

NOTICE
PUBLIC ACT 11-52 - AN ACT MANDATING EMPLOYERS PROVIDE
PAID SICK LEAVE TO EMPLOYEES.

Each employer with 50 or more employees shall provide paid sick leave annually to each of its service workers in the state. The paid sick leave shall accrue beginning January 1, 2012 for current employees, or for a service worker hired after January 1, 2012, beginning on the service worker's date of employment.

Accrual

The accrual is at a rate of one hour of paid sick leave for each 40 hours worked by a service worker up to a maximum of 40 hours per calendar year.

- No service worker shall be entitled to use more than the maximum number of accrued hours.

Carry Over

Each service worker shall be entitled to carry over up to 40 unused accrued hours of paid sick leave from the current calendar year to the following calendar year.

Use of Paid Sick Leave

A service worker shall be entitled to the use of accrued paid sick leave upon the completion of the service worker's 680th hour of employment

- from January 1, 2012, for current service workers, or
- if hired after January 1, 2012, upon the completion of the service worker's 680th hour of employment from the date of hire, unless the employer agrees to an earlier date.

A service worker shall not be entitled to the use of accrued paid sick leave if such service worker did not work an average of 10 or more hours a week for the employer in the most recent complete calendar quarter.

Pay

Each employer shall pay each service worker for paid sick leave at a pay rate equal to the greater of either

- the normal hourly wage for that service worker, or
- the minimum fair wage rate under section 31-58 of the general statutes in effect for the pay period during which the employee used paid sick leave.

Reasons for Use of Leave

A service worker may use paid sick leave for his or her own:

- illness, injury or health condition;
- the medical diagnosis, care or treatment of his or her mental illness or physical illness, injury or health condition; or
- preventative medical care.

A service worker may use paid sick leave for a child's or spouse's:

- illness, injury or health condition; the medical diagnosis,
- care or treatment of a mental or physical illness, injury or health condition; or
- preventative medical care

A service worker may use paid sick leave if the service worker is a victim of family violence or sexual assault:

- for medical care or psychological or other counseling for physical or psychological injury or disability;

- to obtain services from a victim services organization;
- to relocate due to such family violence or sexual assault;
- to participate in any civil or criminal proceedings related to or resulting from such family violence or sexual assault.

Notice

If leave is foreseeable, the employer may require advance notice.

If leave is unforeseeable, the employer may require notice as soon as practicable.

Reasonable Documentation

Documentation for paid sick leave of 3 or more consecutive work days may be required

- documentation signed by a health care provider who is treating the service worker or the service worker's child or spouse indicating the need for the number of days of such leave shall be considered reasonable documentation.
- a court record or documentation signed by a service worker or volunteer working for a victim services organization, an attorney, a police officer or other counselor involved with the service worker shall be considered reasonable documentation for a victim of family violence or sexual assault.

Prohibition of Retaliation or Discrimination

No employer shall take retaliatory personnel action or discriminate against an employee because the employee:

- requests or uses paid sick leave either in accordance with the act; or
- in accordance with the employer's own paid sick leave policy, as the case may be; or
- files a complaint with the Labor Commissioner alleging the employer's violation of the act

Collective Bargaining

Nothing in the act shall diminish any rights provided to any employee or service worker under a collective bargaining agreement, or preempt or override the terms of any collective bargaining agreement effective prior to January 1, 2012.

Complaint Process

Any employee aggrieved by a violation of the provisions of the act may file a complaint with the Labor Commissioner. Upon receipt of any such complaint, said Commissioner may hold a hearing. After a hearing, the Commissioner may assess a civil penalty or award other relief.

This is not the complete Paid Sick Leave law. Please contact your Human Resources office for additional information.

Effective 1/1/12