



# Have you checked your Paid Sick and Safe Time Policy?

## **LEGAL REQUIREMENT.** Employers Must Establish a Written Paid Sick and Safe Time (PSST) Policy

Employers must provide employees with a written policy that describes how the employer is meeting the Seattle Paid Sick and Safe Time ordinance's (SMC 14.16) requirements. Use this checklist to make sure that your PSST policy is on track.

## **REQUIRED PROVISIONS.** The written PSST policy must include the following information:

- (NEW) Employee's right to PSST**
  - Include statement of employee's right to PSST.
- Employer's tier size under the PSST Ordinance**
  - Count full-time equivalents worldwide, including employees in an integrated enterprise and joint employer relationship.
- Employer's choice of year**
  - Notify employees if employer is using a period other than the calendar year (e.g. a tax year, fiscal year, or contract year; or the year running from an employee's hire date).
- Rate of PSST accrual and carry-over**
  - Establish rates based on employer tier size; employer policy may be more generous than ordinance requirements.
- Employer's method of notifying employees of accrued, available, and reduced PSST hours every pay period**
  - Establish rates based on employer tier size; employer policy may be more generous than ordinance requirements.
- Reasonable notice requirements for requesting PSST**
  - Establish method and point of contact for requesting PSST.
  - Describe expected timeline for notice of foreseeable and unforeseeable absences.
- (NEW) Authorized Uses of PSST**
  - Describe the types of absences covered by PSST; define family member for sick time and family member/household member for safe time.
- (NEW) Retaliation**
  - Describe Prohibitions against retaliation for use of paid sick and paid safe time.
- (NEW) Frontloading**
  - If applicable, include a description of employer frontloading program, including amount of frontloaded leave and right to carry over unused PSST commensurate with the employer's tier size requirements.
- (NEW) Verification**
  - If applicable, explain PSST verification rules for absences greater than three consecutive days, including right to assert the unreasonable burden/expense of verification.

**(NEW) Shared Leave**

- If applicable, describe employee right to donate accrued, unused PSST to a co-worker.

**(NEW) Paid Time Off Policy**

- If applicable, describe employee's right to use other leave for PSST purposes, including use of vacation and/or Universal or Personal Leave (PTO) for PSST absences.

**RECOMMENDED PROVISIONS.** The written PSST policy can also provide information about:<sup>1</sup>

**Reference the PSST Ordinance**

- Refer to Seattle Paid Sick and Safe Time Ordinance, SMC 14.16.

**Eligibility requirements for employees**

- Include all employees who work in Seattle.
- Describe coverage for seasonal employees (balances must be reinstated if employees return to work within 12 months).

**Use of accrued PSST hours**

- Define waiting period (maximum 90 calendar days from hire date).
- Establish increments of use (hourly employees can use PSST in the smallest increment used to track work time for compensation).
- Confirm that an employee's rate of pay for PSST is the same as if the employee had worked the shift.

**Actions based on suspicion of PSST abuse**

**Permission to cash out unused PSST hours (not required by the PSST ordinance)**

**Point of Contact for questions**

- Establish point of contact for employee questions about the PSST policy without retaliation.
- Reference workplace poster and the Seattle Office of Labor Standards.

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<sup>1</sup> Including these provisions is best practice as they ensure that employees understand PSST requirements and rights, and protect businesses through clear communication of the same.