

# PAID SICK LEAVE AT A GLANCE

**Effective Date: July 1, 2018**

## WHAT CAN EMPLOYERS ASK?

- Employers can't refuse a paid sick time request or inquire why the request is made.
- An employer may require documentation from an employee who takes paid sick time only if:
  - The employee has been absent for more than 3 consecutive days; or
  - An employee shows clear pattern of abuse right before/after weekend, vacation or holiday; or
  - The sick time occurs within 2 weeks prior to employee's final scheduled day of work.
  - The documentation requirement must be in the employee handbook or employment policy.
  - Employers shall accept such documentation within a reasonable timeframe.
    - If the expense or burden in obtaining certification regarding their absence is more than two times their hourly rate of pay the request shall be considered unreasonable.

**The employer cannot ask for specific details about why the employee is using their sick time.**

## EMPLOYEE NOTICE

Foreseeable Leave: Employees shall notify their employer before taking paid sick time. Employees shall also request paid sick time in a manner that does not interfere with business operations.

Unforeseeable Leave: Employers may require notice IF they have a written policy that is given to the employee and the policy is reasonable.

## HOURS OF LEAVE

2018	24 hours (3 days)
2019	32 hours (4 days)
2020	40 hours (5 days)



This flyer is meant for informational purposes only. Please consult an attorney for information on how to implement this law.

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## FOOD EMPLOYEES

Food employees: If a food employee wishes to use their sick time an employer may ask if the reason for their absence would trigger the employers obligations under the food code.

If No: the employer is prohibited from asking further questions.

If Yes: the employer may ask about symptoms on a limited basis to determine their next steps to remain in compliance with the RI food code.

## ACCRUAL

- Paid sick time shall begin to accrue once the employee begins employment.
- Employers may implement a 90 day waiting period before employees can use their paid sick time.
- Seasonal employees can't use paid sick time until the 150th day of employment.
- 1 hour accrued / 35 hours worked.
- Employers with a paid sick time policy, paid time off policy, or vacation time policy are exempt from tracking the accrual of such leave, allowing any carryover, or paying employees for unused time.
- Employers may substitute vacation time or paid time off for paid sick time.

## WHO TIME MAY BE USED FOR:

- Employee
- Children
- Spouse
- Domestic partner
- Parents
- Grandparents
- Siblings
- Mother-in-law/ Father-in-law
- Member of employee's household
- Care recipient
- **All employees are eligible for sick leave including: Part-time employees, seasonal employees and employees under the age of 18.**

## WHAT TIME MAY BE USED FOR:

- Care for self or family member;
- Mental/physical illness, injury or health condition;
- Medical diagnosis or preventative medical care;
- Domestic violence, sexual assault, or stalking; or
- Closure of school/workplace due to public health emergency.

## CARRY OVER

Employees can carry over unused sick time up to 40 hours.

Employers are not required to pay out sick time.