, up to 40 hours</p> <p>LB (11 or more EEs): One hour of paid time off for every 30 hours worked, up to 40 hours</p>
Oregon	SB (1-9/1-5 EEs in Portland)³: One hour of <i>unpaid</i> time off for every 30 hours worked or 1-1/3 hours for every 40 hours worked, up to 40 hours

³ For ERs in a city with a population exceeding 500,000, an SB is 1-5 EEs and an LB is 6 or more; for ERs in all other locations, an SB is 1-9 EEs and an LB is 10 or more.

LB (10 or more/6 or more EEs in Portland): One hour of paid time off for every 30 hours worked or 1-1/3 hours for every 40 hours worked, up to 40 hours

[Vermont](#)

SB (1-5 EEs): Beginning on 1/1/2018, one hour for every 52 hours worked; in 2018, can accrue and use up to 24 hours; in 2019 and following years, can accrue and use up to 40 hours

LB (6 or more EEs): One hour for every 52 hours worked; in 2017 and 2018, can accrue and use up to 24 hours; in 2019 and following years, can accrue and use up to 40 hours

NOTE: New businesses have a one-year period of exemption before paid sick time requirements apply.

[Arizona](#)

SB (1-14 EEs): One hour for every 30 hours worked, can accrue and use up to 24 hours

LB (15 or more EEs): One hour for every 30 hours worked, can accrue and use up to 40 hours

[Washington](#)

One hour for every 40 hours worked. ER is not required to allow more than 40 hours to carry over to the following year.

[Rhode Island](#)

SB (1-17 EEs): Must allow use of up to 24 hours in 2018, 32 hours in 2019 and 40 hours in 2020 of unpaid sick time

LB (18 or more EEs): One hour for every 35 hours worked, can accrue and use up to 24 hours in 2018, 32 hours in 2019 and 40 hours in 2020 and beyond

[Maryland](#)

SB (1-14 EEs): One hour of *unpaid* time off for every 30 hours worked; can earn up to 40 hours in a year, use up to 64 hours in a year, and accrue up to 64 hours at any time

LB (15 or more EEs): One hour of *paid* time off for every 30 hours worked; can earn up to 40 hours in a year; use up to 64 hours in a year, and accrue up to 64 hours at any time

[New Jersey](#)

One hour for every 30 hours worked, can accrue and use up to 40 hours. ER is not required to allow more than 40 hours to carry over to the following year.

[New York](#)

One hour for every 30 hours worked.

SB (4 or fewer EEs): Can accrue and use up to 40 hours of *unpaid* sick time*

MB (5-99 EEs): Can accrue and use up to 40 hours of paid sick time

LB (100+ EEs): Can accrue and use up to 56 hours of paid sick time.

***SB (4 or fewer EEs):** Businesses that have 4 or fewer EEs but have a net income of 1 million dollars or more in the previous tax year must provide 40 hours of paid sick time.

[New Mexico](#)

Accrues at least one hour for every 30 hours worked. Can carry over from year to year, but ERs can limit EEs to using only 64 hours in a year.

[Colorado](#)

PSL: Accrues at least one hour for every 30 hours worked. Can carry over up to 48 hours from year to year, but ERs can limit EEs to using only 48 hours in a year (except during a PHE).

PHE: All PHE-related PSL is provided on the day a PHE is declared.

[Minnesota](#)

Accrues at least one hour for every 30 hours worked, up to 48 hours in a year. Can carry over from year to year, but ERs can limit total accrued time to 80 hours at any given time.

Waiting Period for Accrual and Use

Location	Waiting Period for Accrual and Use
<u>District of Columbia</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment.
<u>Connecticut</u>	Accrual begins at commencement of employment; accrued hours may be used 680 hours after commencement of employment.
<u>California</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment.
<u>Massachusetts</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment.
<u>Oregon</u>	Accrual begins at commencement of employment; accrued hours may be used 91 days after commencement of employment.
<u>Vermont</u>	Accrual begins at commencement of employment; ER may require EEs to complete waiting period of up to one year after commencement of employment or effective date of law (whichever is later) before using accrued hours.
<u>Arizona</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment.

Washington	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment.
Rhode Island	Accrual begins at commencement of employment or law's effective date (whichever is later); ERs may require a waiting period of up to 90 days for newly hired EEs; longer waiting periods for seasonal and temporary EEs.
Maryland	Accrual begins at commencement of employment; accrued hours may be used 106 days after commencement of employment.
New Jersey	Accrual begins at commencement of employment; accrued hours may be used 120 days after employment commences.
New York	Accrual begins at commencement of employment.
New Mexico	Accrual begins at commencement of employment or 7/2022 (whichever is later); accrued hours may be used immediately.
Colorado	PSL: Accrual begins at commencement of employment (or, if later, 1/2021 for LBs and 1/2022 for SBs); accrued hours may be used immediately. PHE: All additional PSL from a PHE accrues at once:
Minnesota	Accrual begins at commencement of employment; hours can be used as they are accrued.

Family Member Coverage

Location	Family Members Covered <u>Other Than Self, Child, Spouse or Parent</u>
District of Columbia	Domestic partner; live-in partner (living together at least 12 months); sibling; sibling's spouse; grandchild; parent-in-law; spouse of child; child living with EE for whom EE cares permanently
Connecticut	Child and spouse only
California	Domestic partner; sibling; grandparent; grandchild; legal ward; parent of spouse or domestic partner; legal guardian of EE, spouse or domestic partner; person with whom EE was or is in a relationship of in loco parentis; Amended in 2022 (effective 2023) to add a designated person (at the time the worker requests leave) who does not need to be related to the worker. ERs can limit

	EEs to one designated person per year ⁴
<u>Massachusetts</u>	Parent-in-law; legal ward; person who assumed the responsibilities of parenthood for EE or child for whom EE assumed responsibility
<u>Oregon</u>	Grandparent; grandchild; parent-in-law; person with whom EE was or is in a relationship of in loco parentis
<u>Vermont</u>	Grandparent; grandchild; sibling; parent-in-law
<u>Arizona</u>	Domestic partner; sibling; grandparent; grandchild; legal ward; parent of spouse or domestic partner; legal guardian of EE or spouse; person with whom EE was or is in a relationship of in loco parentis; any other individual related by blood or affinity whose close association with EE is the equivalent of a family relationship
<u>Washington</u>	Domestic partner; sibling; grandparent; grandchild; legal ward; child for whom EE is a de facto parent; parent of spouse or domestic partner; person with whom EE was or is in a relationship of in loco parentis
<u>Rhode Island</u>	Domestic partner; sibling; grandparent; grandchild; care recipient (person for whom EE is responsible for providing or arranging health or safety related care); member of EE's household
<u>Maryland</u>	Child for whom the EE has legal or physical custody or guardianship; child for whom employee stands in loco parentis; legal guardian of the EE; individual who acted as a parent or stood in loco parentis to the EE or EE's spouse when EE or spouse was a minor; grandparent; grandchild; sibling
<u>New Jersey</u>	Grandchild, sibling, domestic partner, civil union partner, grandparent; spouse, domestic partner, or civil union partner of a parent or grandparent; sibling of a spouse, domestic partner or civil union partner of the EE; any other individual related by blood to the EE or whose close association with the EE is the equivalent of a family relationship
<u>New York</u>	Sibling, domestic partner, grandchild, grandparent; child or parent of EE's spouse or domestic partner; child for whom EE stands in loco parentis; legal ward of EE; individual who acted as a parent or stood in loco parentis to EE; legal guardian of EE
<u>New Mexico</u>	Domestic partner; EE's, spouse's, or domestic partner's child, stepchild, legal ward, child for whom they stand in loco parentis, parent, step-parent, legal guardian, grandparent; grandchild, sibling; a person who stood in loco parentis when the EE was a child; spouse or domestic partner of a family member; an individual whose

⁴ A.B. 1041, 2021-2022 Reg. Sess. (Cal. 2022) (enacted)

close association with the EE or the EE’s spouse or domestic partner is the equivalent of a family relationship

Colorado

Any person who is related by blood, marriage, civil union, or adoption; a child for whom they stand in loco parentis; a person who stood in loco parentis when the EE was a child; a person for whom the EE is responsible for providing or arranging health- or safety-related care

Minnesota

Domestic partner; child for whom EE is legal guardian or for whom EE stands or stood in loco parentis; sibling; person who stood in loco parentis when the EE was a child; grandchild; grandparent; child of EE’s sibling; sibling of EE’s parent; child- or sibling-in-law; above family member of spouse or domestic partner; an individual related by blood or whose close association with the EE is the equivalent of a family relationship; up to one person designated annually by EE

Safe Time Coverage, Coverage for Public Health Emergency and/or Other Coverage

Location	Safe Time Coverage, Coverage for Public Health Emergency and/or Coverage for Other Purposes
<u>District of Columbia</u>	SAFE: Coverage for EE’s or family member’s DV, sexual assault or stalking
<u>Connecticut</u>	SAFE: Coverage for EE’s DV or sexual assault
<u>California</u>	SAFE: Coverage for EE’s DV, sexual assault or stalking
<u>Massachusetts</u>	SAFE: Coverage for EE or dependent child’s DV
<u>Oregon</u>	<p>SAFE: Coverage for EE or minor child/dependent’s DV, harassment, sexual assault or stalking</p> <p>PHE: Coverage for closure of place of business or child’s school or place of care; coverage to care for self or family member if would jeopardize health of community or if EE is excluded from the workplace for health reasons</p>
<u>Vermont</u>	<p>SAFE: Coverage for EE or family member’s DV, sexual assault or stalking</p> <p>PHE: Coverage for closure of family member’s business or school for public health or safety reasons</p>

Other: Coverage for accompanying parent, grand-parent, spouse or parent-in-law to appointment related to long-term care

[Arizona](#)

SAFE: Coverage for EE's or family member's DV, sexual violence, abuse or stalking

PHE: Coverage for closure of place of business or child's school or place of care; coverage to care for self or family member exposed to a communicable disease

[Washington](#)

SAFE: Coverage for EE or family member's DV, sexual assault, or stalking

PHE: Coverage for closure of place of business or child's school or place of care for any health-related reason

[Rhode Island](#)

SAFE: Coverage for EE or a family member's DV, sexual assault or stalking

PHE: Coverage for closure of place of business or child's school or place of care; coverage to care for self or family member exposed to a communicable disease

[Maryland](#)

SAFE: Coverage for EE or family member's DV, sexual assault or stalking

[New Jersey](#)

SAFE: Coverage for EE or family member's domestic or sexual violence or stalking.

PHE: Coverage for closure of place of business or child's school or place of care

Other: Coverage for time needed by EE for child's school-related conference, meeting, function or other event.

[New York](#)

SAFE: Coverage for EE or family member's domestic violence, family offense, sexual offense, stalking or human trafficking

[New Mexico](#)

SAFE: Coverage for EE or family member's domestic abuse, sexual assault or stalking.

Other: Coverage for meetings at the EE's child's school or place of care related to the child's health or disability.

[Colorado](#)

SAFE: Coverage for EE or family member's domestic abuse, sexual assault or harassment.

PHE: Coverage for closure of place of business or child's school or place of care.

[Minnesota](#)

SAFE: Coverage for EE's or family member's domestic abuse, sexual assault or stalking.

PHE: Coverage for EE being prohibited from working or teleworking due to health concerns related to potential transmission of communicable disease, awaiting test or diagnosis results for communicable disease due to exposure or employer's

request, coverage to care for self or family member if community health would be jeopardized due to the individual's exposure to communicable disease.

Other: Coverage for closure of EE's place of business or family member's school or place of care due to weather or other public emergency.

Treatment of Collective Bargaining Agreements

Location	Treatment of Collective Bargaining Agreements
District of Columbia	Does not diminish obligations under CBAs that provide greater benefits; a CBA cannot waive the paid time requirements of the Act unless the CBA provides at least three paid days of sick time; does not apply to EEs in construction or building industry covered by a CBA; does not apply to existing CBAs until the earlier of the date of their expiration or 18 months after enactment
Connecticut	Does not diminish obligations under CBAs that provide greater benefits; does not preempt or override the terms of any CBAs in effect prior to legislation's effective date
California	Does not diminish obligations under CBAs that provide greater benefits; does not apply to an EE covered by a CBA if agreement expressly provides: (1) employment terms, (2) paid sick days or an equivalent leave policy (3) arbitration of paid sick day disputes, (4) premium wage rates for all overtime hours worked, and (5) regular hourly rate not less than 30 percent more than state minimum wage rate; does not apply to an EE in the construction industry covered by a CBA if agreement provides (1), (4) and (5) if the agreement was either entered into before Jan. 1, 2015 or expressly waives requirement in clear and unambiguous terms
Massachusetts	Does not diminish obligations under CBAs that provide greater benefits
Oregon	Does not apply to workers covered by CBAs who are employed through a labor organization referral system and whose benefits are provided by a multi-employer-employee plan; does not diminish obligations under CBAs that provide greater benefits
Vermont	Does not diminish obligations under CBAs that provide greater benefits; does not preempt or override terms of a CBA in effect before January 1, 2017
Arizona	Does not diminish obligations under CBAs that provide greater benefits; does not apply if CBA expressly waives requirements in clear and unambiguous terms; does not apply to existing CBAs until their expiration
Washington	Not specified

<u>Rhode Island</u>	Does not diminish obligations under CBAs that provide greater sick and safe leave time than required in bill; does not apply to construction EEs covered by a CBA
<u>Maryland</u>	Does not apply to workers in the construction industry who are covered by a CBA that expressly waives requirements of the bill in clear and unambiguous terms
<u>New Jersey</u>	Does not apply to workers in the construction industry that are under a contract pursuant to a CBA; does not diminish obligations under CBAs that provide greater benefits; does not apply to existing CBAs until their expiration.
<u>New York</u>	Does not diminish obligations under CBAs that provide comparable benefits
<u>New Mexico</u>	Shall be in addition to leave under a CBA, unless the CBA leave may be used for the same purposes and under the same terms and conditions as the law's PSL. Does not preempt, limit, or otherwise affect CBAs that provide for greater accrual or use of paid or unpaid sick days
<u>Colorado</u>	Does not diminish obligations under CBAs that provide greater benefits
<u>Minnesota</u>	Does not diminish obligations under CBAs that provide benefits that meet or exceed, and do not otherwise conflict with, minimum standards under the law

Applicability to ER's Existing Policy

Location	Applicability to ER's Existing Policy
<u>District of Columbia</u>	No additional time required if ER provides paid time that meets Act's accrual requirement and that can be used for the same purposes and under the same conditions
<u>Connecticut</u>	No additional time required if ER provides paid time that meets Act's accrual requirement and that can be used for the same purposes
<u>California</u>	No additional time required if ER provides paid time that can be used for the same purposes and under the same conditions and meets one of the following: (1) the Act's accrual, carry over, and use requirements; (2) provided equivalent time off before Jan. 1, 2015; or (3) is provided pursuant to the sick leave policy for state EEs
<u>Massachusetts</u>	No additional time required if ER provides paid time that meets bill's accrual requirement and that can be used for the same purposes and under the same conditions
<u>Oregon</u>	No additional time required if ER provides paid time that is substantially equivalent

to or more generous than the Act

[Vermont](#)

No additional time required if ER provides paid time that meets bill's use and accrual requirements and can be used for same purposes, or paid time that is provided at the beginning of the year in same amount and can be used for same purposes

[Arizona](#)

No additional time required if ER provides paid time that meets statute's accrual requirements and that can be used for the same purposes and under the same conditions

[Washington](#)

ERs are not prevented from providing more generous paid sick leave policies; applicability to other forms of paid time not specified

[Rhode Island](#)

No additional time required if ER has a paid time off or paid sick days policy that makes available the same amount of time that can be accrued under the law

[Maryland](#)

No modification to an existing policy is required if ER provides paid time that meets accrual and use requirements and that can be accessed and accrued at the same rate and used for the same purposes

[New Jersey](#)

ER in compliance and no additional time required if ER offers paid time off which is fully paid, can be used for the same purposes and in the same manner as provided by the law and meets the law's accrual rate

[New York](#)

No additional time required if ER has a paid sick days or time off policy that provides EEs with an amount of leave which meets or exceeds the requirements of the section

[New Mexico](#)

No additional time required if ER has a paid time off policy that meets, at a minimum, the accrual and use requirements of the law

[Colorado](#)

PSDs: No additional time required if ER has a more generous PSL policy.
PHE: No additional time required if EE has access to 80 hours of leave (for full-time EEs) or an amount of leave equal to the amount of time the EE is scheduled (or actually works, if greater) for a two-week period (for part-time EEs)

[Minnesota](#)

No additional time required if ER has a paid time off or other paid leave policy that may be used for same purposes and under same conditions, and that meets or exceeds and does not otherwise conflict with, minimum standards and requirements under the law

Enforcement Agency & Mechanism

Location	Enforcement Agency & Mechanisms
District of Columbia	DC Department of Employment Services, Office of Wage and Hour: agency will investigate possible violations, order reinstatement of terminated EEs, order payment, and impose penalties and fines against willful violators
Connecticut	Connecticut Department of Labor: file complaint with labor commissioner; relief includes civil penalties, back pay and reinstatement; EEs who do not earn paid time under the law but are covered by an ER's paid time policy and are employed by covered ERs are still protected by the anti-retaliation provision in the law
California	California Office of Industrial Relations, Labor Commissioner's Office: EEs may file a complaint; labor commissioner may investigate ERs; hearing is before labor commissioner, who may order payment of back pay, payment of unlawfully withheld paid sick days, reinstatement or fines up to \$4000 for withholding or violations
Massachusetts	Massachusetts Attorney General's Office: EEs may file a complaint; attorney general may obtain injunctive or declaratory relief, fines up to \$15,000, and civil citation; ER may appeal to attorney general's office
Oregon	Oregon Bureau of Labor and Industries: file a complaint; agency may investigate ERs and conduct mediation; if claim is for unpaid wages, agency may place a lien on ER's property; agency may provide for administrative proceeding; ER may appeal to court of appeals; relief includes fines up \$1,000 for willful violation
Vermont	Vermont Department of Labor: EEs may file a complaint; agency will investigate claim and attempt to arrange a settlement between EE and ER; relief includes collection of unpaid wages, additional payment of up to twice the amount of unpaid wages for willful violations, fines up to \$5,000
Arizona	Arizona Industrial Commission: any person or organization may file a complaint; commission or law enforcement officer may inspect and review business records; relief includes civil penalties of at least \$250 for a first violation and at least \$1,000 for each subsequent or willful violation; payment of unlawfully withheld paid sick time, including interest, and an additional amount equal to twice the paid sick time; relief for retaliation includes at least \$150 for each day the violation occurred
Washington	Washington Department of Labor and Industries: EE may file a complaint; director may inspect business records and may bring any legal action necessary to collect EE's claim; relief includes back pay and attorney's fees and court costs

<u>Rhode Island</u>	Rhode Island Department of Labor, Division of Labor Standards: EE may file a complaint; Division will investigate; relief includes civil penalties of at least \$100
<u>Maryland</u>	Maryland Department of Labor, Licensing and Regulation: EE may file a complaint with Commissioner of Labor and Industry; commissioner shall conduct investigation and attempt to resolve through mediation; commissioner can issue an order to collect unpaid sick time, three times value of unpaid earned sick time and a civil penalty of up to \$1,000 for each EE for whom ER not in compliance
<u>New Jersey</u>	New Jersey Department of Labor and Workforce Development: EE may file complaint with Department; Department will investigate
<u>New York</u>	New York Department of Labor: unclear at this time on process for filing claim of violation
<u>New Mexico</u>	Labor Relations Division of the New Mexico Department of Workforce Solutions: EE may file a complaint; agency will establish a system to audit ERs and receive, review, investigate and resolve complaints; audit ERs
<u>Colorado</u>	Division of Labor Standards and Statistics in the Colorado Department of Labor and Employment: EE may file a complaint; agency will investigate each claim of denial of leave and agency may investigate claims of retaliation
<u>Minnesota</u>	Minnesota Department of Labor and Industry; EE may file a complaint; department can issue a compliance order, and can order payment of back pay, gratuities, compensatory damages, and liquidated damages; repeated or willful violators are subject to civil penalty of up to \$10,000 for each violation for each EE

Private Right of Action

Location	Private Right of Action
<u>District of Columbia</u>	Yes; may sue for back pay, damages, and/or reinstatement
<u>Connecticut</u>	Yes; may appeal administrative decision to Superior Court
<u>California</u>	Not specified; labor commissioner or attorney general may file civil action in court of competent jurisdiction
<u>Massachusetts</u>	Yes; ER may appeal administrative decision to Superior Court; EE may sue after exhausting administrative remedies for relief including injunctive relief, damages, and lost wages

<u>Oregon</u>	Yes; may sue in court, which can impose relief including reinstatement, back pay, and injunctive relief
<u>Vermont</u>	No
<u>Arizona</u>	Yes; may sue in court; relief includes payment of unpaid earned sick time, civil penalties, attorney's fees and court costs, and other appropriate legal or equitable relief
<u>Washington</u>	Not specified
<u>Rhode Island</u>	Yes; may file suit (including class action) in civil court; relief includes payment of unpaid wages/benefits, compensatory damages, liquidated damages up to twice the amount of unpaid wages/benefits, reinstatement, attorneys' fees and costs and any other appropriate relief
<u>Maryland</u>	Yes; EE may bring action to enforce an order from the Commissioner. Relief includes three times value of EEs unpaid sick time, punitive damages, attorney's fees and costs, injunctive relief and any other relief the court deems appropriate
<u>New Jersey</u>	Yes; EE may file suit with court alleging violation of law; relief includes actual damages plus an equal amount of liquidated damages
<u>New York</u>	Not specified
<u>New Mexico</u>	<p>Yes; may sue in court (including joint actions); no administrative exhaustion requirement; costs and attorney fees; type of relief depends on the violation:</p> <ul style="list-style-type: none"> ● Sick day taken, but not paid for - treble wages or \$500 (whichever is greater) ● Sick day refused or conditioned on finding a replacement - actual damages or \$500 (whichever is greater) ● Retaliation – damages, \$250 and equitable relief ● Discharge – damages, \$500, and reinstatement or other equitable relief ● Record-keeping or notice violations - \$250 ● Misclassification of EEs – actual damages or \$500 (whichever is greater)
<u>Colorado</u>	Yes; EE may sue in court to appeal the administrative hearing officer's decision; type of relief includes reinstatement and lost pay
<u>Minnesota</u>	Yes; EE may bring action in civil court; relief includes any and all damages recoverable at law, attorney's fees and costs/disbursements, injunctive relief and other equitable relief as determined by court

Paid Sick Days – City and County Laws

JUNE 2023

Key: **EE:** employee; **ER:** employer; **SB:** small business; **LB:** large business; **FTE:** full-time equivalent; **DV:** domestic violence; **SAFE:** safe time coverage; **PHE:** public health emergency; **CBA:** collective bargaining agreement

Law/Bill Number and Summary

Location	Law/Bill Number	Summary
<u>San Francisco, Calif. (2006, effective 2/2007; amended 2016, effective with expansions 1/2017; PHE expansion created 2022, effective 10/2022)</u>	S.F. Admin. Code Ch. 12W; Initiative Ord. 160034	EEs in the private sector accrue one hour of paid sick time for every 30 hours worked within the city and can accrue and use up to 40 or 72 hours, depending on ER’s size. Covers sick time for EE or family members’ care, absences associated with EE’s domestic violence, sexual assault or stalking, purposes related to bone marrow or organ donation, and purposes due to a public health emergency.
<u>Seattle, Wash. (2011) (effective 9/2012)</u>	Ord. 123698	EEs whose place of business has five or more EEs accrue one hour of paid sick time for every 30 to 40 hours worked and use up to 40 to 108 hours, depending on ER’s size. Accrual is unlimited. Covers sick time for EE or family members’ care, absences associated with domestic violence, sexual assault or stalking, and closures due to a public health emergency.
<u>New York City, N.Y. (2013), (2014) (effective 4/2014)</u>	Int. 0097-2010; Int. 0001-2014	EEs whose place of business has five or more EEs accrue one hour of paid sick time for every 30 hours worked and can accrue and use up to 40 hours. All others receive equivalent unpaid time. EEs in certain industries can accrue and use two paid days after one year of employment regardless of ER size. Covers sick time for EE or family members’ care and closures due to a public health emergency.

<u>San Diego, Calif. (2014) (effective 7/2016)⁵</u>	Municipal Code § 39.0101; Ord. No. O-20390	EEs accrue one hour of paid sick time for every 30 hours worked and use up to 40 hours. Accrual is unlimited. Covers sick time for EE or family members' care, for absences associated with domestic violence, sexual assault or stalking, and closures due to a public health emergency.
<u>Oakland, Calif. (2014) (effective 3/2015)</u>	Municipal Code ch. 5.92	EEs accrue one hour of paid sick time for every 30 hours worked and can accrue and use up to 40 or 72 hours, depending on ER's size. Covers sick time for EE or family members' care.
<u>Tacoma, Wash. (2015) (effective 2/2016)</u>	Ord. 28275	EEs accrue one hour of paid sick time for every 40 hours worked and can accrue and use up to 24 hours. Covers sick time for EE or family members' care, closures due to a public health emergency and for absences associated with EE or family members' domestic violence, sexual assault or stalking.
<u>Philadelphia, Pa. (2015) (effective 5/2015)</u>	Ord. 141026	EEs whose place of business has 10 or more EEs accrue one hour of paid sick time for every 40 hours worked and can accrue and use up to 40 hours. All others receive equivalent unpaid time. Covers sick time for EE or family members' care and for absences associated with EE or family members' domestic violence, sexual assault or stalking.
<u>Montgomery County, Md. (2015) (effective 10/2016)</u>	Bill 60-14, Bill 32-16	EEs whose place of business has five or more EEs accrue one hour of paid sick time for every 30 hours worked and can accrue up to 56 hours and use up to 80 hours. All others receive an equivalent 32 paid and 24 unpaid hours. Covers sick time for EE or family members' care, absences associated with EE or family member's domestic violence, sexual assault or stalking, closures due to a public health emergency, care for a family member exposed to a communicable disease and the birth, adoption, or foster placement of a child.
<u>Emeryville, Calif. (2015) (effective 7/2015):</u>	Ord. 15-004; Municipal Code ch. 13.100	EEs accrue one hour of paid sick time for every 30 hours worked and can accrue and use up to 48 or 72 hours, depending on ER's size. Covers sick time for EE or family members' care and (Emeryville only) absences associated with EE's domestic violence, sexual assault or stalking and care for EE or family members' service dog.

⁵ San Diego's ordinance was approved by voters via a June 2016 ballot measure and is expected to take effect as soon as the results are certified, the deadline for which is July 7, 2016.

<u>Berkeley, Calif. (2016) (effective 10/2017)</u>		
<u>Pittsburgh, Pa. (2015) (effective 2020)</u>	File 2015-1825	EEs whose place of business has 15 or more EEs accrue one hour of paid sick time for every 35 hours worked and can accrue up to 40 hours. All others accrue at the same rate up to 24 unpaid hours in the first year the law is in effect, followed by 24 paid hours after the first year. Covers sick time for EE or family members' care, closures due to a public health emergency and care for a family member exposed to a communicable disease.
<u>Santa Monica, Calif. (2016) (effective 2017)</u>	Ord. No. 2515	EEs accrue one hour of paid sick time for every 30 hours worked and can accrue up to 32 or 40 hours in 2017, depending on ER's size, and up to 40 or 72 hours from 2018 onward. There is no annual cap on use of paid sick time. Covers sick time for EE or family members' care and for absences associated with EE's domestic violence, sexual assault or stalking.
<u>Minneapolis, Minn. (2016) (effective 7/2017); St. Paul, Minn. (2016) (effective 7/2017 for LB, and 1/2018 for SB)</u>	File 15-01372; Ord. 16-29	EEs accrue one hour of paid sick time for every 30 hours worked and can accrue up to 48 hours. (Minneapolis only: EEs whose place of business has five or fewer EEs must receive equivalent unpaid time.) There is no annual cap on use of paid sick time, but EEs can have no more than 80 accrued but unused hours at one time. Covers sick time for EE or family members' care, absences associated with EE or family member's domestic abuse, sexual assault or stalking and closures due to a public health emergency or other unexpected cause, such as inclement weather or loss of power, heating or water.
<u>Los Angeles, Calif. (2016) (effective 7/2016)</u>	Ord. No. 184320	EEs accrue one hour of paid sick time for every 30 hours worked and can accrue and use up to 48 hours. Covers sick time for EE or family members' care and for absences associated with EE's domestic violence, sexual assault or stalking.
<u>Chicago, Ill. (2016) (effective 7/2017); Cook County, Ill.</u>	Ord. O2016-2678; Ord. 16-4229	EEs accrue one hour of paid sick time for every 40 hours worked and can accrue and use up to 40 hours. Covers sick time for EE or family members' care, absences associated with EE or family member being the victim of domestic violence or a sex offense

<p>(2016) (effective 7/2017)</p>		<p>(Chicago)/domestic violence, sexual violence or stalking (Cook County), or closures due to a public health emergency.</p>
<p>Duluth, Minn. (2018) (effective 1/2020)</p>	<p>File 18-009-O</p>	<p>EEs whose place of business has 5 or more EEs accrue one hour of paid sick time for every 50 hours of work. EEs can accrue up to 64 hours and use up to 40 hours in a year. Covers sick time for EE or family members' care, absences associated with EE or family member being the victim of domestic abuse, sexual assault or stalking.</p>
<p>Westchester County, N.Y. (2018) (effective 4/2019) (partially preempted by New York State law 9/30/20)</p>	<p>I.D. # 10623</p>	<p>Effective EEs whose place of business has 5 or more EEs accrue one hour of paid sick time for every 30 hours of work. EEs can accrue and use up to 40 hours in a year. EEs whose place of business has fewer than 5 EEs can accrue and use up to 40 hours of unpaid sick time. Domestic workers can accrue one hour of paid sick time for every seven days worked and can accrue and use up to 40 hours in a year. Covers sick time for EE or family members' care, closures of school or business due to a public health emergency.</p> <p>Note: This sick time law has been preempted by New York State's sick time law; however the safe leave provisions remain in effect.</p>
<p>Allegheny County, Pennsylvania (2021) (effective 12/15/2021)</p>	<p>Bill No. 11988-21</p>	<p>EEs whose place of business has 26 or more EEs accrue one hour of paid sick time for every 35 hours worked and can accrue up to 40 hours. Covers sick time for EE or family members' care and closures due to a public health emergency and care for a family member exposed to a communicable disease.</p>
<p>Bloomington, Minnesota (2022) (effective 7/2023)</p>	<p>Ord. No. 2022-31</p>	<p>EEs accrue one hour of paid sick time for every 30 hours worked and can accrue up to 48 hours. EEs whose place of business has fewer than five EEs must receive equivalent unpaid time. EEs can carry over up to 80 accrued but unused hours from year to year. Covers sick time for EE or family members' care, absences associated with EE or family member's domestic abuse, sexual assault or stalking and closures due to a public health emergency or other unexpected cause, such as inclement weather or loss of power, heating or water.</p>

Impact and Exemptions

Location	Impact	Exemptions
San Francisco, Calif.	Approx. 59,000 workers formerly without sick time gained it through this law. ¹⁵	--
Seattle, Wash.	Approx. 150,000 workers formerly without sick time gained it through this law. ¹⁶	Does not apply to new ERs with fewer than 250 EEs; businesses have a period of 24 months after the hire date of first EE to comply
New York City, N.Y.	Approx. 1,200,000 workers formerly without sick time gained it through this law. ¹⁷	Does not apply to EEs of any governmental entity; work-study students; independent contractors; certain physical, occupational and speech therapists
San Diego, Calif.	Approx. 433,500 workers received more expansive protections than those provided under California's law. ¹⁸	Does not apply to EEs employed at less than minimum wage; publicly subsidized short-term youth employment program EEs; any student EE, camp counselor, or program counselor of an organized camp; independent contractors
Oakland, Calif.	Approx. 56,000 workers formerly without sick time gained it through this law. ¹⁹	Does not apply to EEs who work less than two hours in a week in Oakland; EEs not entitled to minimum wage under Calif. law
Tacoma, Wash.	Approx. 40,000 workers formerly without sick time gained it through this law. ²⁰	Does not apply to EEs of any governmental entity; work-study participant; independent contractors; self-employed; EEs who work less than 80 hours in a year in Tacoma
Philadelphia, Pa.	Approx. 200,000 workers formerly without sick time gained it through this law. ²¹	Does not apply to EEs covered by a CBA; independent contractors; seasonal workers; adjunct professors; temporary workers; interns; pool EEs, EEs who work less than 40 hours in a year in Philadelphia
Montgomery County, Md.	Approx. 90,000 workers formerly without sick time gained it through this law. ²²	Does not apply to EEs of any non-county governmental entity; EEs who have an irregular work schedule, who must contact ER for assignments and begin work within 48 hours of contact, who have no obligation to work for ER

		without contact, and who are not employed through a temp agency; EEs who regularly work less than eight hours a week; independent contractors
<u>Emeryville, Calif.;</u> <u>Berkeley, Calif.</u>	Approx. 5,000 workers in Emeryville received more expansive protections than those provided under California’s law. ²³ Approx. 18,500 workers in Berkeley received more expansive protections than those provided under California’s law. ²⁴	Does not apply to EEs who work less than two hours in a year in the city; EEs not entitled to minimum wage under Calif. law ⁶
<u>Pittsburgh, Pa.</u>	Approx. 50,000 workers formerly without sick time gained it through this law. ²⁵	Does not apply to seasonal EEs; state and federal employees; independent contractors; construction EEs covered by a CBA
<u>Santa Monica, Calif.</u>	Approx. 11,900 workers will receive more expansive protections than those provided under California’s law. ²⁶	Does not apply to EEs who work less than two hours in a week in Santa Monica; EEs of any governmental entity; hotel workers; EEs not entitled to minimum wage under Calif. law
<u>Minneapolis, Minn.;</u> <u>St. Paul, Minn.</u>	Approx. 100,000 workers in Minneapolis formerly without sick time gained it through this law. ²⁷ Approx. 68,300 workers in St. Paul formerly without sick time will gain it through this law. ²⁸	Does not apply to EEs who work less than 80 hours in a year in the city for their employer; independent contractors; EEs of the federal, state, county or local government (but does apply to City employees).
<u>Los Angeles, Calif.</u>	Approx. 650,000 workers will receive more expansive protections than those provided under California’s law. ²⁹	Does not apply to EEs who work less than two hours a week in Los Angeles for their ER; EEs not entitled to minimum wage under Calif. law; EEs who have not worked for the same ER for at least 30 days within a year of commencement of employment

⁶ Berkeley covers EEs who are not entitled to minimum wage but who are participants in a Welfare-to-Work program.

<u>Chicago, Ill.;</u> <u>Cook County,</u> <u>Ill.</u>	Approx. 460,000 workers in Chicago formerly without sick time gained it through this law. ³⁰ Approx. 440,000 workers in Cook County formerly without paid sick time gained it through this law. ³¹	Does not apply to EEs who have worked less than 80 hours for an ER in a 120-day period; EEs who perform less than two hours of work within city boundaries in a two-week period; construction EEs covered by a CBA
<u>Duluth, Minn.</u>	Approx. 19,000 workers formerly without sick time gained it through this law. ³²	Does not apply to EEs of any government entity; independent contractors; student interns; or seasonal employees; EEs entitled to benefits under federal Railroad Unemployment Insurance Act
<u>Westchester County, N.Y.</u>	Approx. 123,000 workers formerly without sick time gained it through this law. ³³	Does not apply to EEs who work less than 80 hours in a calendar year; work performed as part of a work study program; EEs compensated by or through qualified scholarships; EEs whose work is performed as a participant in a work experience program established by a social services district
<u>Allegheny County, Pennsylvania</u>	TBD; data on the number of workers gaining sick time is currently unavailable.	Does not apply to seasonal EEs; state and federal employees; independent contractors
<u>Bloomington, Minn.</u>	TBD; data on the number of workers gaining sick time is currently unavailable.	Does not apply to EEs who work less than 80 hours in a year in the city for their employer; independent contractors; student interns; EEs classified as extended employment program workers under Minnesota law; EEs of the federal, state, county or local government (but does apply to City employees); construction industry EEs who are paid the prevailing wage rate under Minnesota state law. ERs do not have to allow EEs to use accrued time if they are scheduled to work outside the city

Accrual Rate and Maximum

Location	Accrual Rate and Maximum
San Francisco, Calif.	<p>SB (1-9 EEs): One hour for every 30 hours worked, up to 40 hours</p> <p>LB (10 or more EEs): One hour for every 30 hours worked, up to 72 hours</p>
Seattle, Wash.	<p>Tier 1 (5-49 FTEs): One hour for every 40 hours worked, can use up to 40 hours</p> <p>Tier 2 (50-249 FTEs): One hour for every 40 hours worked, can use up to 56 hours</p> <p>Tier 3 (250 or more FTEs): One hour for every 30 hours worked, can use up to 72 hours</p> <p>Tier 3 with paid time off (PTO) policy: One hour for every 30 hours worked, can use up to 108 hours</p>
New York City, N.Y.	<p>SB (1-4 EEs)⁷: One hour of <i>unpaid</i> time off for every 30 hours worked, up to 40 hours</p> <p>LB (5 or more EEs): One hour of paid time off for every 30 hours worked, up to 40 hours</p> <p>Domestic Workers: Receive two days of paid time off after one year worked, then continue to receive two days/year</p>
San Diego, Calif.	One hour for every 30 hours worked, can use up to 40 hours, accrue unlimited ⁸
Oakland, Calif.	<p>SB (1-9 EEs): One hour for every 30 hours worked, up to 40 hours</p> <p>LB (10 or more EEs): One hour for every 30 hours worked, up to 72 hours</p>
Tacoma, Wash.	One hour for every 40 hours worked, up to 24 hours
Philadelphia, Pa.	<p>SB (1-9 EEs): One hour of <i>unpaid</i> time off for every 40 hours worked, up to 40 hours</p> <p>LB (10 or more EEs): One hour of paid time off for every 40 hours worked, up to 40 hours</p>

⁷ For certain chain businesses and franchises, all workers in the chain/franchise are counted together to determine if it is considered a SB.

⁸ The definition of "employer" exempts people who receive in-home support services.

<u>Montgomery County, Md.</u>	<p>SB (1-4 EEs): One hour of time off for every 30 hours worked, can accrue up to 32 paid hours and 24 unpaid hours, use up to 80 hours</p> <p>LB (5 or more EEs): One hour of paid time off for every 30 hours worked, can accrue up to 56 hours, use up to 80 hours</p>
<u>Emeryville, Calif.;</u>	SB (1-55 EEs in Emeryville/1-24 EEs in Berkeley): One hour for every 30 hours worked, up to 48 hours
<u>Berkeley, Calif.</u>	LB (56 or more EEs in Emeryville/25 or more EEs in Berkeley): One hour for every 30 hours worked, up to 72 hours
<u>Pittsburgh, Pa.</u>	<p>SB (1-14 EEs): One hour of time off for every 35 hours worked. During first year in effect, EEs can accrue up to 24 <i>unpaid</i> hours; after one year, EEs can accrue up to 24 <i>paid</i> hours</p> <p>LB (15 or more EEs): One hour of <i>paid</i> time off for every 35 hours worked, can accrue up to 40 hours</p>
<u>Santa Monica, Calif.</u>	<p>SB (1-25 EEs): One hour for every 30 hours worked, up to 32 hours in 2017 and up to 40 hours from 2018 onward</p> <p>LB (26 or more EEs): One hour for every 30 hours worked, up to 40 hours in 2017 and up to 72 hours from 2018 onward</p>
<u>Minneapolis, Minn.;</u>	SB (1-5 EEs) in Minneapolis: One hour of <i>unpaid</i> time off for every 30 hours worked, up to 48 hours
<u>St. Paul, Minn.</u>	LB (6 or more EEs) in Minneapolis and all ERs in St. Paul: One hour of paid time off for every 30 hours worked, up to 48 hours
	NOTE (Minneapolis only): For five years after the law’s effective date, new ERs in their first year of business (other than chain establishments) are only required to provide unpaid sick time.
	NOTE (St. Paul only): New ERs are only required to provide unpaid sick time for a period of six months after the hire date of their first EE. This provision sunsets on January 1, 2023.
<u>Los Angeles, Calif.</u>	One hour for every 30 hours worked, up to 48 hours
<u>Chicago, Ill.;</u>	One hour for every 40 hours worked, up to 40 hours
<u>Cook County, Ill.</u>	
<u>Duluth, Minn.</u>	One hour for every 50 hours worked. Can accrue up to 64 hours; can use and carry

over up to 40 hours

[Westchester County, N.Y.](#)

SB (1-4 EEs): One hour of unpaid time off for every 30 hours worked, up to 40 hours.

LB (5 or more EEs): One hour for every 30 hours worked, can accrue and use up to 40 hours.

Domestic workers: can accrue one hour of paid time for every seven days worked

Sick time that has not been used can be carried over to the following year, provided that the maximum amount of sick time for any given year remains at 40 hours.

[Allegheny County, Pennsylvania](#)

SB (1-25 EEs): No requirements

LB (26 or more EEs): One hour of paid time off for every 35 hours worked, can accrue up to 40 hours

[Bloomington, Minn.](#)

SB (1-4 EEs): One hour of unpaid time off for every 30 hours worked. Can accrue up to 48 hours; can carry over up to 80 hours

LB (5 or more EEs): One hour of paid time off for every 30 hours worked. Can accrue up to 48 hours; can carry over up to 80 hours

Waiting Period for Accrual and Use, and Family Member Coverage

Location	Waiting Period for Accrual and Use	Family Members Covered <u>Other Than Self, Child, Spouse or Parent</u>
<u>San Francisco, Calif.</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment	Domestic partner; sibling; grandparent; grandchild; child or parent of spouse or domestic partner; legal ward; legal guardian; person with whom EE is in a relationship of in loco parentis; "designated person"
<u>Seattle, Wash.</u>	Accrued hours may be used 180 days after commencement of employment	Domestic partner; grand-parent; parent-in-law
<u>New York City, N.Y.</u>	Accrual begins at commencement of employment; accrued hours may be used 120 days after commencement of employment	Domestic partner; sibling; grand-parent; grandchild; child or parent of spouse or domestic partner

<u>San Diego, Calif.</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment	Domestic partner; sibling; grandparent; grandchild; child or parent of a spouse or domestic partner; legal ward; legal guardian; person with whom EE was or is in a relationship of in loco parentis
<u>Oakland, Calif.</u>	Accrual begins on March 2, 2015, and can be used immediately; if hired after, accrual begins at commencement of employment and hours may be used 90 days after commencement	Domestic partner; sibling; grandparent; grandchild; child of domestic partner; legal ward; legal guardian; person with whom EE is in a relationship of in loco parentis; "designated person"
<u>Tacoma, Wash.</u>	Accrual begins at commencement of employment; accrued hours may be used 180 days after commencement of employment	Domestic partner; grandparent; legal ward; person with whom EE is in a relationship of in loco parentis
<u>Philadelphia, Pa.</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment	Life partner; sibling; spouse of sibling; grandparent; grandchild; parent-in-law; legal ward; legal guardian; spouse of grandparent; person with whom EE was or is in a relationship of in loco parentis
<u>Montgomery County, Md.</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment	Sibling; grandparent; grandchild; spouse of sibling or grandparent; legal ward; legal guardian; child for whom the EE is primary caregiver; EE's primary caregiver when EE was a minor
<u>Emeryville, Calif.;</u> <u>Berkeley, Calif.</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment	Domestic partner; sibling; grandparent; grandchild; legal ward; legal guardian of EE or spouse; person with whom EE was or is in a relationship of in loco parentis; "designated person"
<u>Pittsburgh, Pa.</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment	Domestic partner; sibling; grand-parent; grandchild; child or parent of spouse or domestic partner; grand-parent's spouse or domestic partner; legal ward; legal guardian of EE or spouse or domestic partner; person with whom EE was or is in a relationship of in loco parentis; any person for whom EE has received permission

		from ER to care
<u>Santa Monica, Calif.</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment	Domestic partner; sibling; grandparent; grandchild; legal ward; parent of spouse or domestic partner; legal guardian of EE, spouse or domestic partner; person with whom EE was or is in a relationship of in loco parentis
<u>Minneapolis, Minn.; St. Paul, Minn.</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment	Domestic partner; sibling; parent-in-law; grandchild; grandparent <i>Minneapolis only:</i> Guardian; ward; members of the EE's household <i>St. Paul only:</i> Individual related to the EE by blood or affinity whose close association with the EE is equivalent to a family relationship
<u>Los Angeles, Calif.</u>	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment	Domestic partner; sibling; grandparent; grandchild; legal ward; parent of spouse or domestic partner; legal guardian of EE, spouse or domestic partner; person with whom EE was or is in a relationship of in loco parentis; individual related to the EE by blood or affinity or whose close association with the EE is equivalent to a family relationship
<u>Chicago, Ill.; Cook County, Ill.</u>	Accrual begins on first calendar day after commencement of employment; accrued hours may be used 180 days after commencement of employment	Domestic partner; legal guardian; legal ward; parent of spouse or domestic partner; sibling; grandparent; grandchild; person related by blood or whose close association with EE is equivalent to a family relationship; child to whom EE stands in loco parentis
<u>Duluth, Minn.</u>	Accrual begins on the first day of employment; accrued hours may be used 90 days after commencement of employment	Domestic partner, legal ward; child for whom EE is a legal guardian; sibling, stepsibling, foster sibling, stepparent, parent-in-law, grandchild, foster grandchild, grand-parent, step-grand-parent, any other individual related by blood or whose close association with the employee is the equivalent of a family relationship
<u>Westchester County, N.Y.</u>	Accrual begins on the first day of employment or 90 days after law	Domestic partner, grandparent, grandchild, sibling; person related by blood of affinity; child

	goes into effect, whichever is later.	or parent of EEs spouse; persons who have a child in common, regardless of whether persons have been married or lived together at any time; persons who are or have been in an intimate relationship regardless of whether such persons have lived together at any time
Allegheny County, Pennsylvania	Accrual begins at commencement of employment; accrued hours may be used after 90 days from commencement of employment	Domestic partner; sibling; grand-parent; grandchild; child or parent of spouse or domestic partner; grand-parent's spouse or domestic partner; legal ward; legal guardian of EE or spouse or domestic partner; person with whom EE was or is in a relationship of in loco parentis; any person for whom EE has received permission from ER to care for
Bloomington, Minn.	Accrual begins on the first day of employment; accrued hours may be used 90 days after commencement of employment.	Sibling; parent-in-law; grandchild; grandparent; legal guardian; legal ward; member of household

Safe Time Coverage, Coverage for Public Health Emergency and/or Other Coverage

Location	Safe Time Coverage, Coverage for Public Health Emergency and/or Coverage for Other Purposes
San Francisco, Calif.	<p>SAFE: Coverage for EE's DV, sexual assault or stalking</p> <p>PHE: Effective 10/2022, coverage for EE (or a family member they care for) if a public health authority or healthcare provider has recommended against them going to work for reasons related to the PHE; if they have received a PHE-related diagnosis or are experiencing symptoms of and seeking a diagnosis for a PHE-related illness; school, place of care, or care provider are closed or unavailable. This leave also applies if there is an air quality emergency and the EE is a member of a vulnerable population and primarily works outdoors. This leave is separate and distinct from the Paid Sick Leave law (see endnote).³⁴</p> <p>Other: Coverage for EE's or family member's bone marrow or organ donation</p>
Seattle, Wash.	SAFE: Coverage for EE's or family member's DV, sexual assault or stalking

	PHE: Coverage for closure of place of business or child’s school or place of care
<u>New York City, N.Y.</u>	PHE: Coverage for closure of place of business or child’s school or place of care
<u>San Diego, Calif.</u>	SAFE: Coverage for EE’s or family member’s DV, sexual assault or stalking PHE: Coverage for closure of place of business or child’s school or place of care
<u>Oakland, Calif.</u>	--
<u>Tacoma, Wash.</u>	SAFE: Coverage for EE or family member’s DV PHE: Coverage for closure of place of business or child’s school or place of care
<u>Philadelphia, Pa.</u>	SAFE: Coverage for EE or family member’s DV, sexual assault or stalking
<u>Montgomery County, Md.</u>	SAFE: Coverage for EE’s or family member’s DV, sexual assault or stalking PHE: Coverage for closure of place of business or child’s school or place of care; coverage to care for a family member exposed to a communicable disease Parental: Coverage for birth of a child, adoption or foster care placement; coverage to care for a newborn, newly adopted, or newly placed child within one year of birth, adoption, or placement
<u>Emeryville, Calif.;</u> <u>Berkeley, Calif.</u>	SAFE (Emeryville only): Coverage for EE’s DV, sexual assault or stalking Other (Emeryville only): Care for EE’s or family member’s service dog
<u>Pittsburgh, Pa.</u>	PHE: Coverage for closure of place of business or child’s school or place of care; coverage to care for a family member exposed to a communicable disease
<u>Santa Monica, Calif.</u>	SAFE: Coverage for EE’s DV, sexual assault or stalking
<u>Minneapolis, Minn.;</u> <u>St. Paul, Minn.</u>	SAFE: Coverage for EE or family member’s domestic abuse, sexual assault or stalking PHE: Coverage for closure of place of business or family member’s school or place of care Other: Coverage for unexpected closure of family member’s school or place of care due to inclement weather, or loss of power, heating, water or other reason

Los Angeles, Calif.	SAFE: Coverage for EE's DV, sexual assault or stalking
Chicago, Ill.; Cook County, Ill.	SAFE: Coverage for EE or family member being the victim of domestic violence or a sex offense (Chicago)/sexual violence or stalking (Cook County) PHE: Coverage for closure of place of business or child's school or place of care Other: If ER is covered by federal Family and Medical Leave Act (FMLA), EE can carry over up to 40 hours of unused time, in addition to any other carry over allowed under the ordinance, to use exclusively for FMLA purposes
Duluth, Minn.	SAFE: Coverage for EE's or family member's domestic abuse, sexual assault, or stalking
Westchester County, N.Y.	PHE: Coverage for closure of place of business or child's school or place of care
Allegheny County, Pennsylvania	PHE: Coverage for closure of place of business or child's school or place of care; coverage to care for a family member exposed to a communicable disease
Bloomington, Minn.	SAFE: Coverage for EE or family member needing to seek care for a physical or psychological injury, obtain services from a victim services organization, seek relocation, or seek legal advice or take legal action due to domestic abuse, sexual assault, or stalking PHE: Coverage for closure of place of business or family member's school or place of care Other: Coverage for closure of family member's school or place of care due to inclement weather; or loss of power, heating, or water; or other unexpected closure

Treatment of Collective Bargaining Agreements

Location	Treatment of Collective Bargaining Agreements
San Francisco, Calif.	Does not apply if CBA expressly waives requirements in clear and unambiguous terms
Seattle, Wash.	Does not apply if CBA expressly waives requirements in clear and unambiguous terms; does not diminish obligations under CBAs that provide greater benefits
New York	Does not diminish obligations under CBAs that provide greater benefits; does not

<u>City, N.Y.</u>	apply to EEs in construction or grocery industry if CBA expressly waives requirement; for other EEs, does not apply if CBA expressly waives requirements and provides a comparable benefit; does not apply to existing CBAs until their expiration
<u>San Diego, Calif.</u>	Does not diminish obligations under CBAs that provide greater benefits
<u>Oakland, Calif.</u>	Does not apply if CBA expressly waives requirements in clear and unambiguous terms
<u>Tacoma, Wash.</u>	Does not apply if CBA expressly waives requirements in clear and unambiguous terms
<u>Philadelphia, Pa.</u>	Does not apply to workers covered by CBAs
<u>Montgomery County, Md.</u>	Does not diminish obligations under CBAs that provide paid leave benefits that meet the minimum requirements
<u>Emeryville, Calif.;</u> <u>Berkeley, Calif.</u>	Does not apply if CBA expressly waives requirements in clear and unambiguous terms
<u>Pittsburgh, Pa.</u>	Does not diminish obligations under CBAs that provide greater benefits; does not apply to any member of a construction union covered by a CBA
<u>Santa Monica, Calif.</u>	Does not apply if CBA expressly waives requirements in clear and unambiguous terms
<u>Minneapolis, Minn.;</u> <u>St. Paul, Minn.</u>	Does not apply to EEs in construction industry who receive at least the prevailing wage rate or rate established by a registered apprenticeship agreement <i>Minneapolis only:</i> Does not specifically mention treatment of CBAs <i>St. Paul only:</i> Does not diminish obligations under CBAs that provide greater benefits
<u>Los Angeles, Calif.</u>	Does not specifically mention treatment of CBAs
<u>Chicago, Ill.;</u> <u>Cook County, Ill.</u>	Does not affect validity or change terms of CBA already in force; after effective date, does not apply if CBA explicitly waives requirements in clear and unambiguous terms; does not apply to EE in construction industry covered by a CBA

<u>Duluth, Minn.</u>	Does not specifically mention treatment of CBAs
<u>Westchester County, N.Y.</u>	Does not diminish obligations under CBAs that provide more generous earned sick time to an EE than required by the law
<u>Allegheny County, Pennsylvania</u>	Does not diminish obligations under CBAs that provide equivalent or more generous earned sick time to an EE than required by the law
<u>Bloomington, Minn.</u>	Does not diminish obligations under CBAs that provide equivalent or more generous earned sick time to an EE than required by the law

Applicability to ER’s Existing Policy

Location	Applicability to ER’s Existing Policy
<u>San Francisco, Calif.</u>	No additional time required if ER provides paid time that meets bill’s accrual requirement and that can be used for the same purposes
<u>Seattle, Wash.</u>	No additional time required if ER provides paid time that meets Act’s use and accrual requirements and that can be used for the same purposes and under the same conditions
<u>New York City, N.Y.</u>	No additional time required if ER provides paid time that meets bill’s requirements and that can be used for the same purposes and under the same conditions
<u>San Diego, Calif.</u>	No additional time required if ER provides paid time that meets Act’s accrual and use requirements and that can be used for the same purposes and under the same conditions
<u>Oakland, Calif.</u>	No additional time required if ER provides paid time that meets bill’s accrual, carry over and use requirements and that can be used for the same purposes and under the same conditions
<u>Tacoma, Wash.</u>	No additional time required if ER provides paid time that meets bill’s accrual and use requirements, that can be used for the same purposes and under the same conditions, and is approved by the city
<u>Philadelphia, Pa.</u>	No additional time required if ER provides paid time that meets bill’s accrual requirement and meets all other conditions of the ordinance
<u>Montgomery County, Md.</u>	No additional time required if ER provides paid time that meets bill’s accrual requirement

<u>Emeryville, Calif.;</u> <u>Berkeley, Calif.</u>	No additional time required if ER provides paid time that meets Act’s accrual, carry over, and use requirements and that can be used for the same purposes and (Emeryville only) under the same conditions
<u>Pittsburgh, Pa.</u>	No additional time required if ER provides paid time that meets bill’s accrual requirement and that can be used for the same purposes and under the same conditions
<u>Santa Monica, Calif.</u>	Does not prevent ER from adopting or retaining leave policy that is more generous
<u>Minneapolis, Minn.;</u> <u>St. Paul, Minn.</u>	Does not prevent ER from adopting or retaining leave policy that meets or exceeds and does not otherwise conflict with bill’s minimum standards and requirements <i>Minneapolis only:</i> No additional time required if ER provides paid time that meets bill’s minimum standards and requirements <i>St. Paul only:</i> No additional time required if ER provides paid time that meets bill’s accrual and carry over requirements and that can be used for the same purposes and under the same conditions
<u>Los Angeles, Calif.</u>	Does not prevent ER from retaining leave policy that the Office of Wage Standards determines is overall more generous even if it does not meet all of the bill’s requirements
<u>Chicago, Ill.;</u> <u>Cook County, Ill.</u>	No additional paid leave required if ER provides paid time off in amount and manner that meets bill’s requirements
<u>Duluth, Minn.</u>	Does not prevent ER from adopting benefits that exceed requirement; ER not required to provide additional leave if existing policy meets requirements for time and use
<u>Westchester County, N.Y.</u>	Does not prevent ER from allowing for a faster accrual rate or providing more sick time than provided in the law. ER can provide combined paid sick time and paid personal time and be in compliance, so long as sick time can be used freely, with no advance notice necessary and no restrictions other than those in the law
<u>Allegheny County, Pennsylvania</u>	Does not prevent ER from adopting or retaining leave policy that is more generous
<u>Bloomington, Minn.</u>	Does not prevent ER from adopting or retaining leave policy that is more generous

Enforcement Agency & Mechanisms and Private Right of Action

Location	Enforcement Agency & Mechanisms	Private Right of Action
<u>San Francisco, Calif.</u>	San Francisco Office of Labor Standards Enforcement: EE may file a complaint; agency will adjudicate and administer penalties against ERs	Yes; may sue for back pay, damages, and/or reinstatement
<u>Seattle, Wash.</u>	Seattle Office for Civil Rights: EEs may file a complaint; adjudication before hearing examiner	No
<u>New York City, N.Y.</u>	NYC Department of Consumer Affairs (DCA): EEs may file a complaint; ER can settle violation with DCA without hearing; hearing is before DCA's Adjudication Tribunal	No
<u>San Diego, Calif.</u>	City Council will designate the enforcement office: EEs may file a complaint; civil penalties against ER ranging from \$100-\$2,000/violation or person	Yes; may sue for back pay, damages and/or reinstatement
<u>Oakland, Calif.</u>	Not yet determined; EEs may file a complaint	Yes; may sue private ERs in court, which can impose fines or penalties up to \$1000/violation or any further relief including back pay, reinstatement, and injunctive relief
<u>Tacoma, Wash.</u>	Tacoma finance director; EEs may file a charge: agency may issue citation, order credit of or payment of unlawfully withheld paid sick days with one percent interest for payment per month and fines up to \$250 or up to twice the value of unpaid leave	No
<u>Philadelphia, Pa.</u>	Not yet determined; EEs may file a complaint: agency will investigate ERs, provide ERs 60 days to remedy violation, and conduct mediation; relief includes fines and reinstatement and restitution	Yes; may sue in court of competent jurisdiction after exhausting administrative remedies for relief including payment of unlawfully withheld paid sick days, lost wages and benefits, reinstatement, back pay, injunctive relief, liquidated

		damages up to \$2000, and attorney's fees
<u>Montgomery County, Md.</u>	Montgomery County Office of Human Rights, Executive Director: EEs may file a complaint; agency will investigate claim and must attempt conciliation; relief includes damages and equitable relief; EE may appeal to commission	Yes; may sue in an appropriate court of law
<u>Emeryville, Calif.;</u> <u>Berkeley, Calif.</u>	Not yet determined; city may promulgate guidelines and rules for implementation and enforcement; EEs may file a complaint; (Emeryville only) city may investigate ERs; relief includes fines between \$500-\$1,000/EE; city may file claim before a court of competent jurisdiction; relief includes injunctive relief, damages and civil penalties	Yes; may sue in court, which can impose relief including reinstatement, back pay, injunctive relief and civil penalties
<u>Pittsburgh, Pa.</u>	Office of the City Controller or a Department or entity designated by the mayor: EEs may file a complaint; agency will investigate claim; relief includes fines up to \$100/offense for willful violators, reinstatement and restitution	No
<u>Santa Monica, Calif.</u>	Not specified; penalties for misdemeanor violations include fines between \$150-\$500/violation and/or imprisonment in the County Jail for up to six months; penalties for infractions include fines of \$100-\$250/violation; each day of violation is considered a separate offense; violators may be subject to administrative citation	Yes; may sue in court of competent jurisdiction for legal and equitable relief including payment of unlawfully withheld sick time, back pay, penalties of up to \$100 per person for each day their rights were violated, reinstatement, injunctive relief, reasonable attorney's fees and costs; monies and penalties are trebled for willful violations
<u>Minneapolis, Minn.;</u> <u>St. Paul, Minn.</u>	Minneapolis Department of Civil Rights, St. Paul Department of Human Rights and Equal Economic Opportunity: EEs may file a complaint within 365 days of violation; department may investigate reported or suspected violations; investigation may require a fact finding conference or other process; director may order relief, including reinstatement, payment of unlawfully withheld paid sick time,	<i>Minneapolis only:</i> Yes; may appeal final administrative decision to Minnesota Court of Appeals <i>St. Paul only:</i> Yes; may bring civil action in district court and may recover damages,

	<p>liquidated damages up to \$250 or twice the amount of unpaid wages, whichever is greater. If the ER does not comply with department’s final determination, department may refer action to city attorney to bring suit for both legal and equitable relief</p> <p><i>Minneapolis only:</i> Administrative penalties payable to EE of up to \$1,500 per violation; administrative fines payable to the city of up to \$50 for each day a violation continued after ER received notice and was given time to comply; EE may appeal to an administrative hearing officer.</p> <p><i>St. Paul only:</i> Administrative fines payable to the City up to \$1,000; and fines payable to EE up to \$1,000 or 10 percent of unpaid wages, whichever is greater</p>	including reasonable attorney’s fees, and may receive injunctive and other equitable relief
<u>Los Angeles, Calif.</u>	Office of Wage Standards of the Bureau of Contract Administration: agency may promulgate guidelines and rules for implementation, but enforcement mechanism is not specifically addressed	Not specified
<u>Chicago, Ill.; Cook County, Ill.</u>	Chicago Department of Business Affairs and Consumer Protection: Cook County Commission on Human Rights; violators in Chicago subject to fines of \$500-\$1,000/violation; violators in Cook County subject to fines of \$100-\$500/violation	Yes; may bring civil action in court and recover three times the value of any unpaid sick time denied or lost in damages, with interest, along with costs and reasonable attorney fees
<u>Duluth, Minn.</u>	Duluth City Clerk’s office has full authority to implement, administer, and enforce ordinance; investigate reports of violations. Relief includes reinstatement and back pay, crediting paid sick time, administrative penalties	Yes; once all other remedies are exhausted, a person injured by a violation may bring a civil action in court to recover damages; can receive injunctive and other equitable relief
<u>Westchester County, N.Y.</u>	The Department of Weights and Measures – Consumer Protection shall establish process to receive complaints; Department shall investigate any complaint; if Department finds probable cause to support that a violation has occurred, it shall	Yes; in lieu of filing a complaint with the Department of Weights and Measures, any person can file a claim in court no later than one year after the

	attempt a resolution. Penalties for violations include payment to EE of three times the wages that should have been paid or \$250 , whichever is greater for each instance; payment to EE of \$500 for each instance of unlawful denial of sick time request; additional relief as deemed appropriate	occurrence of an alleged violation
<u>Allegheny County, Pennsylvania</u>	The Department of Administrative Services has authority to implement, administer, and enforce the ordinance, including fines of up to \$100 per violation. Fines cannot be imposed until after 12/15/2022	Implied, but not specified
<u>Bloomington, Minn.</u>	The City Attorney's Office has full authority to implement, administer, and enforce the ordinance; investigate reports of violations; and bring civil actions. Relief includes reinstatement and back pay, crediting paid sick time and administrative penalties	Yes; may bring a civil action in court to recover damages, costs and disbursements, reasonable attorney's fees, and other equitable relief

Paid Time Off (PTO) – State Laws

JUNE 2023

Paid Time Off (PTO) laws differ from paid sick days laws because the time provided is not dedicated to sick time purposes, like doctors' appointments or recovering from short-term illnesses. PTO laws may combine vacation, sick time and personal time for workers to use as needed. PTO laws are included here, but counted and listed separately from PSD laws.

Summary

Location	Summary	Law/Bill No.
<u>Michigan (enacted 2018, effective, 3/2019)</u>	<p>EEs whose place of business has 50 or more EEs accrue one hour of paid medical leave time for every 35 hours worked and can accrue and use up to 40 hours.</p> <p>Note: After a ballot initiative, the Michigan legislature in 2018 passed a robust paid sick days law, but then severely limited the law by amending it to create this limited PTO law. In 2022, a Michigan judge ruled that the legislature's amendments were unconstitutional and ordered the original paid sick days law to go into effect on Feb. 19, 2023. Litigation is expected to continue .</p>	SB 1175
<u>Maine (enacted 2019, effective 1/2021)</u>	EEs whose place of business has more than 10 EEs accrue one hour of paid time off for every 40 hours and can accrue and use up to 40 hours.	S.P. 110 – L.D. 369
<u>Nevada (enacted 2019, effective 1/2020)</u>	EEs who work 40 hours a week and whose place of business has 50 or more EEs accrue .01923 hours of paid leave for every hour worked and can accrue and use up to 40 hours.	SB 312
<u>Bernalillo County, N.M. (enacted 2019, effective 10/2020; amended 2022, effective 7/2022)</u>	<p>EEs who have worked at least 56 hours for their ER can accrue one hour of paid leave for every 32 hours worked.</p> <p>Effective 10/2020,⁹ EES at ERs with 2-10 EEs can use and accrue up to 44 hours. Effective 7/2021, EEs at ERs with 11-34 EES can use and accrue up to 44 hours. Effective 7/2022, EEs at ERs with 35 or more EEs can use and accrue up to 56 hours. Can be used for any use.</p>	Bernalillo Cty. Code § 14-703

⁹ Bernalillo County's PTO law was originally set to be effective July 2020 but was postponed until October 2020 by the County Manager's executive Order. Employee Wellness Act Guidance. (2021, January 22). *Bernco.gov*. Retrieved 31 October 2022 from <https://www.bernco.gov/planning/wp-content/uploads/sites/58/2021/03/Employee-Wellness-Act-Guidance-Jan-22-2021.pdf>.

West Hollywood, Calif. (enacted 2021, effective 1/2022 for hotel EEs and 7/2022 for all other EEs)	EEs who have worked at least two hours in a particular week for their ER can accrue ~1.846 hours of paid time off for every 40 hours worked. EEs can use and accrue up to 96 hours per year. EEs who have exhausted their accrued hours can also take up to 80 hours of unpaid sick time.	West Hollywood Mun. Code tit. 5, § 5.130.030
Illinois (enacted 2023, effective 2024)	EEs can accrue at least one hour of paid time off for every 40 hours worked, up to 40 hours in a 12-month period. Can be used for any purpose.	820 ILCS 192/1

Exemptions and Accrual Rate/Maximum Accrual

Location	Exemptions	Accrual Rate/ Maximum Accrual
Michigan	Does not apply to ERs with fewer than 50 EEs; EEs of any governmental entity; seasonal EEs who worked fewer than 25 weeks during previous year; part-time EEs who work fewer than 25 hours per week; independent contractors; temporary workers; flight deck, cabin crew and railroad workers	50 or more EEs: One hour for every 35 hours worked; can accrue up to 40 hours
Maine	Does not apply to ERs with 10 or fewer EEs; seasonal EEs	More than 10 EEs: One hour for every 40 hours worked; can accrue up to 40 hours
Nevada	Does not apply to ERs with fewer than 50 EEs; ERs during the first two years of their business; temporary, seasonal and on-call EEs	50 or more EEs: .01923 hours for every 40 hours worked; can accrue up to 40 hours
Bernalillo County, N.M.	Does not apply to ERs with 1 EE; salespeople/EEs paid by piecework, flat-rate schedule or commission; EEs certified to work for the subminimum wage or seasonally at a camp or retreat; independent contractors or per diem EEs	<p>2-10 EEs: One hour for every 32 hours worked; can accrue up to 28 hours</p> <p>11-34 EEs: One hour for every 32 hours worked; can accrue up to 44 hours</p> <p>35 or more EEs: One hour for every 32 hours worked;</p>

		can accrue up to 56 hours
West Hollywood, Calif.	Does not apply to independent contractors, government EEs, or EEs who are exceptions to California’s minimum wage law (e.g., apprentices or people with disabilities certified to work at a subminimum wage); ERs who apply for and are granted a temporary waiver by the city because the law would place an undue hardship on the ER	~1.846 hours of paid time off for every 40 hours worked; can use and accrue up to 96 hours; if accrued time is exhausted can also take up to 80 hours of unpaid sick time
Illinois	Does not apply to workers covered under the Railroad Unemployment Insurance Act or Railway Labor Act; students employed on a temporary, less than full-time basis by college or university where they are also enrolled and regularly attending classes; short-term EEs who are employed by institution of higher education for less than two consecutive calendar quarters in a year and does not have reasonable expectation of rehire	One hour for every 40 hours worked, up to 40 hours

Waiting Period for Accrual and Use

Location	Waiting Period for Accrual and Use
Michigan	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment
Maine	Accrual begins at commencement of employment; accrued hours may be used 120 days after commencement of employment
Nevada	Accrued hours may be used 90 days after commencement of employment
Bernalillo County, N.M.	Accrual begins at commencement of employment; accrued hours cannot be used until the EE has worked 56 hours in a year; ERs can require EEs to wait up to 90 days before they can use accrued hours

[West Hollywood, Calif.](#)

Accrual begins at commencement of employment; ERs can require EEs to wait until they are employed for up to six months before allowing them to use accrued hours

[Illinois](#)

Accrual begins at commencement of employment of effective date of law, whichever is later; accrued hours may be used 90 days after commencement of employment or 90 days after effective date, whichever is later

Treatment of CBAs and Notice

Location	Treatment of Collective Bargaining Agreements	Notice
<u>Michigan</u>	Does not diminish any other rights provided under a CBA	EE must comply with ER customary notice and procedural requirements
<u>Maine</u>	Does not apply to EE covered by CBA between January 1, 2021 and expiration of agreement	Absent an emergency, the use of leave must be scheduled with employer
<u>Nevada</u>	Does not specify	EE shall, as soon as practicable, give notice to ER to use paid leave
<u>Bernalillo County, N.M.</u>	Does not create or impose any requirement in conflict with, nor to preempt or otherwise limit or affect the applicability of, any CBA; Does not diminish or impair the rights of obligations under any CBA	When the use of PTO is foreseeable, the EE shall provide notice as soon as practicable and, when possible, schedule the use in a manner that does not unduly disrupt the operations of the ER
<u>West Hollywood, Calif.</u>	A CBA can waive these requirements if it is clear and unambiguous	None specified, though an ER may not “unreasonably deny” a request
<u>Illinois</u>	A CBA can waive these requirements if it is explicitly set forth in clear and unambiguous terms	Seven days if leave is foreseeable; if not foreseeable, as soon as practicable after EE becomes aware of need for leave

Enforcement Agency & Mechanisms and Private Right of Action

Location	Enforcement Agency & Mechanisms	Private Right of Action
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<u>Michigan</u>	Michigan Department of Licensing and Regulatory Affairs shall enforce the law by investigating complaints; violations of the law could result in penalty of up to \$1,000	No
<u>Maine</u>	Maine Department of Labor shall adopt rules to implement and enforce law; violations of law could result in penalty of \$1,000 per violation	No
<u>Nevada</u>	Nevada Labor Commissioner may impose against a violator an administrative penalty of not more than \$5,000 for each violation	No
<u>Bernalillo County, N.M.</u>	Bernalillo County Planning and Development Services may impose a civil penalty of \$50 per week for each separate violation, not to exceed a maximum of \$500 for each offense, collect damages and suspend a business's County Business registration	Yes, upon exhaustion of the administrative process or receipt of authorization from the County
<u>West Hollywood, Calif.</u>	City of West Hollywood may impose penalties of up to \$100 per day for each violation of one EE	Yes
<u>Illinois</u>	Illinois Department of Labor may order equitable relief, payment of unpaid wages, compensatory damages, attorneys fees and costs and a penalty of at least \$500 and no more than \$1,000	No

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² Farrell, L. (2013, May). Personal communication. (Executive Director, Connecticut Working Families).

³ Approximately 6.5 million workers gained access to paid sick days after the initial California law passed; the number of new workers who will gain access following the law's 2016 expansion is estimated to be around 400,000. Office of Governor Edmund G. Brown Jr. (2014, September 10). Governor Brown Signs Legislation to Provide Millions of Californians with Paid Sick Leave [Press release]. Retrieved 30 June 2021, from <http://gov.ca.gov/news.php?id=18690>; see Norberg, B. (2015, January 13). Paid Sick Leave for Home Health Workers Returns to Legislature. *California Healthline*. Retrieved 30 June 2021, from <http://californiahealthline.org/news/paid-sick-leave-for-home-health-workers-returns-to-legislature/>.

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