

PAID SICK LEAVE MATRIX BY STATE



National Association of Women Business Owners

CRITERIA	Arizona	California	Colorado	Connecticut	Maine	Maryland
Who is not covered?	Local Gov. Workers Siblings Independent Contractor Casual Babysitting Services*	Air carriers In-Home Support Services Program Independent Contractors Collective Bargaining Agreements	EES subject to Fed Railroad Unemployment Insurance Act, 45 USC 351 et seq Independent Contractor	EES >50 Temporary/day workers 50(C) 3 Ees (Nationally Charged & Provide Recreation, Childcare & Education) NAIC (31, 32, or 33 - MFC) Independent Contractor"	EES>10 Independent Contractor	EE>15 Independent Contractor Real Estate EE>18 Years old Agriculture Sector Construction Workers (Union) As-Needed Health/Human Service Industry Temporary Service Agencies
Waiting period to use paid sick leave	90 days	90 days	None	Service Worker 680 hrs & Must work average 10 hrs/ week recent Qtr	120 days	None
Accrual requirement	1hr - 30hrs worked	1hr - 30 hrs worked	1hr - 30 hrs worked	1hr - 40 hrs worked	1hr accrued - 40hrs worked	1hr accrued - 30 hrs worked
Carryover requirement	x	x	x	x	x	x
Max sick leave EE can use in a yr	24 hrs (EE's >15)/yr 40 hrs (15<EEs)/yr	24 hrs/yr 48 hrs Max Accrued Carryover/yr	48 hrs/yr	40 hrs/yr	40hrs/yr 64hrs Max Accrued Carryover/yr	40hrs/yr 64hrs Max Accrued Carryover/yr
ER Documentation Retention	4 Years	4 Years	2 Years	4 Years	4 Years	3 Years
Complaint 1st filed with agency before Civil Action	Yes	Not mentioned	Yes or demand to ER	Yes	N/A	Yes
Statute of Limitations	2 Years	3 Years	2 Years	30 calendar days	3 Years	3 Years
Civil Action	Yes, after notification of department's decision 2 yrs	Labor Commissioner & AC, worker not mentioned	Yes, after filing complaint or make a written demand to ER (14 days to respond)	Not Authorized by Statute	Not Authorized by Statute. The bureau has exclusive authority	No
Enforcement: standing to file suite	Worker & Agency	Labor Commissioner AC	Worker & Agency	N/A	N/A	The Commissioner AC Employee
Enforcement: Attorney Fees	Yes	Yes	Yes	N/A	N/A	N/A
What Agency or Official Enforces the Law?	Industrial Commission of AZ (ICA)	The California Labor Commissioner's Office, also known as the California Division of Labor Standards Enforcement (DLSE)	The Colorado Department of Labor and Employment's Division of Labor Standards and Statistics	The Connecticut Department of Labor	Main Department of Labor	Maryland Department of Labor, Licensing & Regulation - Commissioner
Statutory citation(s)	Az Rev. Stat. § 23-364 and 23-371 et seq.	Cal. Lab. Code § 245 et seq.	Colo. Rev. Stat. Ann. § 8-13.3-401 et seq.	Conn. Gen. Stat. § 31-57r et seq.	ME Rev. Stat. tit. 26, § 637	Md. Code Ann. Lab. & Empl. § 3-1301 et seq.
Additional notes	FAQ's https://www.azica.gov/frequently-asked-questions-about-wage-and-earned-paid-sick-time-laws . http://www.arizonapaidisickleave.com/ https://www.jacksonwhite.com/az-labor-employment-law/sick-leave/	https://www.shouselaw.com/ca/labor/leave-laws/sick-leave/#5.1 .	https://cdle.colorado.gov/htwa	http://www.ctdol.state.ct.us/wgwkstnd/SickLeave.htm . https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.ctdol.state.ct.us%2Fwgwkstnd%2FP5L%25202014%2520revised.ppt&wdOrigin=BROWSELINK	First state to offer paid leave - not specific to sick time. https://legislature.maine.gov/legis/bills/getPDF.asp?paper=SP0110&item=4&snum=129 https://www.jacksonlewis.com/publication/maine-labor-department-releases-final-rules-earned-paid-leave-law	https://www.dlir.state.md.us/paidleave/paidleavefaqs.shtml EE>14 can accrue 40 hrs unpaid, job protected leave https://dbm.maryland.gov/employees/Documents/Policies/sick_leave_guidelines.pdf

CRITERIA	Massachusetts	Michigan	Nevada	New Jersey	New Mexico	New York
Who is not covered?	Independent Contractor Federal Government City, County & Other Public Employees Work Study Workers >20 Years old Student Workers Dorm/ Residency for Lodging Adult Clients Licensed Program for Educational/ Vocational Training	EES>50 Exempt Employees US Government Collective Bargaining Agreement Temporary Employees Railway Labor Act & Railroad Unemployment Insurance Act Employee Works >25hrs/Week Independent Contractor	Independent Contractor Collective Bargaining Agreement Equivalent Policy Temporary/ Seasonal/On-Call Employees	Per diem health care Construction Union Public Employees	Governmental EEs, out of state employer, tribal services, & independent contractors.	Independent Contractor Federal, State & Local Gov
Waiting period to use paid sick leave	90 days	90 days	90 days	120 days	None	None
Accrual requirement	1hr - 30 hrs worked	1hr - 35hrs worked	0.01923 hrs - 1 hr worked	1hr - 30hrs worked	1hr - 30 hrs worked	1hr - 30 hrs worked
Carryover requirement	x	x		x	x	x
Max sick leave EE can use in a yr	40 hrs/yr	40hrs - yr	40hrs/yr	40hrs/yr	64hrs/yr	40hrs/yr UNPAID (0-4 Ees + NI > \$1m) 40hrs/yr (5-99 EEs) 56hrs/yr (100+ EEs)
ER Documentation Retention	3 Years	1 year	1 year	5 Years	4 Years	6 Years
Complaint 1st filed with agency before Civil Action	Yes	N/A	N/A	No Mention	No	No Mention
Statute of Limitations	4 Years	6 months	2 Years	6 Years	3 Years	3 Years
Civil Action	Yes, File with AC First	No	No	Yes	Yes	Yes
Enforcement: standing to file suite	Worker & Agency	N/A	N/A	Worker & Agency	LRD Attorney General Class Action Employee Representative/Agent Different EE on behalf of EE	Commissioner of the Bureau of Labor & Industries
Enforcement: Attorney Fees	Yes	N/A	N/A	Yes	Yes	No Mention
What Agency or Official Enforces the Law?	The Massachusetts Attorney General	The Michigan Department of Licensing and Regulatory Affairs	Labor Commissioner	Department of Labor and Workforce Development	The Labor Relations Division of the Workforce Solutions Department	Department of Labor Commissioner
Statutory citation(s)	Massachusetts General Laws Chapter 149, §§ 148C, 148D	Mich. Comp. Laws § 408.961 et seq.	SB 372, & NRS § 608	N.J. Stat. Ann. § 34:11D-1 et seq.	NM Laws § 50-17-1	N.Y. Lab. Law § 196-b
Additional notes	EE>11 workers, required un-paid sick leave. For more information, see http://www.mass.gov/ago/doing-business-in-massachusetts/labor-laws-and-public-construction/earned-sick-time/ .	https://www.michigan.gov/-/media/Project/Websites/leo/Documents/WAGE-HOUR/WHD-99xx-Information-Sheets/WHD-9911-PMLA-Poster/Paid_Medical_Leave_Act_Poster_9911_English.pdf?rev=764ee47c1ed442bd9ac1d904eb042ea7 ER not required to allow accrual more than 1hr/week or more than 40 hrs/yr	ER in first 2 Years of operations is not required to comply. https://labor.nv.gov/uploadedFiles/labornvgov/content/Employer/SB%20312%20Paid%20Leave%20English.pdf	Department of Labor and Workforce Development Earned Sick Leave is the Law in New Jersey (nj.gov)	Bill: Regular Session 2021 HB 20 As noted earlier, the law takes effect on July 1, 2022. The full text of the law can be found here: https://www.nmlegis.gov/Sessions/21%20Regular/final/HB0020.pdf .	New York Paid Sick Leave (ny.gov)

CRITERIA	Oregon	Rhode Island	Vermont	Washington	Washington D.C.
Who is not covered?	Oregon	Rhode Island	Vermont	Washington	Washington D.C.
Waiting period to use paid sick leave	90 days	90 days	90 days	120 days	None
Accrual requirement	1hr - 30 hrs worked	1hr - 35hrs worked	0.01923 hrs - 1 hr worked	1hr - 30hrs worked	1hr - 30 hrs worked
Carryover requirement	x	x		x	x
Max sick leave EE can use in a yr	40 hrs/yr	40hrs - yr	40hrs/yr	40hrs/yr	64hrs/yr
ER Documentation Retention	3 Years	1 year	1 year	5 Years	4 Years
Complaint: 1st filed with agency before Civil Action	Yes	N/A	N/A	No Mention	No
Statute of Limitations	4 Years	6 months	2 Years	6 Years	3 Years
Civil Action	Yes: File with AG First	No	No	Yes	Yes
Enforcement: standing to file suite	Worker & Agency	N/A	N/A	Worker & Agency	LRD Attorney General Class Action Employee Representative/Agent Different EE on behalf of EE
Enforcement: Attorney Fees	Yes	N/A	N/A	Yes	Yes
What Agency or Official Enforces the Law?	The Massachusetts Attorney General	The Michigan Department of Licensing and Regulatory Affairs	Labor Commissioner	Department of Labor and Workforce Development	The Labor Relations Division of the Workforce Solutions Department
Statutory citation(s)	Massachusetts General Laws Chapter 149, §§ 148C, 148D	Mich. Comp. Laws § 408.961 et seq. https://www.michigan.gov/-/media/Project/Websites/leo/Documents/WACE-HOUR/WHD-99xx-Information-Sheets/WHD-9911-PMLA-Poster/Paid_Medical_Leave_Act_Poster_9911_English.pdf?rev=764ee47c1ed442bd9ac1d904eb042ea7	SB 312, & NRS § 608	N.J. Stat. Ann. § 34:11D-1 et seq.	NM Laws § 50-17-1
Additional notes	EE>11 workers, required unpaid sick leave. For more information, see http://www.mass.gov/ago/doing-business-in-massachusetts/labor-laws-and-public-construction/earned-sick-time/ .	ER not required to allow accrual more than 1hr/week or more than 40 hrs/yr	ER in first 2 Years of operations is not required to comply. https://labor.nv.gov/uploadedFiles/labornv.gov/content/Employer/SB%20312%20Paid%20Leave%20English.pdf	Department of Labor and Workforce Development Earned Sick Leave is the Law in New Jersey (nj.gov)	Bill: Regular Session 2021 HB 20 As noted earlier, the law takes effect on July 1, 2022. The full text of the law can be found here: https://www.nmlegis.gov/Sessions/21%20Regular/final/HB0020.pdf .