# a better balance 

the work and family legal cente
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Overview of Paid Sick Time Laws in the United States
In the United States, 5 states, 26 cities, one county, and Washington D.C. have paid sick time laws on the books. This document provides an overview and comparison of these 33 laws. ${ }^{1}$
Section I provides a comparison of paid sick time laws that have been passed at the statewide and countywide level, as well as Washington D.C.'s law.
Section II provides a comparison of paid sick time laws that have been passed at the city level.
Section III provides a brief overview of additional paid sick time laws that are narrower than the ones covered in this chart.

| I. Statewide, Countywide, and Washington D.C.'s Paid Sick Time Laws |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Connecticut | California ${ }^{2}$ | Massachusetts | Oregon ${ }^{3}$ | Washington D.C. | Montgomery County, Maryland ${ }^{4}$ | Vermont ${ }^{5}$ |
| Who is covered? | Hourly workers in certain "service" occupations in Connecticut are covered, if they work for a business with 50 or more employees. For the full list of which professions are covered "service" occupations, go to www.ctdol.state.ct.us/wgwkstnd/SickL eaveLaw.htm and look at the definition of "service worker" (Sec. $31-57 \mathrm{r}(7)$ ). Certain manufacturers and non-profit organizations are exempted, as are temporary and day laborers. | Workers employed in California for 30 or more days a year after commencement of employment, including state and local public workers, are covered. Flight deck/cabin crews subject to Railway Labor Act with comparable paid time off are exempted. Workers who provide in-home supportive care are exempted until July 1,2018 , at which point they will be able to accrue paid sick time (beginning a year after commencement of employment and subject to specific usage and | Workers employed in Massachusetts are covered. <br> Workers employed by cities and towns are only covered if <br> the law is accepted by vote or appropriation as provided in the State Constitution. | Workers employed in Oregon, including state and local public workers, are covered. Independent contractors, certain work training program participants, certain work study students, certain railroad workers, and individuals employed by their parent, spouse, or child are exempted. | Individuals employed by an employer within Washington, D.C. The following individuals are exempted: independent contractors; students; health care worker choosing to participate in a premium pay program; unpaid volunters engaged in the activities of an educational, charitable, religious, or nonprofit organization; and casual babysitters. | Workers employed in Montgomery County are covered, but they must week Indep more than 8 hours each all of the fors are also exempted if have a regular work schedule with the employer; 2) they contact the employe for work assignments and are scheduled to work those assignments within 48 hours later; 3) they have no obligation to work for the employer if they don't contact the employer for assignments; and 4) they're not employed by a | Workers employed by an employer in Vermont for an average of no less than 18 hours per week during a year are covered. The following individuals are exempted: workers under 18 years of age; workers employed for 20 or fewer weeks in a year in a job scheduled to last 20 or fewer weeks; certain State workers excluded from the State classified service; certain employees who work on a per diem or intermittent basis at a health care or long-term care facility; certain per diem or intermittent workers who only work when indicating availability, have no obligation to accept the work, and have no expectation of continued employment; certain substitute educators to a school district or supervisory districtunion if under no obligation to work a regular schedule or period of long-term (30 or more consecutive school days) subbstitute coverage; and certain sole proprietors partner owners of an unincorporated business unincorporated business. |
| Can sick time be used to care for loved ones? | Yes: children and spouses | Yes: children; parents; grandchildren; grandparents; spouses; registered domestic partners; parents of a spouse or domestic partner, and siblings | Yes: children; spouses; parents; or parents of a spouse | Yes: children; spouses; same-sex domestic partners; parents; parents of a spouse or samesex domestic partner; grandparents; and grandchildren | Yes: children; grandchildren; spouses of children; siblings; spouses of siblings; parents; parents of a spouse/domestic partner; spouses; registered domestic partners; and a person with whom the worker has a committed (mutual, familial) relationship and has shared a mutual residence for at least the preceding 12 months | Yes: childdren; parents and legal guarians of the worker; ppouses; grandparents; the spouse of a grandparent: grandchildren; siblings; and the spouse of a sibling | Yes: children; parents; parents-in-law; grandparents; spouses; grandchildren; and siblings |
| How is "child" defined? | Biological, foster, or adopted children, stepchildren, legal wards, or the child of a worker standing in loco parentis to the child. The child must be under 18 or 18 years of age and older but incapable of self-care because of a mental/physical disability. | Biological, adopted, or foster child stepchild, legal ward, or the child of a worker standing in loco parentis to the child | Biological, adopted, or foster child, stepchild, a legal ward, or a child of a person who has assumed the responsibilities of parenthood | Biological, adopted, or foster child, or a child of a worker standing in loco parentis to the child. According to current regulations in Oregon, this definition of child also includes a stepchild or . | Biological children, foster children, grandchildren, or a child who lives with the worker and for whom the worker permanently assumes and discharges parental responsibility | Biological, adopted, or foster child; stepchild; child for whom the worker has legal or physical custody or guardianship; child for whom the primary caregive | Undefined. The law specifically covers care of a child or foster child. |
| Can sick time be used for specific "safe time" purposes (related to domestic violence, sexual assault, or stalking)? | Yes, but only when the worker is the victim | Yes, but only when the worker is the victim | Yes, but only when the worker or the worker's dependent child is the victim | Yes, but only when the worker or the worker's minor child or dependent is the victim | Yes, when the worker or the worker's family member is the victim | Yes, when the worker or the worker's family member is the victim | Yes, when the worker or the worker's family member is the victim |
| Can sick time be used under the law to bond with a new child and/or deal with a family member's death? | No. | No. | No. | Oregon's law allows paid sick time to be used: 1) to bond with a newborn, newly adopted, or newly placed foster child under age 18 ; and 2) to deal with the death of a family member (including attending the funeral, making arrangements, and grieving). | No. | No. | No. |
| Can sick time be used when a worker's place of work or child's school/place of care is closed by public health officials for a public health emergency? | No. | No. | No. | Yes. | No. | Yes. | Yes, for public health or safety reasons. |

 violence, sexual assault and/or stalking occurs between certain individuals (such as family members, household members, dating relationships, etc.).

Page 1 of 7

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| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| $\begin{array}{\|l\|} \hline \begin{array}{l} \text { Rate at which } \\ \text { workers earn paid } \\ \text { sick time? } \end{array} \\ \hline \end{array}$ | 1 hour for every 40 hours worked | 1 hour for every 30 hours worked | 1 hour for every 30 hours worked (for both paid and unpaid sick time, as described below) | 1 hour for every 30 hours worked or 1 and $1 / 3$ hours for every 40 hours worked (for both paid and unpaid sick time, as described below) | In businesses with 24 or fewer employees: 1 hour for every 87 hours worked. In businesses with 25-99 employees (and workers in a restaurant or bar with 1-99 employees who regularly receive tips to supplement a base wage below the minimum wage): 1 hour for every 43 hours worked. In businesses with 100 or more employees: 1 hour for every 37 hours worked | 1 hour for every 30 hours worked (for both paid and unpaid sick time, as described below) | 1 hour for every 52 hours worked |
| Amount of paid sick time that can be earned under the law per year? | Up to 40 hours of paid sick time a year | Workers can earn up to 48 hours or 6 days of paid sick time, but an employer isn't required to allow use of more than 24 hours or 3 days of paid sick time a year | Workers in businesses with 11 or more employees: up to 40 hours of paid sick time a year. Workers in businesses with fewer than 11 workers: up to 40 hours of unpaid sick time a year | Larger businesses: Workers in businesses with at least 10 or more <br> Employers located in Portland: If a business is located in Portland (including maintaining any office, store, restaurant, or establishment in the city) and has at least 6 employees anywhere in Oregon, workers have the right to earn up to 40 hours of paid sick time a year. <br> Smaller businesses: Workers in businesses with fewer than 10 workers (or fewer than 6 workers if the business is located in Portland): up to 40 hours of unpaid sick time a year. <br> Special rule for some home care workers: Certain home care workers who are hired directly by the client but whose compensation is funded in whole or part by payments from the State, county, or a public agency must receive up to 40 hours of paid time off a year (including but not limited to sick time). | Workers in businesses with 24 or fewer employees: up to 24 hours a year. Workers in businesses with 25-99 employees (and workers in a restaurant or bar with 1-99 employees who regularly receive tips to supplement a base wage below the minimum wage): up to 40 hours a year. Workers in businesses with 100 or more employees: up to 56 hours a year. The number of employees is determined by the average monthly number of full-time equivalents in the prior year number of full-time equivalents in the prior year. | Workers in businesses with 5 or more workers: up to 56 hours a year. with fewer than 5 workers: up to 32 hours of paid sick time and 24 hours of unpaid sick time. | From 1/1/2017 to 12/31/2018: Up to 24 hours a year. <br> After 12/31/2018: Up to 40 hours a year. <br> Note: new businesses will not be subject to the paid sick time law for a period of one year after hiring their first employee. |
| When do workers begin to earn paid sick time? | At the commencement of employment, but paid sick time can't be used until the employment. | At the commencement of employment, but paid sick time can't be used until the $90^{\text {th }}$ day of employment. As noted earlier, the law covers a worker when the worker, on or after July 1, 2015, works in California for more than 30 days within a year from the commencement of employment. | At the date of hire, but sick time can't be used until the 90th calendar day following commencement of employment. | At the commencement of employment or January 1,2016 , whichever is later. For a worker employed on the law's effective date of January 1,2016, earned sick time may be used as it is aerned. For workers who begin employment after the effective date of January 1,2016 , arned sick time can't be used until the 91 st calendar day of employment with the employer. | At the commencement of employment, but paid sick time can't be used until after 90 days of service with his or her employer. | At the commencement of employment, or October 1, 2016, whichever is later, but workers can be required to wait 90 days before using their sick time. | At the commencement of employment or when their employer becomes covered by the law, whichever is later, but workers can be required to wait up to 1 year before using their accrued paid sick time. See endnote 5 on page 6 for more |
| Does unused sick time carry forward to the subsequent year? | Workers are entitled to carry forward up to 40 hours of unused paid sick time, but employers are not required to allow use of hours of paid sick time a year. | Workers are entitled to carry forward unused paid sick time, but employers aren't required to allow use of more than 24 hours (or three days) of paid sick time per year. Carry forward is not required if the full amount of paid sick time ( 24 hours, or three days) is provided at the beginning of each year. | Workers are entitled to carry forward up to hours of unused sick time, but employers aren't required to allow use of more than 40 hours of sick time a year. Per regulations, employers may choose to pay out workers up to 40 hours of unused sick time at the end of the year. If an employer pays out a worker for 16 hours or more of unused sick time, they must provide 16 hours of unpaid sick time up front in the new year; if they pay out less than 16 hours, they shall provide an equivalent amount of unpaid sick time up front in the new year. In either case, this unpaid sick time is replaced by paid sick time as the worker earns it. | Workers are entitled to carry forward up to 40 hours of unused sick time. An employer may adopt a policy: limiting the amount of sick time that can be earned to no more than 80 hours; or limiting use of sick time to no more than 40 hours a year. Carry forward is not required if the following elements are met: 1) the worker and the employer mutually agree not to carry forward the time; 2) the employer credits the worker with an amount of sick time that meets the law's requirements up front at the start of the subsequent year; , and 3 ) if the employer has 10 or more workers in OR , the employer pays the worker for all unused paid sick time at the end of the year in which it is earned year in which it is earned. | Per regulations, workers can carry forward unused paid sick time, but employers aren't required to allow use of more than: 56 hours of paid sick time a year (for businesses with 100 or more workers); 40 hours of paid sick time a year (for businesses with at least 25 and fewer than 100 workers-this presumably will also be the rule for tipped workers in a restaurant or bar with 1 99 employees); or 24 hours of paid sick time a year (for business with fewer than 25 workers). | Workers are entitled to hours of unused sick tim and may use up to 80 hours of sick time a year when they have sick time that is carried forward. However, employers are not required to allow carry forward if, at the beginning of the new year, of sick time that the worker would earn over that year. | Workers are entitled to carry forward accrue paid sick time, but employers aren't required to allow use of more than 24 hours (from 1/1/2017 to $12 / 31 / 2018$ ) or 40 hours (after 12/31/2018) a year. However, employers are not required to carry it forward if they choose to pay a worker unused paid sick time at the end of the year. If an employer offers a paid time off (PTO) policy or is party to a CBA that provides at least the full amount of PTO required by the paid sick time law at the beginning of each year and it can be used for the law's purposes at any time during the year, it shall not carry forward. |
| Private Right of Action to go to Court? | No | No, but the State Labor Commissioner or Attorney General may bring a civil action in Court against an employer or person violating the article. | Yes, after filing with the Attorney General | Yes | Yes | No | Yes |
| Are there waiver exemptions for workers covered by a valid Collective Bargaining Agreement (CBA)? | No specific <br> language <br> regarding waivers or exemptions for by a CBA | Construction industry workers covered by a CBA providing certain wage/hour/working conditions and expressly waiving the law's provisions in lear and unambiguous terms are exempted Otherwise, workers covered by a CBA providing for comparable paid time off and certain wage/hour/working conditions are exempted. | No specific language regarding waivers or exemptions for workers covered by a CBA | The law exempts workers whose terms and conditions of employment are covered by a CBA if their employment-related benefits are provided by a joint multi-employer-employee trust or benefit plan and they are employed through a hiring hall or similar referral system operated by the labor organization or third party. | The law's paid sick time requirements won't apply to workers in the building/construction industry covered by a CBA that expressly waives the requirements in clear and unambiguous terms. Otherwise, the law's paic sick time requirements can't be waived in the written terms of a CBA for less than 3 paid leave days. | No specific language regarding waivers or exemptions for worker covered by a CBA | No specific waivers or exemptions for workers covered by a CBA |
| For the statewide paid sick time laws: can cities in the state pass paid sick time laws that are broader than the state law? | Not explicitly addressed in the paid sick time law | Yes. The California law does not preempt or limit other laws or policies that provide for greater earning or use of paid sick time. Therefore, the more expansive San Francisco, Oakland, San Diego, Emeryville, Santa Monica, and Los Angeles paid sick time laws will still apply to workers covered by those laws, and other cities in California may continue to pass broader paid sick time laws. | Not explicitly addressed in the paid sick time law | No. The Oregon law preempts-or prohibits-cities from passing their own paid sick time laws. However, in response to Portland's more generous paid sick time law (in effect when the state bill was passed), the statewide paid sick time law requires that employers located in Portland with at least 6 employees (anywhere in Oregon) must provide paid sick time to their workers. | N/A | N/A | Not explicitly addressed in the paid sick time law |

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| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| What Agency or Official Enforces the Bill? | The Connecticut Department of Labor | The California Labor Commissioner's Office, also known as the California Division of Labor Standards Enforcement (DLSE) | The Massachusetts Attorney General | The Oregon Bureau of Labor and Industries | Washington D.C. Department of Employment Services | Montgomery County Office of Human Rights The County Executive may also delegate enforcement authority to any legally authorized State agency. | Vermont Department of Labor |


| II. City Paid Sick Time Laws |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | $\begin{aligned} & \text { San Francisco } \\ & \text { and Oakland, } \\ & \qquad \begin{array}{c} \text { Oa } \end{array} \end{aligned}$ | Seattle, WA | $\underset{\mathbf{N Y}}{\text { New York City, }}$ | Newark, Passaic, East Orange, Paterson, Irvington, Trenton Montclair, Bloomfield, Jersey City, Elizabeth, and Plainfield, NJ | San Diego, $\mathrm{CA}^{8}$ | Tacoma, WA | Philadelphia, PA | Emeryville, CA | Pittsburgh, $\mathrm{PA}^{9}$ | Spokane, $\mathbf{W A}^{10}$ | Santa Monica, CA $^{11}$ | $\underset{\substack{\text { Minneapolis, } \\ \mathbf{N N}^{2}}}{ }$ | Los Angeles, $\mathrm{CA}^{13}$ | Chicago, IL $^{14}$ |
| Who is covered? | In San Francisco <br> workers employed <br> within the <br> boundaries of the <br> city are covered. <br> In Oakland, <br> workers who, in a <br> particular week, <br> perform at least 2 hours of work <br> within the <br> geographic <br> boundaries of the <br> city and who are <br> entitled to <br> under California <br> law are covered |  | Workers who hav worked within than 80 hours in calendar year are covered. Domestic workers will receive some paid study students, certain hourly speech/physical therapists, independent contractors, and government exempted. | Workers employed in the relevant city (Newark, Passaic, East Orange, Paterson, Irvington, Trenton, Montclair, Bloomfield, Jersey City, Elizabeth, or Plainfield) for are covered. Workers employed by any government or a New Jersey School District or exempted. In Newark and Jersey City, workers employed by Rutgers and its subdivisions are exempted. | Workers who, in at least one calendar week of the year, work within San Diego are covered. Independent contractors, certain workers authorized under State law to minimess tan the providers of in-home supportive services under State law, workers employed under a publicly subsidized summer or short term youth employment program, or any student employee, camp or program camp under State law are exempted. | Workers employed <br> in Tacoma are <br> covered, but must <br> perform work in <br> than 80 hours <br> within a calendar <br> students, <br> independent <br> contractors, single- <br> person businesses, and government <br> workers are <br> exempted. | Workers employed in Philadelphia for at least 40 hours in a calendar year covered. The following workers are exempted: independent contractors; seasonal workers (hired for a temporary period of not more than 16 weeks a year); adjunct professors; interns (students working for the institution where enrolled); workers hired for a term of health care professionals who only work when indicating they are available and have no obligation to work when they do not indicate availability. | Workers who, in a calendar week, perform at least 2 hours of work within the geographic boundaries of Emeryville and who are entitled to minimum wage under California law are covered. | Workers employed in Pittsburgh are covered Independent Independent contractors and seasonal workers (those hired for a temporary period of not more than 16 weeks and given written notification at time of hire that employment is limited to beginning/end of seasonal dates as determined by employer) are exempted. exempted. | Workers employed in Spokane for more than 240 hours a year are covered. Work-study students (under a state/federal program), those employed by certain firms engaged in construction work, seasonal workers (expected employment of less than I year and which is intermittent/recurring annually), independent contractors, domestic workers (those individuals employed as a domestic servant in a private home by an employer with less than 2 employees regularly employed 40 or more hours per week; or a person employed to do gardening, employer's private home) government workers are exempted | Workers who, in a calendar week, perform at leas hours of work within the geographic boundaries of Santa Monica and who are entitled to minimum wage under California law are covered. Government and school district employees ar exempted. | Workers wh <br> perform work <br> for an employer <br> within <br> Minneapolis for <br> at least 80 <br> hours in a year <br> for that <br> employer are <br> covered. <br> Independent <br> contractors are <br> exempted | Workers who, in a particular week, perform at least hours of work within the geographic boundaries of Los Angeles and who are wage under California law are covered. To be entitled to paid sick time, workers must also work in Los Angeles-on or after same employer for 30 days or more within a year from the employment. |  |
| Can sick time be used to care for loved ones? | Yes: children parents; sibling <br> grandparents <br> grandchildren <br> spouses; <br> registered domestic partners; <br> and, if a worker <br> has no spouse/ domestic partner, <br> a designated <br> person of the <br> worker's choice. <br> As of January 1, <br> of a spouse or <br> domestic partner <br> will also be <br> Francisco. | Yes: children parents; parents-inlaw; grandparents; spouses; and partners | Yes: children; spouses; registered domestic partners; grandchi grandparents; siblings; and the parents of a spouse or domestic partner | Yes: children; parents; parents of a spouse or partner; spouses; domestic/civil union partners; grandchildren; grandparents: the spouse or partner of a grandparent; and siblings | Yes: children; parents; parents of a spouse/do partuer; grandchildren; grandparents; spouses; domestic partners (registered under state/local law or with the internal registry of at least one partner's employer); and siblings | Yes: children parents; grandparents; spouses; and (local or partner registries) | Yes: children; parents; parents-in-law; spouses; grandparents; the spouse of grandchildren; siblings; the spouse of a sibling; and a life partner (a long-term between two unmarried individuals of the same sex or gender identity who meet certain, specifit requirements) | Yes: children; parents grandchildren; grandparents; spouses registered domestic spouse or domestic partner; siblings; and, if a worker has no spouse/domestic partner, a designate person of the worker's choice. Paid sick time can also be used to care dog, or service dog of the worker or worker's designated partner | Yes: children; parents; parents of a spouse domestic partner; spouses; domestic partners; <br> grandchildren; <br> grandparents; the <br> spouse or domestic <br> partner of a <br> grandparent; siblings; <br> and any individual for <br> whom the employee <br> received oral <br> permission from the <br> the time of the <br> employee's request to make use of sick time | Yes: spouses; domestic partners; children; grandchildren; parents; and grandparents | Yes: children; parents; <br> grandchildren; <br> grandparents; <br> spouses; <br> registered <br> domestic <br> partners; parents of a spouse or <br> domestic <br> partner; and <br> siblings | Yes: children; parents; <br> parents-in-law; <br> spouses; <br> registered <br> domestic <br> partners; <br> grandchildren; <br> siblings; <br> members of <br> the worker's <br> household | Yes: children; parents; grandchildren; grandparents: spouses; registered domestic partners; parents of a spouse or siblings; and any individual related by blood or affinity whose close association with the worker is the equivalent of a family relationship | Yes: children; legal guardians or wards; spouses; domestic partners (including parties to a civil parents of a spouse or domestic partner; grandparents; grandchildren siblings; or any other individual related by blood or whose close association with the employee is the equivalent of a family relationship |
| "How is defined? defined? | Legal guardian or wards; children from biological, adoptive, foster care, and steprelationships; children of a domestic partner; or the child of a worker standing in loco parentis to the child | Biological, adopted or foster children, stepchildren, legal wards, or the child of a worker standing in loco parentis. The child must be under 18 or 18 years of age and older but incapable of self-care because of a mental/physical disability | Biological, <br> adopted, or foster children, legal wards, or the child of a worker standing in loco parentis to the child | Biological, adopted, or foster children, stepchildren, legal wards, children of a domestic partner or civil union standing in loco parentis to the child | Biological, adopted, or foster child; stepchild; child of a domestic partner; legal ward; or the child of a worker standing in loco parentis to the child | Biological, adopted or foster children, stepchildren, lega wards, or the child of a worker standing in loco parentis. The child must be under 18 years of age or 18 and older but incapable of selfcare because of a disability | Biological. adopted or foster chidren stepchidren legal wards, or the child of a worker standing in loco parentis to the child | Biological, adopted, or foster child, stepchild, of a worker standing in loco parentis to the child | Biological, adopted, or foster child, stepchild, legal ward, child of a child of a worker standing in loco parentis to the child | Children who are under 18 years of age, or 18 or older but incapable of self-care because of a mental/physical disability | Biological, adopted, or foster child, stepchild, legal ward, or the child of a in loco parentis to the child | Biological, adopted, or foster child, stepchild, guardian, or ward | Biological, adopted, or foster child, stepchild, legal ward, or the child of a worker standing in loco parentis to the child | Biological, foster, or adopted children, stepchildren, legal guardians or wards, or a child to whom the employee stands in loco parentis |

Page 3 of 7
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|  |  | Seattle, WA | $\underset{\mathbf{N Y}}{\substack{\text { New York City, } \\ \hline}}$ | Newark, Passaic, East Orange, Paterson, Irvington, Trenton, Montclair, Bloomfield, Jersey City, Elizabeth, and Plainfield, $\mathrm{NJ}^{\dagger}$ | $\begin{gathered} \text { San Diego, } \\ \text { CA }^{8} \end{gathered}$ | $\underset{\text { WA }}{\substack{\text { Tacoma, }}}$ | Philadelphia, PA | $\underset{\text { CA }}{\text { Emeryville, }}$ | Pittsburgh, PA ${ }^{\text {9 }}$ | Spokane, $\mathrm{WA}^{10}$ | Santa Monica, $\mathrm{CA}^{11}$ | Minneapolis, $\mathbf{M N}^{12}$ | $\underset{\text { CA }^{13}}{\text { Los Angeses, }}$ | Chicago, $\mathrm{IL}^{14}$ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Are specific "safe <br> time" purpopes <br> included? | In Oakland: No <br> In San <br> Francisco: Yes, <br> but only as of <br> January 1, <br> 2017, and only <br> is the victim | Yes, when the worker or the worker's family member is the victim | No | No | Yes, when th worker or the worker's family member is th victim | Yes, when the worker or the worker's family member is the victim | Yes, when the worker or the worker's family member is the victim | No | No | Yes, when the worker or worker's family membe parent-in-law, grandparent, or person with whom the employee has a dating relationship) is the victim | Yes, but only when the worker is the victim | Yes, when the worker or the worker's family member is the victim | Yes, but only when the worker is the victim | Yes, when the worker or the worker's family member is the victim |
|  | No | Yes | Yes | Yes | Yes | Yes | No | No | Yes | Yes | No | Yes. Also includes need to care for family member whose chool/place of care is closed due to inclement weather, loss of power/heating/water, or other unexpected closure. | No | Yes |
|  | No | No | No | No | No | Paid sick time can be with a family member's death. | No | No | No | Paid sick time can be used to deal with a family member's death. | No | No | No | If an employee is subject to the federal Famili and Medical Leave Act (FMLA), she may carry forward up to 40 hours of unused paid sick time to be used for leave covered by the FMLA, which includes bonding with a new child (as well as certain mililaty family needs). Paid sick time can't be used to deal with a family member's death. |
| Rate at which workers earn paid sick time? | 1 hour for every 30 hours worked | In businesses with 250 or more employees, 1 hour for every 30 hours worked. In businesses with employees, 1 hour for every 40 hours worked | 1 hour for every 30 hours worked (for both paid and unpaid sick time, as described below | 1 hour for every 30 hours worked | 1 hour for every 30 hours <br> worked | $\begin{aligned} & 1 \text { hour for } \\ & \text { every } \\ & \text { hours } \\ & \text { worked } \end{aligned}$ | 1 hour for every 40 hours worked (for both paid and unpaid described below) | $\begin{array}{\|l\|l} \hline 1 \text { hour for every } \\ 30 \text { huus } \\ \text { worked } \end{array}$ | 1 hour for every 35 hours worked | 1 hour for every 30 hours worked | $\begin{aligned} & 1 \text { hour for every } 30 \\ & \text { hours worked } \end{aligned}$ | 1 hour for every 30 hours worked (for both paid and unpaid sick time, as described below) | 1 hour for every 30 hours worked | 1 hour for every 40 hours worked. |
| Amount of paid <br> sick time that <br> can be earned <br> under the law <br> per year? | Workers in <br> businesses with <br> 10 or more <br> workers: up to <br> 72 hours. <br> Workers in <br> businesses with <br> workers: up to <br> 40 hours | There is no limit on how much workers can earn, but workers can only use the following a year: Tier 1 (workers in businesses with more than 4 but fewer than 50 full-time workers up to 40 hours. Tier 2 (workers in businesses with at least 50 but fewer than 250 full-time workers or FTEs): up to 56 hours. Tier 3 (workers in businesses with 250 FTEs): fult-time workers or FTEs): up to 72 hours, or up to 108 hours if the employer has a universal paid time off policy. | Workers in businesses with 5 or more workers: up to 40 hours a businesses with fewer than 5 workers up to 40 hours of unpaid sick time a year. certain chain businesses or franchises will be counted together to determine size | Workers in businesses with 10 or more workers (and all child care, home health care, and food service workers, regardless of the size of their employer): up to 40 hours a year. Workers in businesses with fewer than 10 workers: up to 24 hours a year. | Workers can earn up to 80 hours in a year, but workers are use up to 40 hours a year. | $\begin{array}{\|l\|} \hline \text { Up to } 24 \\ \text { hours a year } \end{array}$ | Workers in <br> businesses with 10 or more workers: up to 40 hours a year businesses with fewer than 10 employees: up to 40 hours of unpaid sick time a year. Certain chain establishments must provide paid sick time regardless of the number of employees in an establishment. | Workers in <br> businesses with <br> more than 55 <br> workers: up to <br> 72 hours. <br> W orkers in <br> businesses with 55 or fewer <br> workers: up t <br> 48 hours | Workers in businesses with 15 or more worker Workers in businesse with fewer than 15 workers: up to 24 hours a year, although in the first into effect, this time will be unpaid (thereafter it sick time a year for workers in these small businesses). | There is no explicit limit on how much workers can earn, but workers can only use the following amounts of earned paid sick time a year: Workers in businesses with 10 or hours a year. Workers in businesses with fewer 24 hours | Workers in businesses <br> with 26 or more <br> workers: up to 40 <br> hours (from $1 / 1 / 12017$ <br> to $1231 / 2017$ or 72 <br> hours (after <br> $12 / 31 / 2017$ ) a year. <br> Workers in businesses <br> with 25 or fewer <br> workers: up to 32 <br> hours (riom $1 / 1 / 1 / 2017$ <br> to $12 / 31 / 2017$ ) or 40 <br> hours (after <br> $12 / 31 / 2017$ ) a year. | Workers in businesses with 6 or more workers: up to 48 hours a year. Workers in workers: up to 48 hours of unpaid sick time a year. New employers, other than certain chain businesses, only have to provide unpaid sick time in their first 12 months after hiring their first worker (this "new business" provision only applies for 5 years after the law's effective date). | $\begin{array}{\|l\|} \hline \begin{array}{l} \text { Up to } 48 \text { hours a } \\ \text { year } \end{array} \\ \hline \end{array}$ | Up to 40 hours a year |

[^0] Page 4 of 7

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|  | $\begin{aligned} & \text { San Francisco } \\ & \text { and Oakland, } \\ & \mathrm{CA}^{\circ} \end{aligned}$ | Seattle, WA | New York City, NY | Newark, Passaic, East Orange, Paterson, Irvington, Trenton, Montclair, Bloomfield, Jersey City, Elizabeth, and Plainfield, $\mathrm{NJ}^{7}$ | $\underset{\text { CA }^{\text {s }}}{\text { San Digo }}$ | $\underset{\mathbf{W A} \mathbf{T}}{\text { Tacoma, }}$ | Philadelphia, PA | Emeryville, CA | Pittsburgh, $\mathrm{PA}^{9}$ | Spokane, $\mathrm{WA}^{10}$ | Santa Monica, $\mathrm{CA}^{11}$ | Minneapolis, $\mathbf{M N}^{12}$ | Los Angeles, $\mathrm{CA}^{13}$ | Chicago, [L ${ }^{\text {14 }}$ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | In San Francisco 90 calendar days after the employment. For workers hired on or after January 1, 2017, paid sick time begins to accrue at the commencement of employment, but paid sick time the 90 be used until employment <br> In Oakland, on the first day of employment, but paid sick time can't be used until days of employment. |  | At the commencement <br> of employment, but sick <br> time can't te used until <br> the cath casd caldar day <br> following <br> commencement of <br> employment. | On the first day of employment, but paid sick time can't be used until the 90th calendar (except Plainfield, which is the 100 th calendar day of employment). | Paid sick time begins to <br> accrue at the <br> commencement <br> or July 11, <br> 2016, <br> whichever is <br> later, but it <br> can't be used until 90 <br> calendar days <br> following the <br> of employment <br> or on July 11, <br> 2016, <br> whichever is <br> later. | At the commence ment of employment 2016, <br> whichever is later, but paid sick time can be used until the 180th calendar day after commenced |  | Although not explicitly stated in the law and future regulations may time will likely be earned in the same manner as the State's paid sick time law: workers begin to earn paid sick time at the commencement of paid sick time can't be used until the 90th day of employment. mployment. |  | On the first day of employment, but employers can require workers to wait up to 90 days after employment begins before using paid sick time. paid sick time. |  | At the commencement of employment or the law's effective date, whicheve is later, but sick time cantre used until the e 0 th calendar day a ater commencement of employment. | On the first day of employmen or July 1, 2016, whichever is later. A worker can use paid sick time beginning on the 90th day whichever is later. As noted earlier, the law covers a worker when the worker, on or after July 1, 2016, works in Los Angeles for the same employer for 30 days or more within a year from the commencement of employment. Also, see endnote 13 at the end of this chart regarding the overall dates when workers can begin earning paid sick time, depending on business size. | On the first calend day after the worker commences <br> 1,2017, whichever later, but workers can be required to wait to time for up to 180 calendar days after employment. |
| Does unused sick time carry forward to the subsequent year? | Workers are entitled to carry forward 72 hours of unused paid businesses with 10 or more workers) or 40 hours of unused paid sick time (in businesses with fewer than 10 workers), but employers are not required to allow workers to earn 72-hour or 40hour caps. | to carry forward the following amount of unused paid sick time: Tier 1: up to 40 hours, Tier 2: up to 56 hours; Tier 3: up to 72 hours (or up to 108 hours if the employer has a universal paid time off policy). Employers aren't required to allow use of more time in a year than as outlined above, according to business size | Workers are entitled to carry forward up to 40 hours of unused sick time, but employers aren't required to allow use of more than 40 hours of sick time a not required if a worker is paid for unused sick year and the employer provides the worker with an amount of paid sick time that meets or exceeds the law's day of the subsequent year. | Workers are entitled to carry forward up to 40 hours of unused sick time, but employers aren't required to allow use of more than 40 hours of sick time a year. In all of these cities except Jersey City, carry forward is no required if a worker is paid for any unused sick time at the end of the year in which it is earned. | Workers are entitled to carry paid sick time. An employer may satisfy the law's carry-over provisions if the employer provides a worker with at least 40 hour of paid sick beginning of each benefit year, regardless of whether the employee is full-time, parttime, or temporary. |  | Workers are entitled to carry forward unused sick time, but employers are allow use of more than 40 hours of sick time per year. required if the employer chooses to provide at least 40 hours of sick time at the beginning of each calendar year | Workers are entitled to carry forward 72 <br> hours of unused paid sick time (in <br> businesses with <br> workers) or 48 <br> hours of unused <br> paid sick time (in <br> businesses with 55 or fewer workers) <br> but employers are <br> not required to <br> allow workers to <br> these 72 -hour or 48 - <br> hour caps. |  | Workers are entitled to carry forward up to 24 hours of unused paid sick time to the following year <br> following year |  | Workers are entitled to carry forward unused sick time and shall continue to accrue sick time up to a total of 80 hours at any time. There is otherwise no limit on how much earned sick time can be used in a year. | Workers are entitled to carry forward unused paid sick time to the following year, but employers may cap it at 72 hours. |  |
| Are there waivers exemptions for workers covered by a valid Collective Bargaining Agreement (CBA) or bargaining unit? | Workers covered by a CBA may waive all or part of extent that the CBA sets forth the waiver in clear and unambiguous terms. | The law's provisions won't apply to any workers covered by a CBA to the extent that the requirements in clear and unambiguous terms. | The law's provisions in the construction grocery industry covered by CBA if the law's provisions are expressly waived in the CBA. The law's provisions won't apply covered by a CBA if the provisions are expressly waived in the CBA and the CBA provides a comparable benefit | Members of a construction union covered by a CBA a are eexempted. Otherwise, all or any part of the law's requirements do on apply to workers covered by a CBA to the extent that the CBA expressly waives the requirements in clear and unambiguous terms. | No specific language regarding exemptions for workers covered by a CBA. | The law's provision won't apply to any workers CBA to the extent that the CBA expressly waives the in clear and unambiguous terms. | The law's provisions do not apply to workers covered by a bona fide CBA. | All or any portion of the law doesn't apply to workers covered by a CBA CBA explicitly waives the requirements in clear and unambiguous terms showing that the parties intend the waiver | $\begin{aligned} & \hline \begin{array}{l} \text { Members of a } \\ \text { construction union } \\ \text { ooveredy a aollective } \\ \text { barganing unit are } \\ \text { exempted. } \end{array} \end{aligned}$ | No specific language regarding waivers or exemptions for workers covered by a CBA. | All or any part of the law doesn't apply to workers covered by a CBA to the explicitly waives the requirements in clear and unambiguous terms. | An employer may opt to satisfy the law for construction employees by paying at least the State prevailing wage or the rate required in an applicable registered apprenticeship agreement (regardless of whether working projects). | No specific language regarding waivers or exemptions for worker covered by a CBA. |  |

All of these paid sick time laws include language making it clear that these laws establish a minimum requirement and employees can receive greater paid sick time rights through a contract, CBA, employment benefit plan, policy, standard, or other agreement.
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|  | San Francisco and Oakland, $\mathrm{CA}^{6}$ | $\begin{aligned} & \text { Seattle, } \\ & \text { WA } \end{aligned}$ | $\begin{aligned} & \text { New York } \\ & \text { City, NY } \\ & \hline \end{aligned}$ | Newark, Passaic, East Orange, Paterson, Irvington, Trenton, Montclair, Bloomfield, Jersey City, Elizabeth, and Plainfield, NJ ${ }^{7}$, | San Diego, CA $^{8}$ | $\underset{\substack{\text { Tacoma, } \\ \text { WA } \\ \hline}}{\text { and }}$ | Philadelphia, PA | Emeryville, CA | $\begin{gathered} \text { Pittsburgh, } \\ \text { PA }^{9} \\ \hline \end{gathered}$ | $\begin{gathered} \text { Spokane, } \\ \text { WA }^{10} \end{gathered}$ | Santa Monica, $\mathrm{CA}^{11}$ | Minneapolis, $\mathbf{M N}^{12}$ | Los Angeles, CA $^{13}$ | $\begin{gathered} \text { Chicago, } \\ \text { IL }^{14} \end{gathered}$ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| $\begin{array}{\|l\|l} \hline \text { Private } \\ \text { Right of } \\ \text { Action to } \\ \text { goto } \\ \text { Court? } \end{array}$ | Yes | No | No | Yes | Yes | No | Yes. Can go directly to court days after May 13, 2015, the law's effective workers may go to Court only after receiving a final decision from the agency or 180 days after filing a complaint, whichever is earlier. | Yes | No | Possibly. The law requires the City Council and the <br> Administration <br> to jointly <br> determine enforcement <br> procedures, <br> which must be <br> in effect by October 1, <br> 2016. | Yes | No | Yes | Yes |
| What <br> Agency <br> or <br> official <br> Onfores <br> the Bill? | San Francisco: San Francisco Office of Labor Standards Enforcement <br> Oakland: No particular agency specified in the law. The Contracts and Compliance Division of the Oakland City Administrator's Office has been authorized to take complaints | $\begin{aligned} & \text { Seatle } \\ & \text { Ooftice for } \\ & \text { Civil } \\ & \text { Rights } \end{aligned}$ | $\begin{aligned} & \text { Nen York } \\ & \text { City Yoprtent } \\ & \text { Copartment } \\ & \text { Do Consumer } \\ & \text { Affairs } \end{aligned}$ | Newark: Newark Department of Child and Family Well-Being <br> Passaic: Passaic Department of Human Services, Division of Health <br> Irvington: Irvington Department of Neighborhood Services <br> Plainfield: Plainfield Department of Administration and Finance, Division of Health \& Social Services <br> The laws in: East Orange, Paterson, Trenton, Montclair, Bloomfield, Jersey City, and Elizabeth are enforced by the relevant city's Municipal Department of Health and Human Services | San Diego's Office of the <br> City Treasurer (although the <br> Mayor may designate <br> another office <br> under the <br> Mayor's authority | The Finance Direct <br> or her <br> designee | The Philadelphia Managing Director's Office | No specific agency authorized. The City under the law to issue rules and regulations, as well as to enforce the law through <br> administrative citations and/or remedies | The Office of the Citil Contror or a Oepartmen or entity designated by the Mayor's Office | To be determined by the City Council and Administation by October 1, 2016 | The Santa Monica Finance Director is authorized to adopt <br> administrative regulations consistent wi the law | Minneapolis Department of Civil Rights Civil Right | Los Angeles Office of Wage Standards (within the Department of Public Works' Bureau of Contract Administration) | Chicago Department oo Business Affairs and Consumer Protection |

 worker's specific circumstances or category of employment.


 Los Angeles, and San Diego paid sick time laws will still apply to workers covered by those laws, and other cities or counties in California may continue to pass broader paid sick time laws.





${ }^{4}$ On June 23, 2015, the Montgomery County Council passed a paid sick time law, which will go into effect on October 1, 2016




 1, 2017.


 workers, independent contractors, individuals who work from home, and certain "per diem" hospital employees who work on a flexible, "as needed" basis to cover for other absent hospital workers. The New Brunswick law is now in effect. For more, go to: http://thecityofnewbrunswick.org/planninganddevelopment/paid-sick-safe-time-in-new-brunswick/

 was passed by the Council and later approved by the Mayor on August 3, 2016. The implementing ordinance takes effect on September 2, 2016. Note that the information in this chart reflects the amendments that take effect on September 2nd as well.

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' On August 3, 2015, the Pittsburgh City Council passed a paid sick time law by a vote of 7-1. Although a lower court ruled against the law in late 2015 based on a unique provision in Pennsylvania law, the city will be appeal the decision.
 registration in Spokane after the enactment of the law-but before the effect date of January 1, 2017-are not subject to the law until 1 year after the date of their first business registration.
 and minimum wage law was adopted on April 26, 2016. Although the law takes effect 30 days later, employers are not required to provide paid sick time until January 1, 2017, as described in this chart.
${ }^{12}$ On May 27, 2016, the Minneapolis City Council unanimously passed a paid sick time law, which was signed by the Mayor several days later. The law will take effect on July 1, 2017.

 2017.

 short-term, temporary, or irregularly employed individuals who are not subject to the city's minimum wage law-and who likely would not be employed for long enough to earn and then use sick time under the law (f
counselors, and certain learners as designated by the State Department of Labor). Also, workers who, in any 2 -week period, perform fewer than 2 hours of work while physically present within Chicago are exempted.

## III. Additional Paid Sick Time Laws


 employers to offer additional hours to part-time employees before they may hire new part-time staff.
 increases in the federal minimum wage or cost of living) and allow workers to earn a minimum of 5 paid sick days a year.

For more detailed information on the sick time laws and bills described in this document, see:

- A Better Balance's website at http://www.abetterbalance.org/web/ourissues/sickleave

Connecticut: http://www.ctdol.state.ct.us/wowkstnd/SickLeave.htm
California: http://www.dir.ca.gov/DLSE/ab1522.html
Massachusetts: http://www.mass.gov/ago/doing-business-in-massachusetts/labor-laws-and-public-construction/earned-sick-time/
Oregon: http://www.oregon.gov/BOLI/TA/pages/index.aspx
Washington D.C.: http://does.dc.gov/service/wage-and-hour-compliance
Oakland: http://www2.oaklandnet.com/government/o/CityAdministration/d/MinimumWage/index.htm

- Seattle: http://www.seattle.gov/laborstandards/paid-sick-and-safe-time

New York City: http://www.nyc.gov/PaidSickLeave and A Better Balance's website: http://www.abetterbalance.org/web/nycpaidsick
Newark: http://www.ci.newark.nj.us/government/departments/health-and-community-wellness/paid-sick-leave
Trenton: http://www trentonj

- Montclair: http://www.montclairnjusa.org/index.php?option=com content\&view=category\&layout=blog\&id=341\&Itemid=880
- Bloomfield: http://www.bloomfieldtwpnj.com/main/press-release//bloomfield-first-nj-town-year-mandate-paid-sick-leave
- Jersey City: http://www.jerseycitynj.gov/business.aspx?id=13851

San Diego: https://www.sandiego.gov/treasurer/minimum-wage-program

- Tacoma: http://www.cityoftacoma.org/cms/one.aspx?objectId=75860

Philadelphia: http://www.phila.gov/MDO/Pages/PaidSickLeave.aspx
Emeryville: http://www.ci.emeryville.ca.us/1024/Minimum-Wage-Ordinance

- Spokane: https://my.spokanecity.org/citycouncil/items-of-interest/sick-leave

Santa Monica: https://www.smgov.net/departments/HED/Economic_Development/Minimum_Wage_Proposal.aspx
Minneapolis: http://www.minneapolismn.gov/sicktimeinfo/index.htm
Los Angeles: http://wagesla.lacity.org/

 188.00 et. seq.; San Diego Code $\S 39.0101$ et seq.; Chicago Code $\S 1-24-010$ et seq.


[^0]:    "Safe time" refers to time off for purposes related to domestic violence, sexual assaul or stalking (like the need for time off to obtain protective ordd
    ioilence, sexual assault, and/or stalking occurs between certain individuals such as family members, houshold members, dating relationships, etc.).
    Note: It is possible that other laws, such as the Family and Medical Leave Act or a state equivalent, could provide eligible workers with unpaid leave for these purposes.
    

