



# COMPLIANCE OVERVIEW

Provided by JGS Insurance

## Paid Sick Leave – State Law Overview

As a growing trend, states across the country are continuing to enact their own paid sick leave laws. Currently, nine states and the District of Columbia have enacted statewide laws that require employers to provide paid sick leave benefits to employees. Employers that are subject to these laws may face compliance challenges as they update their existing leave policies for the new requirements.

Each of these state laws has its own rules for covered employers, qualifying reasons for leave and amount of paid leave. This Compliance Overview includes a chart that provides a high-level overview of current statewide paid leave laws.

Employers must also be aware that numerous cities and counties across the country have enacted local ordinances that mandate paid sick leave. For example, New York City, Cook County, Illinois (includes Chicago), and Montgomery County, Maryland, all have enacted local paid sick leave ordinances. Employers must generally comply with both the statewide paid sick leave law and local ordinance, if applicable.

### LINKS AND RESOURCES

Most of the states that have enacted paid sick leave laws have created websites to help employers and employees understand their rights and obligations. For example:

- Massachusetts has a dedicated [website](#) with information on the earned sick time law.
- Washington has a [website](#) for employers to track implementation of its sick leave law.

This Compliance Overview is not intended to be exhaustive nor should any discussion or opinions be construed as legal advice. Readers should contact legal counsel for legal advice.

### HIGHLIGHTS

#### STATEWIDE PAID SICK LEAVE

The following states have enacted statewide paid sick leave laws:

- Arizona
- California
- Connecticut
- District of Columbia
- Massachusetts
- Maryland
- Oregon
- Rhode Island
- Vermont
- Washington

#### LOCAL LAWS

In addition to statewide paid sick leave laws, employers must determine if they are required to comply with any local paid sick leave ordinances.

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## STATEWIDE PAID SICK LEAVE LAWS

STATE	COVERED EMPLOYERS	MAJOR PROVISIONS
<p><b>Arizona</b></p> <p><a href="#">Fair Wages and Healthy Families Act</a></p> <p>Effective July 1, 2017</p>	<p>All employers</p>	<p><b>Eligible employees:</b> All employees working in Arizona.</p> <p><b>Accrual:</b> One hour of paid sick leave for every 30 hours worked; accrual begins upon hire.</p> <p><b>Accrual limits:</b> Employers with <b>15 or more employees</b> may limit annual employee accruals to 40 hours per year. Employers with <b>fewer than 15 employees</b> may limit employee accruals to 24 hours per year.</p> <p><b>Waiting period:</b> Employers may require newly hired employees to wait 90 days before using accrued paid sick leave.</p> <p><b>More information:</b> <a href="#">Earned Sick Time FAQs</a></p>
<p><b>California</b></p> <p><a href="#">Healthy Workplaces, Healthy Families Act</a></p> <p>Effective July 1, 2015</p>	<p>All employers</p>	<p><b>Eligible employees:</b> An employee who works for the same employer in California for 30 or more days during a year.</p> <p><b>Accrual:</b> One hour of paid sick leave for every 30 hours worked.</p> <p><b>Accrual limits:</b> Employers may limit employee paid sick leave accruals to 48 hours (or six workdays) per year.</p> <p><b>Waiting period:</b> Employers may require newly hired employees to wait 90 days before using accrued paid sick leave.</p> <p><b>More information:</b> <a href="#">California Paid Sick Leave FAQs</a></p>
<p><b>Connecticut</b></p> <p><a href="#">Paid Sick Leave</a></p> <p>Effective Jan. 1, 2012</p>	<p>Employers with 50 or more employees (certain types of employers are exempt)</p>	<p><b>Eligible employees:</b> All full- and part-time service workers. Those who are day or temporary workers, per diem employees and employees who are considered exempt under the federal FLSA are specifically excluded.</p> <p><b>Accrual:</b> One hour of paid sick leave for every 40 hours worked.</p> <p><b>Accrual limits:</b> Employers may limit employee paid sick leave accruals to 40 hours per year.</p> <p><b>Waiting period:</b> Service workers are eligible to use accrued sick leave after working 680 hours from the date of hire, if they worked an average of at least 10 hours per week in the most recent calendar quarter.</p> <p><b>More information:</b> <a href="#">Connecticut Department of Labor Paid Sick Leave Overview</a></p>

<p><b>Maryland</b>  <a href="#">Healthy Working Families Act</a>                  Effective Feb. 11, 2018</p>	<p>All employers.                  Employers with <b>15 or more employees</b> must provide <b>paid sick and safe leave</b>.                  Employers with <b>fewer than 15 employees</b> must provide <b>unpaid sick and safe leave</b>.</p>	<p><b>Eligible employees:</b> Generally, employees who regularly work 12 or more hours per week. Certain types of employees are excluded.  <b>Accrual:</b> One hour of sick and safe leave for every 30 hours worked.  <b>Accrual limits:</b> Employers may limit employee sick and safe leave accruals to 40 hours per year. Employers are not required to allow employees to accrue more than a total of 64 hours of sick and safe leave at any time (including carryover).  <b>Waiting period:</b> Employers may disallow employees' use of sick and safe leave during the first 106 calendar days of employment.  <b>More information:</b> <a href="#">Healthy Working Families Act</a></p>
<p><b>Massachusetts</b>  <a href="#">Earned Sick Time</a>                  Effective July 1, 2015</p>	<p>All employers.                  Employers with <b>11 or more employees</b> must provide <b>paid sick time</b>.                  Employers with <b>fewer than 11 employees</b> must provide <b>unpaid sick time</b>.</p>	<p><b>Eligible employees:</b> All employees—including part-time, temporary and seasonal employees—working in Massachusetts are eligible to accrue earned sick time.  <b>Accrual:</b> One hour of sick time for every 30 hours worked.  <b>Accrual limits:</b> Employers may limit employee sick time accruals to 40 hours per year.  <b>Waiting period:</b> Employers may restrict the use of earned sick time for an employee's first 90 days of employment.  <b>More information:</b> <a href="#">Massachusetts Attorney General Earned Sick Time Information</a></p>
<p><b>Oregon</b>  <a href="#">Sick Time Leave</a>                  Effective Jan. 1, 2016                  (new amendments effective Jan. 1, 2018)</p>	<p>All employers.                  Employers with <b>10 or more employees</b> must provide <b>paid sick time</b>.                  Employers with <b>fewer than 10 employees</b> must provide <b>unpaid sick time</b>.</p>	<p><b>Eligible employees:</b> All employees—including part-time, full-time, commissioned and piece-rate employees.  <b>Accrual:</b> One hour of sick time for every 30 hours worked or 1½ hours of sick time for every 40 hours worked.  <b>Accrual limits:</b> Effective Jan. 1, 2018, employers may limit employee sick time accruals to 40 hours per year.  <b>Waiting period:</b> Employers may restrict the use of sick time until the employee's 91st day of employment.  <b>More information:</b> <a href="#">Sick Time website</a> and <a href="#">FAQs</a></p>
<p><b>Rhode Island</b>  <a href="#">Healthy and Safe Families and Workplaces Act</a></p>	<p>All employers.                  Employers with <b>18 or more employees</b> must provide <b>paid sick leave</b>.</p>	<p><b>Eligible employees:</b> All employees  <b>Accrual:</b> One hour of sick leave for every 35 hours worked.  <b>Accrual limits:</b> Employers may limit annual employee sick leave accruals as follows:</p>

<p>Effective July 1, 2018</p>	<p>Employers with <b>fewer than 18 employees</b> must provide <b>unpaid sick leave</b>.</p>	<ul style="list-style-type: none"> <li>• 2018 calendar year – 24 hours of sick leave</li> <li>• 2019 calendar year – 32 hours of sick leave</li> <li>• 2020 and thereafter – 40 hours of sick leave</li> </ul> <p><b>Waiting period:</b> Employers may require that employees satisfy a 90-day waiting period prior to being able to use any accrued paid sick leave.</p> <p><b>More information:</b> <a href="#">Healthy and Safe Families and Workplaces Act</a></p>
<p><b>Vermont</b> <a href="#">Earned Sick Time</a></p> <p>Effective Jan. 1, 2017 (for employers with <b>six or more employees</b>)</p> <p>Effective Jan. 1, 2018 (for employers with <b>five or fewer employees</b>)</p>	<p>All Vermont employers are required to provide earned sick time. For existing employers, the effective date depends on the employer’s size. After the sick time law takes effect, new employers will be required to comply after one year of hiring their first employees.</p>	<p><b>Eligible employees:</b> All employees working at least 18 hours per week during a year are eligible to accrue and use paid sick time.</p> <p><b>Accrual:</b> One hour of sick time for every 52 hours worked.</p> <p><b>Accrual limits:</b> Employers may limit annual employee sick time accruals as follows:</p> <ul style="list-style-type: none"> <li>• Jan. 1, 2017-Dec. 31, 2018 – Sick time accrual may be capped at 24 hours in a 12-month period</li> <li>• After Dec. 31, 2018 – Sick time accrual may be capped at 40 hours in a 12-month period</li> </ul> <p><b>Waiting period:</b> Employers may require a one-year waiting period before allowing employees to use sick leave.</p> <p><b>More information:</b> <a href="#">Earned Sick Time FAQs</a> and <a href="#">Earned Sick Time Rules</a></p>
<p><b>Washington</b> <a href="#">Initiative Measure No. 1433</a></p> <p>Effective Jan. 1, 2018</p>	<p>All employers that are subject to Washington’s Minimum Wage Act</p>	<p><b>Eligible employees:</b> All employees including part-time and full-time employees, hourly and salaried employees, and employees hired on a seasonal or temporary basis. However, employees that are exempt from Washington’s Minimum Wage Act are not entitled to paid sick leave.</p> <p><b>Accrual:</b> One hour of sick time for every 40 hours worked.</p> <p><b>Accrual limits:</b> None; employers may not limit employee sick leave accruals.</p> <p><b>Waiting period:</b> An employer may require employees to wait 90 days after hire prior to using any accrued paid sick leave.</p> <p><b>More information:</b> <a href="#">Initiative 1433 Developments and Implementation</a> and <a href="#">Final Regulations</a></p>

## DISTRICT OF COLUMBIA

In addition to the states outlined above, the District of Columbia’s [Universal Paid Leave Act](#) (Act) became law on April 7, 2017. The Act will require virtually all District employers to fund paid family and medical

leave for employees through an increase in payroll taxes. Specifically, the paid leave program will be funded by a 0.62 percent increase in payroll taxes for covered employers. The deadline for the D.C. government to begin collecting contributions from covered employers is July 1, 2019. Eligible individuals begin collecting benefits under the program effective July 1, 2020.