Seattle Office of Labor Standards
Comparison Chart ◆ Seattle PSST and Statewide paid sick leave

Seattle's PSST ordinance requires employers operating in Seattle to provide all employees with paid leave to care for themselves or a family member with a physical or mental health condition, medical appointment, or a critical safety issue (e.g. domestic violence, sexual assault, stalking, or closure of workplace or school due to public emergency).

In late 2017, Seattle amended the PSST ordinance to incorporate the more employee-protective provisions of voter-passed, Washington Initiative 1433, which established statewide paid sick leave for overtime-eligible employees working in Washington state.[1] Seattle's PSST amendments went into effect on January 14, 2018 and corresponding PSST rule revisions went into effect on July 1, 2018.

This Chart provides an overview of key differences between Seattle PSST and Washington state paid sick leave; differences in Seattle's ordinance are denoted by *italics*. For more information, visit our [Paid Sick and Safe Time website](#).

Key differences between Seattle PSST and Washington state paid sick leave

Issue	State	Seattle
Employee coverage	Overtime-eligible employees	Overtime-eligible *and overtime-exempt employees*.
Employee coverage— occasional basis.	Coverage for employees who only occasionally work in Washington is based on principles developed in state Minimum Wage Act case law, including *Bostain v. Food Exp., Inc.*, 159 Wn.2d 700 (2007).	Coverage for "Occasional basis" employees begins *once the employee performs more than 240 hours of work in the City within a year.*[2]
Accrual	One hour for every 40 hours worked	Tier One Employer ➲ One hour for every 40 hours worked Tier Two Employer ➲ One hour for every 40 hours worked *Tier Three Employer ➲ One hour for every 30 hours worked*
Carry-over	40 hours	Tier One Employer ➲ 40 hours *Tier Two Employers ➲ 56 hours* *Tier Three Employers ➲ 72 hours* *Tier Three Employers with PTO ➲ 108 hours*
Use	No cap on use	No cap on use. *Employees may have access to more PSST hours due to increased carry-over requirements.*

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[1] Statewide paid sick leave became effective on January 1, 2018.

[2] This coverage provision only applies to employees who are typically based outside of Seattle and work in Seattle on an occasional basis. Employees who regularly work in Seattle are immediately covered by the ordinance regardless of whether they are based inside or outside Seattle.

Issue	State	Seattle
Increments of Use – Variance	Employers may apply to Washington State Labor and Industries (L&I) for a variance from the increments of use requirements for "good cause."	*OLS will not grant a variance from the increments of use requirements or recognize a variance issued by L&I.*
Rate of pay	Employers must pay normal hourly compensation, including lost commissions.	Employers must pay normal hourly compensation, which includes lost commission for overtime-eligible employees *but not overtime-exempt employees.*
Frontloading— employer reimbursement for frontloading more PSST hours than required.	At separation of employment, the employer *may deduct wages* from the employee's final paycheck if the employee agrees.	Employers *cannot seek reimbursement from an employee* if the employer frontloads more PSST hours than required.
Notification	Employers must provide notification of PSST hours at least monthly.	Employers must provide notification of PSST hours *every time wages are paid* (at least monthly).
Tier One and Tier Two new employer exemption	No exemptions.	Two-year exemption for new Tier One and Tier Two employers *but only for PSST requirements that provide greater employee protections than statewide paid sick leave (e.g. carry-over for tier two employers).*
Notice of Rights— workplace poster	Employers must provide written notification to employees of their right to paid sick leave; rate of accrual; authorized purposes for using paid sick leave; and prohibitions against retaliation.	Employers must display a *workplace poster in the size created by OLS (11" x 17"), in English and the primary language(s) of employee(s) at the workplace.*
Notice of Rights— written policy	Employers' written policy must provide notice of the following items (if applicable): • Employer's choice of "year" for accrual and carry-over (if different than a calendar year); • Reasonable notice requirements; If applicable: • Verification requirements; • Frontloading program; • Shared leave program; and • Paid time off program.	Employers' written policy must include state-mandated items as well as the following: • *Employee's right to PSST;* • *Employer tier size;* • *Employee's rate of accrual and carry-over;* • *Employer's method of notifying employees of accrued, available, and reduced PSST hours every pay period; and* • *Right to normal hourly compensation.* For more information, review our PSST policy checklist and model policy.
Waiver	Collective bargaining agreement (CBA) waivers are prohibited for statewide paid sick leave requirements.	*Time-limited CBA waivers are permitted only for PSST requirements that provide greater employee protections than statewide paid sick leave (e.g. Tier Two & Tier Three carry-over, Tier Three accrual). Waivers are permitted through Dec. 31, 2018 or through expiration of CBA in effect as of that date. Labor organizations must file waiver information with OLS.*