

**WASHINGTON PAID SICK LEAVE
(Initiative Measure No. 1433)**

Nonexempt employees (does not cover exempt employees) will **accrue** paid sick leave **at a rate of one hour for every 40 hours worked**. Paid sick time (PST) will begin to accrue on January 1, 2018, or the beginning of employment, whichever is later.

Employees are entitled to use accrued paid sick leave beginning on the 90th calendar day after the start of their employment.

Unused paid sick leave of 40 hours or less must be carried over to the following year.

Note: Any paid leave policy, such as a paid time off policy, which makes available an amount of paid leave sufficient to meet the accrual requirements and may be used for the same purposes and under the same conditions as the Arizona earned paid sick time article is not required to provide additional paid sick time.



EFFECTIVE: 1/1/2018

Use of Earned Paid Sick Time

An employee is authorized to use paid sick leave for the following reasons:

- **Employee.** An absence resulting from an employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;
- **Family Member.** To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care; and
- **Business or Place of Care Closure.** When the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason.
- **Domestic Violence Leave Act.** Paid sick leave may be used for absences that qualify for leave under Washington's domestic violence leave act.

Family member means any of the following:

- A child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;
- A parent, including a biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;
- A spouse;
- A registered domestic partner;
- A grandparent;
- A grandchild; or
- A sibling.

Paid Sick Time Accrual

- Employees may **carry over up to 40 hours of unused accrued sick time from one calendar year to the next.**
- Paid sick leave must be paid to employees at their normal hourly compensation.

An employee may **use accrued paid sick time in the smallest increment allowed by the payroll system.**

An employer may not require, as a condition of an employee's taking earned paid sick time, that the employee search for or find a replacement worker to cover the hours during which the employee is using earned paid sick time.

Employee Notice Requirements

- If the reason for the sick time is a foreseeable absence, such as a pre-scheduled medical appointment, please provide as much advance notice as possible of your intention to use sick time (to the customer and your branch representative), or as soon as practicable. The request shall include the expected duration of the absence.
- When an employee uses sick time for a foreseeable absence, the employee shall make a reasonable effort to schedule the sick time in a manner that does not unduly disrupt the operations of the customer or employer. For example, the employee should make a reasonable attempt not to schedule medical appointments during peak business hours, when work is time-sensitive or when mandatory meetings are scheduled.
- The employee shall inform the employer (and customer) of any change in the expected duration of the sick time as soon as practicable.
- **If the reason for sick time is unforeseeable**, such as an emergency, accident, or sudden illness, the employee shall provide notice to the customer and your company branch representative before the start of the employee's shift or, when circumstances prevent the employee from providing notice before the start of the employee's shift, as soon as is practicable.
- An employer may discipline an employee for violating workplace policies and procedures if the employee fails to provide notice as required by these rules or if the employee fails to make a reasonable effort to schedule leave in a manner that does not unduly disrupt the operations of the employer. The employer may not discipline the employee for use of sick time.

For absences exceeding 3 days, employers may require verification that the leave is being used for an authorized purpose. The employer's requirements for verification may not result in an unreasonable burden or expense on the employee and may not exceed privacy or verification requirements otherwise established by law.

No Pay Out Upon Termination

There will be **no pay out** of accrued but unused sick leave upon termination, resignation, retirement, or other separation from employment.

Rehires

When there is a separation from employment and the employee is rehired within 12 months of separation by the same employer, whether at the same or a different business location of the employer, previously accrued unused paid sick leave shall be reinstated and the previous period of employment shall be counted for purposes of determine the employee's eligibility to use paid sick leave.

Exercise of Rights Protected; Retaliation Prohibited

An employer may not adopt or enforce any policy that counts the use of paid sick leave time as an absence that may lead to or result in discipline against the employee.

An employer may not discriminate or retaliate against an employee for his or her exercise of any rights under this chapter including the use of paid sick leave.

It's the law!

Employers must post this notice where employees can read it.

Wage and Overtime Laws

Workers must be paid the Washington minimum wage

Need to know the current minimum wage?



Scan QR code at left or see "Contact L&I" below.

- Most workers who are 16 years of age or older must be paid at least the minimum wage for all hours worked.
- Workers who are 14 or 15 may be paid 85% of the minimum wage.

Tips cannot be counted as part of the minimum wage.

Overtime pay is due when working more than 40 hours

Most workers must be paid one and one-half times their regular rate of pay for all hours worked over 40 in a fixed seven-day workweek. Agricultural workers are generally exempt from overtime.

Workers Need Meal and Rest Breaks

Meal period

Most workers are entitled to a 30-minute unpaid meal period if working more than five hours in a day. If you must remain on duty during your meal period, you must be paid for the 30 minutes.

Breaks

- Most workers are entitled to a 10-minute paid rest break for each four hours worked and must not work more than three hours without a break.
- Agricultural workers must have a 10-minute paid rest break within each four-hour period of work.
- If you are under 18, see Teen Corner below.

Regular Payday

Workers must be paid at least once a month on a regularly scheduled payday. Your employer must give you a pay statement showing the number of hours worked, rate of pay, number of piece work units (if piece work), gross pay, the pay period and all deductions taken.

For more information regarding authorized deductions, go to www.Lni.wa.gov/WorkplaceRights and click on "Pay Requirements."

Teen Corner – Information for Workers Ages 14–17

- The minimum age for work is generally 14, with different rules for ages 14–15 and for ages 16–17.
- Employers must have a minor work permit to employ teens. This requirement applies to family members except on family farms.
- Teens do not need a work permit; however parents must sign the Parent Authorization form for summer employment. If you work during the school year, a parent and a school official must sign the Parent/School Authorization form.
- Many jobs are not allowed for anyone under 18 because they are not safe.
- Work hours are limited for teens, with more restrictions on work hours during school weeks.

Meal and rest breaks for teens

- In agricultural work, teens of any age get a meal period of 30 minutes if working more than five hours, and a 10-minute paid break for each four hours worked.
- In all other industries, teens who are 16 or 17 must have a 30-minute meal period if working more than five hours, and a 10-minute paid break for each four hours worked. They must have the rest break at least every three hours.
- Teens who are 14 or 15 must have a 30-minute meal period no later than the end of the fourth hour, and a 10-minute paid break for every two hours worked.

To find out more about teens in the workplace:

- Go to www.Lni.wa.gov/TeenWorkers.
- Call toll-free: 1-866-219-7321.
- Email a question to TeenSafety@Lni.wa.gov.

Leave Laws

Paid sick leave (effective January 1, 2018)

Most workers earn a minimum of one hour of paid sick leave for every 40 hours worked. This leave may be used beginning on the 90th calendar day of employment. Employers must provide employees with a statement that includes their accrued, used and available hours of this leave at least once per month. This information may be provided on your regular pay statement or a separate notification. Workers must be allowed to carry over a minimum of 40 hours of this unused leave to the following year. See www.Lni.wa.gov/SickLeave for details on authorized usage, accrual details and eligibility.

Washington Family Care Act: Use of paid leave to care for sick family

Employees are entitled to use their choice of any employer provided paid leave (sick, vacation, certain short-term disability plans, or other paid time off) to care for:

- A child with a health condition requiring treatment or supervision;
- A spouse, parent, parent-in-law, or grandparent with a serious health condition or an emergency health condition; and
- Children 18 years and older with disabilities that make them incapable of self-care.

Washington Family Leave Act

This act provides additional leave for pregnancy and childbirth. It covers employers with 50 or more employees. Employees must have worked for an employer at least 1,250 hours in the previous 12 months to be eligible. For more information regarding qualifications and benefits, see www.Lni.wa.gov/WorkplaceRights/LeaveBenefits.

Pregnancy disability leave is covered under the Washington State Law Against Discrimination (WLAD) and enforced by the Washington State Human Rights Commission: www.hum.wa.gov or 1-800-233-3247.

Eligible employees can enforce their right to protected family and medical leave under FMLA by contacting the U.S. Department of Labor at: www.dol.gov/whd/fmla or 1-866-487-9243.

Leave for victims of domestic violence, sexual assault or stalking

Victims and their family members are allowed to take reasonable leave from work for legal or law enforcement assistance, medical treatment, counseling, relocation, meetings with their crime victim advocate, or to protect their safety.

Leave for military spouses during deployment

Spouses or registered domestic partners of military personnel who receive notice to deploy or who are on leave from deployment during times of military conflict may take a total of 15 days unpaid leave per deployment.

Your employer may not fire or retaliate against you for exercising your rights under, or filing a complaint alleging violations of, the Minimum Wage Act which does include paid sick leave or any of the protected leave laws.

Contact L&I

Need more information?

Questions about filing a worker rights complaint?

Online: www.Lni.wa.gov/WorkplaceRights
Call: 1-866-219-7321, toll-free
Visit: www.Lni.wa.gov/Offices
Email: ESgeneral@Lni.wa.gov

About required workplace posters

Go to www.Lni.wa.gov/RequiredPosters to learn more about workplace posters from L&I and other government agencies.

Human trafficking is against the law

For victim assistance, call the National Human Trafficking Resource Center at 1-888-373-7888, or the Washington State Office of Crime Victims Advocacy at 1-800-822-1067.

Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 360-902-5797. L&I is an equal opportunity employer.

¡Es la ley! Los empleadores deben publicar este aviso donde los trabajadores puedan leerlo.

Leyes para salario y horas extras

Los trabajadores deben recibir el salario mínimo de Washington

¿Necesita saber cuál es el salario mínimo actual?



Escanee el código QR de la izquierda o consulte la sección "Comuníquese a L&I" más adelante.

- La mayoría de los trabajadores que tengan 16 años de edad o más deben recibir al menos el salario mínimo para todas las horas trabajadas.
- Los trabajadores de 14 o 15 años de edad pueden recibir el 85 % del salario mínimo.

Las propinas no pueden contarse como parte del salario mínimo.

Deben pagarse las horas extra cuando se trabaje más de 40 horas

La mayoría de los trabajadores deben recibir una vez y media el pago regular por todas las horas trabajadas que superen las 40 horas en una semana fija de trabajo de siete días. Generalmente, los trabajadores agrícolas están exentos de las horas extras.

Los trabajadores necesitan descansos para comer y descansos laborales

Descanso para comer

La mayoría de los trabajadores tienen derecho a un descanso para comer no pagado de 30 minutos si trabajan más de cinco horas por día. Si debe permanecer en sus tareas durante el descanso para comer, debe recibir el pago por esos 30 minutos.

Descansos laborales

- La mayoría de los trabajadores tienen derecho a un descanso pagado de 10 minutos por cada cuatro horas trabajadas y no deben trabajar más de tres horas sin descanso.
- Los trabajadores agrícolas deben tener un descanso pagado de 10 minutos entre cada periodo de cuatro horas trabajadas.
- Si tiene menos de 18 años, vea la sección Esquina de adolescentes más adelante.

Día de pago regular

Los trabajadores deben recibir su pago al menos una vez al mes en un día de pago programado de manera regular. Su empleador debe darle un recibo de pago que muestre el número de horas trabajadas, la tarifa de pago, el número de unidades de trabajo a destajo (si se trabaja a destajo), el pago neto, el periodo de pago y todas las deducciones que se hayan aplicado.

Para obtener más información sobre las deducciones autorizadas, vaya a www.Lni.wa.gov/WorkplaceRights y haga clic en "Pay Requirements" (requisitos de pago).

Esquina de adolescentes: información para los trabajadores entre 14 y 17 años de edad

- La edad mínima para trabajar generalmente es de 14 años, con reglas diferentes para trabajadores de 14 a 15 años y de 16 a 17.
- Los empleadores deben tener un permiso de trabajo de menores para emplear a adolescentes. Este requisito se aplica a los miembros de la familia, excepto en granjas familiares.
- Los adolescentes no necesitan un permiso de trabajo, pero los padres deben firmar el formulario de Autorización de los padres para los empleos de verano. Si trabaja durante el año escolar, uno de los padres y un funcionario escolar también deben firmar el formulario de Autorización de los padres o la escuela.
- Varios trabajos no están permitidos para menores de 18 años porque no son seguros.
- La jornada laboral está limitada para los adolescentes, con más restricciones en las horas de trabajo durante las semanas de asistencia a clases.

Descansos para comer y descansos laborales para adolescentes

- En el trabajo agrícola, los adolescentes de cualquier edad tienen un descanso para comer de 30 minutos si trabajan más de cinco horas y un descanso pagado de 10 minutos por cada cuatro horas trabajadas.
- En todas las demás industrias, los adolescentes de entre 16 y 17 años deben tener un descanso para comer de 30 minutos si trabajan más de cinco horas y un descanso pagado de 10 minutos por cada cuatro horas trabajadas. Deben tener un descanso al menos cada tres horas.
- Los adolescentes de entre 14 y 15 años deben tener un descanso para comer de 30 minutos antes del final de la cuarta hora y un descanso pagado de 10 minutos por cada dos horas trabajadas.

Para saber más sobre los adolescentes en el lugar de trabajo:

- Visite www.Lni.wa.gov/TeenWorkers.
- Llame sin costo al: 1-866-219-7321.
- Envíe su pregunta por correo electrónico a TeenSafety@Lni.wa.gov.

Leyes para permisos de ausencia

Permisos por enfermedad (a partir del 1 de enero de 2018)

La mayoría de los trabajadores obtienen un mínimo de una hora de permiso por enfermedad por cada 40 horas trabajadas. Este permiso puede utilizarse a partir del 90° día natural de empleo. Los empleadores deben proporcionar a los trabajadores una declaración que incluya las horas acumuladas, utilizadas y disponibles de este permiso al menos una vez al mes. Esta información puede proporcionarse en el recibo de pago regular o por medio de una notificación por separado. Los trabajadores deben poder transferir para el siguiente año por lo menos 40 horas que no hayan utilizado de este permiso. Visite www.Lni.wa.gov/SickLeave para obtener más información sobre el uso autorizado, los detalles de transferencia y los requisitos.

Ley del Cuidado de la Familia del Estado de Washington: uso de permisos de ausencia pagados para cuidar a familiares enfermos

Los trabajadores tienen derecho a utilizar su elección de cualquier permiso pagado (por enfermedad, vacaciones, algunos planes de discapacidad a corto plazo u otro descanso pagado) para cuidar de:

- un niño con una condición de salud que requiera tratamiento o supervisión
- un cónyuge, padre, familiar político o abuelo con una condición de salud grave o una condición de salud de emergencia
- adolescentes de 18 años o más con discapacidades que les impidan cuidarse a sí mismos

Ley de Licencia Familiar de Washington

Esta ley proporciona un permiso adicional para el embarazo y el nacimiento. Cubre a los empleadores con 50 o más trabajadores. Los trabajadores deben haber trabajado para un empleador al menos 1,250 horas en los últimos 12 meses para tener derecho a este permiso. Para obtener más información sobre los derechos y beneficios, visite www.Lni.wa.gov/WorkplaceRights/LeaveBenefits.

El permiso de incapacidad por embarazo está cubierto de conformidad con la Ley Contra la Discriminación de Washington (Washington State Law Against Discrimination, WLAD), y es implementado por la Comisión de Derechos Humanos del Estado de Washington: www.hum.wa.gov o 1-800-233-3247.

Los trabajadores que reúnan los requisitos pueden hacer cumplir su derecho de obtener permisos para cuidar a familiares y por enfermedad conforme a la Ley de Permisos Médicos y Familiares (Family and Medical Leave Act, FMLA) comunicándose al Departamento del Trabajo de los Estados Unidos en: www.dol.gov/whd/fmla o al 1-866-487-9243.

Permiso para víctimas de violencia doméstica, abuso sexual o acoso

Las víctimas y sus familiares tienen derecho a obtener un permiso de ausencia laboral razonable para recibir asistencia jurídica o de cumplimiento de la ley, tratamiento médico y asesoramiento, así como para reubicarse, reunirse con su abogado o proteger su seguridad.

Permiso para cónyuges de militares durante un despliegue militar

Los cónyuges o las parejas domésticas registradas del personal militar que reciba una notificación de despliegue o que tenga una licencia para ausentarse del despliegue durante el transcurso de un conflicto militar, pueden obtener un permiso de ausencia no pagada por un total de 15 días por despliegue.

Su empleador no puede despedirlo o tomar represalias contra usted por ejercer sus derechos o por presentar una queja sobre supuestas violaciones de la Ley del Salario Mínimo, que incluye permisos por enfermedad o cualquiera de las leyes de permisos protegidos.

Comuníquese a L&I

¿Necesita más información? ¿Tiene preguntas sobre cómo presentar una queja de derechos del trabajador?

En línea: www.Lni.wa.gov/WorkplaceRights

Llame al: 1-866-219-7321, sin costo

Visite: www.Lni.wa.gov/Offices

Correo electrónico: ESgeneral@Lni.wa.gov

Sobre los carteles requeridos para el lugar de trabajo

Vaya a www.Lni.wa.gov/RequiredPosters para conocer más detalles sobre los carteles para el lugar de trabajo de Labor e Industrias (Labor & Industries, L&I) y otras agencias gubernamentales.

La trata de personas es contra la ley

Si necesita ayuda para víctimas, llame al Centro Nacional de Recursos de Trata de Personas al 1-888-373-7888, o a la Oficina de Defensa de Víctimas de Crímenes del Estado de Washington al 1-800-822-1067.

A petición del cliente, hay ayuda disponible para personas que hablan otros idiomas y otros formatos alternos de comunicación para personas con discapacidades. Llame al 1-800-547-8367. Usuarios de dispositivos de telecomunicaciones para sordos (TDD, por su sigla en inglés) llamen al 360-902-5797. L&I es un empleador con igualdad de oportunidades.