



WOMEN'S BUREAU
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STATE PAID SICK LEAVE LAWS¹

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Paid sick leave refers to policies that provide regular wages when workers need to take shorter leaves due to their own or a family member's routine illness like a cold or the flu, or to access medical care—including preventative care. While there is currently no federal law providing or guaranteeing access to paid sick leave (except for federal contractors), some states and localities have their own programs and requirements.²

Introduction

The need for paid sick leave³ is universal, as we all need time at some point to recover from a sudden illness, attend a routine doctor's appointment or care for an ill family member. Unfortunately, too often workers are faced with the choice of either working to maintain financial security, or taking time to attend to their own or a loved one's health and well-being. As of March 2023, approximately 78% of private-sector workers in the United States had access to paid sick leave through their employer.ⁱ However, this estimate still leaves nearly 28 million U.S. workers without paid sick leave.ⁱⁱ There are several factors that contribute to the variation in which workers have access to paid sick leave, such as income level, race and industry. Among the lowest-wage workers, who are predominately women and workers of color,ⁱⁱⁱ 61% have no access to paid sick leave.^{iv} Part-time workers are less likely than full-time employees to have access to paid sick leave (51% compared to 87%).^v Workers in industries that interact closely with the public, such as food service and hospitality, are less likely to have access to paid sick leave, creating risks to the worker, business and public health of the community.^{vi}

There is currently no federal law guaranteeing even one day of paid sick leave to workers in the private sector (with the exception of federal contractors).⁴ However, over the past decade, states and localities⁵ have taken action to provide private-sector employees within their jurisdiction access to paid leave to care for themselves or a loved one who is sick

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² In addition, Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors, requires parties that enter into covered contracts with the federal government to provide covered employees with up to seven days of paid sick leave annually. For more information, see the U.S. Department of Labor's Wage and Hour Division website: <https://www.dol.gov/agencies/whd/government-contracts/sick-leave>.

³ Throughout this issue brief, we use "paid sick leave" and "paid leave" interchangeably. Although the phrase "paid leave" may also refer to other types of leave (e.g., paid family and medical leave), in this issue brief we are referring to paid sick leave, unless otherwise noted.

⁴ The Families First Coronavirus Response Act (FFCRA) passed in March 2020 included a federal emergency sick leave provision that required that private employers with fewer than 500 employees provide up to two weeks of paid sick leave for reasons related to COVID-19, including quarantine after exposure. This law is no longer in effect. For additional information on the now expired Act, visit: <https://www.dol.gov/newsroom/releases/whd/whd20200324>.

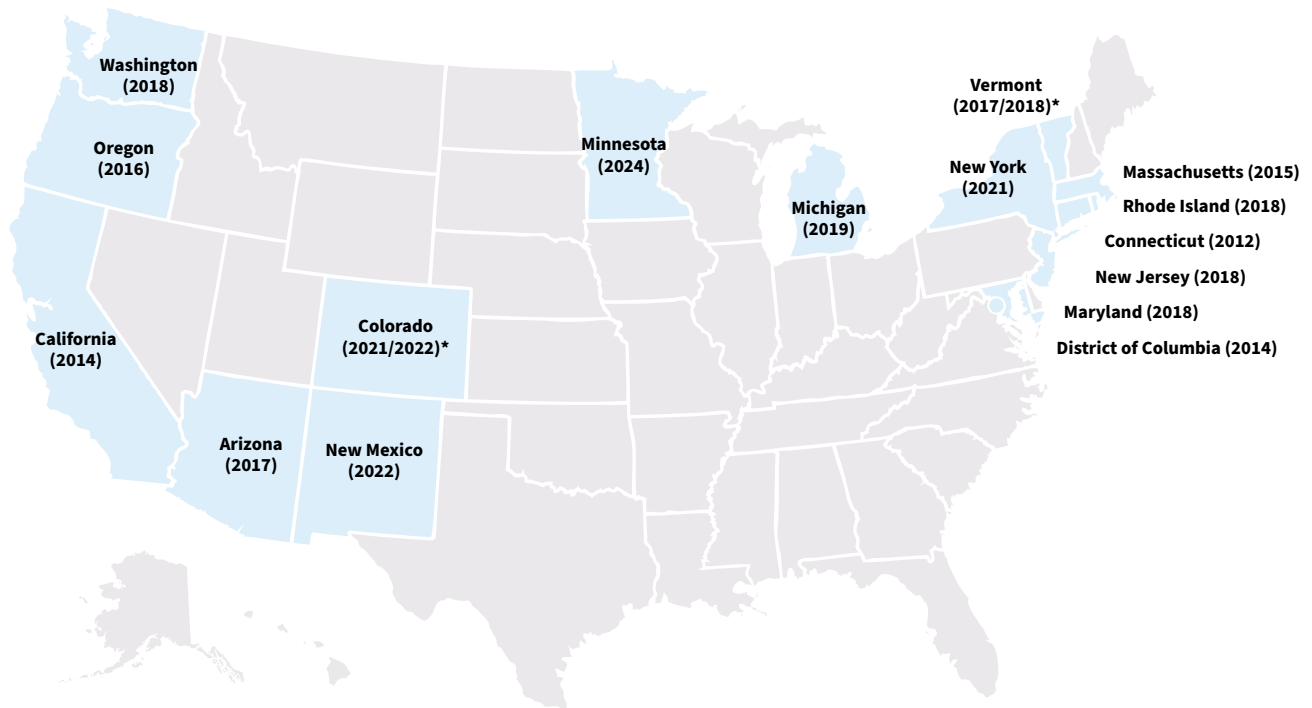
⁵ Some localities provide private-sector employees with paid sick leave, but this brief focuses on state laws. For more information about local paid sick leave laws, visit: <https://www.abetterbalance.org/paid-sick-time-laws/>.



or is receiving medical care. As of September 2024, 15 states⁶ and the District of Columbia⁷ have adopted paid sick leave laws that require covered private employers to provide paid sick leave from work to their eligible employees to attend to their own health needs or those of a family member.^{8,9}

This issue brief on state paid sick leave laws explores different aspects of sick leave policies including leave eligibility, duration of leave, permissible uses, definition of family member, certification requirements, confidentiality requirements, employer notice requirements and anti-retaliation protections.

Figure 1: Map of State Paid Sick Leave Laws¹⁰



*NOTE: Colorado's paid sick leave law went into effect in 2021 for large businesses and in 2022 for small businesses. Vermont's paid sick leave law went into effect in 2017 for large businesses and in 2018 for small businesses.

⁶. Arizona (Ariz. Rev. Stat. Ann. § 23-373 (2016)), California (Cal. Lab. Code § 246.5 (2024)), Colorado (Colo. Rev. Stat. Ann. § 8-13.3-404 (2023)), Connecticut (Conn. Gen. Stat. § 31-57s (2015)), Maryland (Md. Code Ann., Lab. & Empl. § 3-1305 (2018)), Massachusetts (Mass. Gen. Law ch. 149, § 148C (2023)), Michigan (Mich. Comp. Laws § 408.964 (2019)), Minnesota (Minn. Stat. § 181.9447 (2023)), New Jersey (N.J. Stat. § 34:11D-3 (2020)), New Mexico (NM Stat. § 50-17-3 (2021)), New York (NY Lab. Law § 196-b (2020)), Oregon (Or. Rev. Stat. §§ 653.601-661), Rhode Island (28 R.I. Gen. Laws § 28-57-6 (2018)), Vermont (Vt. Stat. tit. 21 § 483 (2024)), Washington (Wash. Rev. Code § 49.46.210 (2024)).

⁷. D.C. Code § 32-531.02 (2022).

⁸. In addition to paid sick leave legislation, Illinois (820 Ill. Comp. Stat. 192/1 - 192/99 (2024)), Maine (26 Me. Rev. Stat. Ann. tit. 26, §§ 626–38) and Nevada (Nev. Rev. Stat. §§ 608.0197–0198) have leave from work legislation or “paid time off” laws that are similar in length to state paid sick leave laws but permit eligible individuals to take leave for any reason. It is noteworthy that, unlike other states discussed in this brief, Nevada, Maine, and Illinois laws provide for paid leave, not paid sick leave. Details about these paid time off laws are included in the footnotes when appropriate.

⁹. In contrast, a number of states have passed legislation that prohibits counties and localities from passing paid sick leave laws in their jurisdictions, either to prohibit interference with an existing state paid sick leave law or to prohibit the creation of paid sick leave legislation in the state. See, e.g., Ala. Code § 11-80-16 (2014) (prohibiting localities from mandating that employers provide paid or unpaid leave not required by state or federal law). For additional information about preemption of paid leave laws (including both paid sick leave or paid family and medical leave), visit: <https://www.epi.org/preemption-map/>.

¹⁰. Nevada's paid time off law went into effect in 2020, Maine's went into effect in 2021 and Illinois' went into effect in 2024.



Leave Eligibility

Each state's paid sick leave law can be used by eligible employees to care for themselves or a family member, though the definition of "family member" varies by state. Each state defines "eligible employee" based on the duration of the individual's employment with the employing organization and "covered employer" based on the number of employees within the organization (Table 1). Some states exclude certain workers based on their employment classification (e.g., independent contractors, temporary or seasonal employees, part-time employees, apprentices) and additional information about each state's leave eligibility requirements can be found on the state's website (Appendix).¹¹

Table 1: Leave Eligibility under State Paid Sick Leave Laws¹²

| State | Waiting Period for Use of Leave | Covered Employer ¹³ |
|-----------------------------|---|------------------------------------|
| Arizona | 90 days after first day of employment ¹⁴ | One or more employees |
| California | 90 days after first day of employment | One or more employees |
| Colorado | As accrued | 16 or more employees |
| Connecticut | 85 days after first day of employment ¹⁵ | 50 or more employees ¹⁶ |
| District of Columbia | 90 days after first day of employment | One or more employees |
| Maryland | 106 days after first day of employment | 15 or more employees |
| Massachusetts | 90 days after first day of employment | 11 or more employees |

¹¹ Certain states also exclude employees from paid sick leave laws if the employee is covered under a collective bargaining agreement, existing federal law or existing state law; is an employee whose primary work location is out of state; or is a municipal employee.

¹² Illinois employees may use paid time off after 90 days after the first day of employment. Maine employees may use paid time off after 120 days after the first day of employment (10 or more employees). Nevada employees may use paid time off after 90 days after the first day of employment (50 or more employees).

¹³ While some states with paid sick leave laws require that employers with employees below the threshold provide unpaid, job protected leave, this brief focuses solely on paid leave.

¹⁴ Employees hired before July 1, 2017 can use paid sick leave as it is accrued.

¹⁵ On January 1, 2025, employees will have a waiting period of 120 days after the first day of employment. Conn. Gen. Stat. § 31-57s(b) (Effective 1/1/2025).

¹⁶ On January 1, 2025, the definition of covered employer will decrease to 25 or more employees in the state. On January 1, 2026, the definition of covered employer will decrease to 11 or more employees in the state. On January 1, 2027, the definition of covered employer will decrease to one or more employees in the state. Conn. Gen. Stat. § 31-57s(a)(1)(A) (Effective 1/1/2025).



Table 1: Leave Eligibility under State Paid Sick Leave Laws (Cont'd)

| State | Waiting Period for Use of Leave | Covered Employer |
|---------------------|--|------------------------------------|
| Michigan | 90 days after first day of employment | 50 or more employees ¹⁷ |
| Minnesota | As accrued | One or more employees |
| New Jersey | 120 days after first day of employment | One or more employees |
| New Mexico | As accrued | One or more employees |
| New York | As accrued | Five or more employees |
| Oregon | 91 days after first day of employment | 10 or more employees |
| Rhode Island | 90 days after first day of employment | 18 or more employees |
| Vermont | 365 days after first day of employment | One or more employees |
| Washington | 90 days after first day of employment | One or more employees |

Amount of Leave

Each state's paid sick leave law provides a specific amount of time off for sick leave, with the accrual rate and allotted use of leave varying by state and number of employees (Table 2).¹⁸ Additional information about each state's use and accrual of paid sick leave can be found on the state's website (Appendix).

¹⁷ Beginning February 21, 2025, the definition of covered employer will decrease to one or more employees in the state. For more information visit: https://www.courts.michigan.gov/4a2778/siteassets/case-documents/uploads/opinions/final/sct/165325_115_01.pdf and <https://legislature.mi.gov/documents/2017-2018/initiative/pdf/MITimeToCareFINAL.pdf>.

¹⁸ Washington does not limit accrual of paid sick leave.



Table 2: Amount of Leave under State Paid Sick Leave Laws¹⁹

| Use and Accrual Per Year | State |
|--------------------------------|---|
| Up to 64 hours per year | <ul style="list-style-type: none"> • New Mexico • Maryland²⁰ |
| Up to 56 hours per year | <ul style="list-style-type: none"> • District of Columbia (employers of 100+ employees) • New York (employers of 100+ employees) |
| Up to 48 hours per year | <ul style="list-style-type: none"> • Colorado • Minnesota |
| Up to 40 hours per year | <ul style="list-style-type: none"> • Arizona (employers of 15+ employees) • California • Connecticut • District of Columbia (employers of 25-99 employees) • Massachusetts (employers of 11+ employees) • Michigan²¹ • New Jersey • New York (employers of 5-99 employees or <5 employees but net income greater than \$1 million per year) • Oregon • Rhode Island (employers of 18+ employees) • Vermont |
| Up to 24 hours per year | <ul style="list-style-type: none"> • Arizona (employers of fewer than 15 employees) • District of Columbia (employers of fewer than 25 employees) |

¹⁹ Illinois, Maine and Nevada provide 40 hours per year of leave under their state paid time off laws.

²⁰ For Maryland, while 64 hours may be used per year, only 40 hours may be accrued per year.

²¹ Beginning February 21, 2025, employees of large employers (employers with ten or more employees) will be entitled to use and accrue up to 72 hours of paid sick leave per year. For more information visit: https://www.courts.michigan.gov/4a2778/siteassets/case-documents/uploads/opinions/final/sct/165325_115_01.pdf and <https://legislature.mi.gov/documents/2017-2018/initiative/pdf/MITimeToCareFINAL.pdf>.



Reasons for Leave

Each state paid sick leave law allows employees to use leave to care for themselves and family members for various reasons. In most states, reasons for leave include: the diagnosis, treatment or recovery from a mental or physical illness, injury or other health condition; to receive preventative medical care; or for safe leave from work following an incident of violence.²² Additional reasons for leave under some state laws are included below (Table 3) and additional information about each state's reasons for leave can be found on the state's website (Appendix).

Table 3: Additional Reasons for Leave under State Paid Sick Leave Laws²³

| Reasons for Leave | State |
|---|---|
| Parent-teacher conferences | <ul style="list-style-type: none"> • New Jersey |
| Long-term care coordination appointments for family member | <ul style="list-style-type: none"> • Vermont (for parent, grandparent, spouse, parent-in-law of employee) |
| Bereavement | <ul style="list-style-type: none"> • Colorado • Oregon |
| Bonding with a new child | <ul style="list-style-type: none"> • Maryland • Oregon |
| Closure of employee's place of work or the employee's child's school or childcare facility due to a public health emergency or a public health order | <ul style="list-style-type: none"> • Arizona • Colorado • Connecticut • Michigan • New Jersey • Oregon • Rhode Island • Vermont • Washington |

Definition of Family Member

Each state paid sick leave law allows eligible employees to take time off to attend to their own health needs or those of an eligible family member. The definition of family member varies by state and additional information about each state's definition of family member can be found on the state's website (Appendix).

²²For additional information on safe leave provisions in state paid sick leave laws, visit: <https://www.dol.gov/sites/dolgov/files/WB/SafeLeaveInStateSickLeaveLaws.pdf>

²³ Illinois and Maine's paid time off laws cover eligible employees for any reason as long as it is in accordance with each individual state's paid time off law. Nevada's paid time off law covers eligible employees for any reason without limitation.



Table 4: Definition of Family Member under State Paid Sick Leave Laws²⁴

| Family Member | State | | | | | | | | | | | | | | | |
|--------------------------------|-------|----|----|------------------|----|----|----|------------------|------------------|------------------|------------------|----|----|----|----|----|
| | AZ | CA | CO | CT ²⁵ | DC | MD | MA | MI ²⁶ | MN ²⁷ | NJ ²⁸ | NM ²⁹ | NY | OR | RI | VT | WA |
| Child | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Parent | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Parent-in-law | ✓ | ✓ | | | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Spouse/ Domestic Partner | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Sibling | ✓ | ✓ | ✓ | | | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ |
| Sibling-in-law | | | | | ✓ | | | | | ✓ | ✓ | | | | | |
| Grandparent | ✓ | ✓ | ✓ | | | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Grandchild | ✓ | ✓ | ✓ | | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Chosen Family ³⁰ | ✓ | ✓ | | | ✓ | | | | ✓ | ✓ | ✓ | | | ✓ | | |
| Care Recipient ³¹ | | | ✓ | | | | | | | | | | | ✓ | | |

²⁴ Illinois and Maine do not provide a definition for family member, since leave can be used for any reason. Nevada only provides leave for the eligible employee under their paid time off statute, but Nev. Rev. Stat. § 608.01975 states that an employee can use paid or unpaid sick leave to assist an immediate family member, which is defined as the child, foster child, spouse, domestic partner, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent or stepparent of an employee; or any person for whom the employee is the legal guardian.

²⁵ Beginning January 1, 2025, the employee will be able to take sick leave to care for the following additional family members: siblings, grandparents, grandchildren, and parents, as well as individuals who are “related to the employee by blood or affinity whose close association the employee shows to be equivalent of those family relationships.” Conn. Gen. Stat. § 31-57r (4) (Effective 1/1/2025).

²⁶ Beginning February 21, 2025, the definition of family member will include someone related by affinity. For more information visit: https://www.courts.michigan.gov/4a2778/siteassets/case-documents/uploads/opinions/final/sct/165325_115_01.pdf and <https://legislature.mi.gov/documents/2017-2018/initiative/pdf/MITimeToCareFINAL.pdf>.

²⁷ In Minnesota, the definition of family member also includes the child of the employee’s siblings, siblings of employee’s parents, and in-laws (e.g., nephew in law or aunt in law).

²⁸ In New Jersey, the definition of family member also includes the partner of parents or grandparents.

²⁹ In New Mexico, the definition of family member includes all of the mentioned family member’s in-laws.

³⁰ Chosen families form when two or more individuals form a close, family-like relationship, whether through blood or affinity. For more information, see A Better Balance’s website: <https://www.abetterbalance.org/resources/5-facts-chosen-family/>

³¹ Care recipient is any person for whom the worker or employee “[...]is responsible for providing or arranging health- or safety- related care[.]” Colo. Rev. Stat. § 8-13.3-402(6)(c); R.I. Gen. Laws § 28-57-3(1).



Certification Requirements

Some state paid sick leave laws require or permit an employer to require certification or documentation if an employee takes leave for a certain number of consecutive days. State laws vary on what type of documentation satisfies the certification requirement and whether documentation must be provided to the employer or to the state.³² Additional information about each state's certification requirement can be found on the state's website (Appendix).

Table 5: Certification Requirements under State Paid Sick Leave Laws³³

| Length of leave after which certification may be required | State ³⁴ |
|---|--|
| Two (or more) consecutive days | <ul style="list-style-type: none"> • Maryland³⁵ • New Mexico |
| Three (or more) consecutive days | <ul style="list-style-type: none"> • Arizona • Connecticut³⁶ • New Jersey |
| Four (or more) consecutive days | <ul style="list-style-type: none"> • Colorado • Massachusetts • Minnesota • Oregon • Rhode Island • Washington |

Employer Notice Requirement³⁷

Many state paid sick leave laws require employers to post or provide notice to employees about their eligibility for paid leave. This helps ensure employees know and understand their workplace rights and benefits related to paid sick leave. Many states provide employer notices in English and multiple other languages.

³² The certification process is more complex when the employee or employee's family member is accessing safe leave. For more information about certification process for safe leave, visit: <https://www.dol.gov/sites/dolgov/files/WB/SafeLeaveInStateSickLeaveLaws.pdf>.

³³ Illinois does not require certification for any leave taken under their paid time off law. It is unclear whether Maine requires certification for any leave taken. Nevada may require certification for leave taken under their paid time off law.

³⁴ The following state statutes do not expressly require certification: California, the District of Columbia, Michigan, New York, and Vermont. Beginning February 21, 2025, a Michigan employer may request documentation if an employee uses sick leave for more than three days, but this documentation does not need to be detailed and the employer is responsible for the out-of-pocket expense related to obtaining this documentation. For more information visit: https://www.courts.michigan.gov/4a2778/siteassets/case-documents/uploads/opinions/final/sct/165325_115_01.pdf and <https://legislature.mi.gov/documents/2017-2018/initiative/pdf/MITimeToCareFINAL.pdf>.

³⁵ Certification may also be required if the employee used the leave during the period between the first 107 and 120 calendar days.

³⁶ Beginning on January 1, 2025, an employer will be prohibited from requiring documentation for paid sick leave that is taken for any of the permitted purposes included in the law. Conn. Gen. Stat. § 31-57t(b) (Effective 1/1/2025).

³⁷ Illinois, Maine and Nevada have an employer notice requirement in their paid time off law.



Arizona, California, Colorado, Connecticut,³⁸ the District of Columbia, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, Oregon, Rhode Island, Vermont and Washington have an employer notice requirement in their paid sick leave law. New York does not require a notice posting, but it does conduct a public outreach campaign related to paid sick leave. Additional information about each state's employer notice requirement can be found on the state's website (Appendix).

Anti-Retaliation Protections

Each state paid sick leave law prohibits retaliation, which means that an employee cannot be subject to adverse employment actions, such as being fired or reprimanded, for taking sick leave. Additional information about each state's anti-retaliation provisions can be found on the state's website (Appendix).

Conclusion

From caring for a family member who has come down with the flu to taking the time for a routine doctor's appointment, paid sick leave allows workers to balance the need for financial security with maintaining one's health and well-being, or those of a loved one. Approximately 153 million people work in a state with a paid sick leave law. Paid sick leave is a necessity to ensure the health of workers, businesses and the community at large.

³⁸ Beginning on January 1, 2025, individual notice must be provided to employees at the time of hire. Conn. Gen. Stat. § 31-57w(b)(2) (Effective 1/1/2025).



State Paid Sick Leave Law Websites

Arizona: <https://www.azica.gov/frequently-asked-questions-about-wage-and-earned-paid-sick-time-laws>

California: <https://www.dir.ca.gov/DLSE/ab1522.html>

Colorado: <https://cdle.colorado.gov/dlss/wage-and-hour-laws-including-paid-sick-leave>

Connecticut: https://portal.ct.gov/dol/knowledge-base/articles/wage-and-workplace-standards/paid-sick-leave?language=en_US

District of Columbia: <https://does.dc.gov/page/office-wage-hour-employees>

Maryland: <https://www.dlir.state.md.us/paidleave/paidleaveposter.shtml>

Massachusetts: <https://www.mass.gov/info-details/earned-sick-time>

Michigan: <https://www.michigan.gov/leo/bureaus-agencies/ber/wage-and-hour/paid-medical-leave-act>

Minnesota: <https://www.dli.mn.gov/sick-leave>

New Jersey: <https://www.nj.gov/labor/myworkrights/leave-benefits/sick-leave/>

New Mexico: <https://www.dws.state.nm.us/NMPaidSickLeave>

New York: <https://www.ny.gov/new-york-paid-sick-leave/new-york-paid-sick-leave>

Oregon: <https://www.oregon.gov/boli/workers/Pages/sick-time.aspx>

Rhode Island: <https://dlt.ri.gov/regulation-and-safety/labor-standards/paid-sick-and-safe-leave>

Vermont: <https://labor.vermont.gov/rights-and-wages>

Washington: <https://lni.wa.gov/workers-rights/leave/paid-sick-leave/>



- ⁱ National Compensation Survey, "Employee Benefits in the United States, March 2023," U.S. Department of Labor Bureau of Labor Statistics, September 2023, <https://www.bls.gov/ebs/publications/employee-benefits-in-the-united-states-march-2023.htm>.
- ⁱⁱ National Compensation Survey, "Employee Benefits in the United States, March 2023," U.S. Department of Labor Bureau of Labor Statistics, September 2023, <https://www.bls.gov/ebs/publications/employee-benefits-in-the-united-states-march-2023.htm>.
- ⁱⁱⁱ "A profile of the working poor, 2021 (Report 1106)," U.S. Department of Labor Bureau of Labor Statistics, November 2023, <https://www.bls.gov/opub/reports/working-poor/2021/home.htm>.
- ^{iv} National Compensation Survey, "Employee Benefits in the United States, March 2023," U.S. Department of Labor Bureau of Labor Statistics, September 2023, <https://www.bls.gov/ebs/publications/employee-benefits-in-the-united-states-march-2023.htm>.
- ^v National Compensation Survey, "Employee Benefits in the United States, March 2023," U.S. Department of Labor Bureau of Labor Statistics, September 2023, <https://www.bls.gov/ebs/publications/employee-benefits-in-the-united-states-march-2023.htm>.
- ^{vi} National Compensation Survey, "Employee Benefits in the United States, March 2023," U.S. Department of Labor Bureau of Labor Statistics, September 2023, <https://www.bls.gov/ebs/publications/employee-benefits-in-the-united-states-march-2023.htm>.