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> SICK LEAVE POLICY

Washington State Sick Leave Policy Sample

Below is a sample paid sick leave policy, written in accordance with Washington State Sick Leave Law.

Paid Sick Leave Policy

In accordance with Washington State's Sick Leave Law, all eligible employees are entitled to accrue and use paid sick leave for approved, authorized purposes.

Eligibility

All employees, with the exception of traditionally exempt employees under the Fair Labor Standards Act (FLSA), are entitled to Paid Sick Leave. *

Accrual and Usage

One hour of paid sick leave (PSL) is accrued for every 40 hours worked. This pertains to eligible full-time, part-time, temporary, and seasonal staff. All hours worked, including overtime, must be counted toward accrual.

There is no cap on the amount of PSL accrued within the accrual year, and employees may carry-over up to 40 hours of paid sick leave from one year to the next. **

The employer is responsible for recording and crediting all accrued PSL to the employee's available balance during the usual pay cycle, or no later than 30 days after the leave was accrued.

At least once a month, all employees shall receive notice of the amount of PSL accrued since the previous notice; the amount of PSL used since the previous notice; and the current, unused PSL balance available. ***

Employees who are terminated and then rehired within 12 months must have their unpaid balance reinstated. ****

Authorized Uses of Paid Sick Leave

Employees may use paid sick leave for themselves or their family members for any of the following reasons:

- A mental or physical illness, injury or health condition
- To diagnose, care for, or treat a mental or physical illness, injury, or health condition
- To receive preventive medical care
- For leave that qualifies under the state's Domestic Violence Leave Act (lni.wa.gov/workers-rights/leave/domestic-violence-leave)

- If an employee's workplace, or their child's school or place of care has been closed by order of a public official for a health-related reason.

Employers may allow employees to use PSL for additional purposes.

If it is found that the use of PSL was not for an authorized purpose under the law, payment may be denied for the sick leave use. Unpaid sick leave hours cannot be deducted from an employee's accrued PSL balance. The employee shall be notified of the denied use of PSL and may be subject to disciplinary action. If the employee claims that the use of PSL was authorized, they can file a complaint with Labor and Industry.

An employer cannot discipline any employee for using PSL for authorized purposes, or for filing a complaint under the law.

**Doctors, lawyers, or dentists, as well as most executive managers who supervise two or more full-time employees, and are paid on a salary (rather than an hourly) basis, are also exempt from the state's paid sick leave requirements.*

***The default accrual year is January 1st to December 31st. Employers can alternatively use a fiscal year or benefit year as long as it is a fixed consecutive 12-month period. If an alternate accrual year is used, it must be defined in a written policy or collective bargaining agreement.*

****This requirement can be satisfied by including the information in the employees' payroll statement.*

*****When an employee terminates, you can choose to "cash out" or pay the employee any accrued but unused PSL but this is not required. If an employer does cash out PSL, both the employee and employer must mutually agree, in writing, on the terms of reimbursement and payment is made at the normal hourly compensation rate. If the employer does not provide reimbursement of a PSL balance and the employee is rehired within 12 months, the employer may have to reinstate the unpaid balance to the employee's account.*



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