

Paid Sick and Safe Time and COVID-19 -- Frequently Asked Questions & Answers

Employers and employees can play a part in keeping the community safe and healthy by ensuring employees use their Paid Sick and Safe Time (PSST)! This document provides answers to questions that you may have about Seattle's Paid Sick and Safe Time law. Please visit the [Office of Labor Standards](#) website for more detailed information.

The Paid Sick and Safe Time Ordinance:

- Protects public health by ensuring that employees and children can stay home, away from coworkers, school, and customers when they are sick
 - Creates more productive workplaces by limiting the spread of disease
 - Builds economic security because employees can care for their health without losing their wages
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What is paid sick and safe time (PSST)?

Paid sick and safe time is employer-paid time off that employees can use to:

- Care for themselves or a family member for an illness, injury, or health condition
- Go to the doctor to get medical and preventative care
- When their place of business has been closed by a public official for health reasons
- When their child's school or place of care has been closed by a public official for health reasons

What employees get PSST?

In Seattle, the law requires employers to provide all employees with paid sick and safe time. This includes full-time, part-time, temporary, exempt, and non-exempt employees.

How much PSST do employees get?

Paid Sick and Safe Time is earned over time. The amount depends on how many hours an employee works and the size of their employer's business. For details, visit the [Office of Labor Standards' website](#).

How much PSST can an employee take at one time?

An employee can use any and all the hours that they have accrued and in increments as small as the smallest amount of time that an employer tracks work time (but no longer than an hour).

How can an employee find their PSST balance?

Employers must share this information every time wages are paid. Many employers put this information on paystubs or make it available via an online payroll information system.

Can an employee use PSST if their place of work, child's school, child's place of care is closed by a public official because of a possible health concern like COVID-19?

Yes. And, an employer may allow an employee to use accrued PSST where the employee's place of work, child's school, child's place of care is closed, but where there has been no order by a public official. For example, if a private school principal (who is not a public official) closes an employee's child's school, the employer may, as a discretionary matter, allow the employee to use accrued PSST.

Who is a public official?

A public official is a government employee that is granted the authority to close a place of business or school. This can include local, state, or federal authorities and public health officials (e.g. Seattle - King County Public Health, the Center for Disease Control, or the State Department of Health) or the superintendent or principal of a public school.

Can employers ask for details for the reason why an employee asked to use PSST?

The information provided in this document is not intended as legal advice and should not be used as a substitute for laws and regulations.

No. Employees are not required to share the reason for using PSST. Employers may ask for documentation to verify the reason for the absence after more than three consecutive workdays of PSST.

Can you require an employee to use PSST?

No. Employers cannot require employees to use PSST for an absence that is otherwise covered by the ordinance.

Can an employer require an employee to go home sick?

The PSST law does not prohibit an employer from sending an employee home because of illness. Other state and local laws may determine whether it is lawful or a requirement to send someone home. For instance, Department of Health regulations require an employer to send a food service worker home if they have symptoms like vomiting or a sore throat with fever. For more information, see [Washington Administrative Code 246-215](#) or contact [Seattle-King County Public Health Department](#).

Can an employer prevent an employee from working because they traveled to a country that has an outbreak?

Travel to a particular country or region is not a reliable indicator of whether someone has been exposed to COVID-19. No one group is responsible nor should be targeted as the cause of the COVID-19 outbreak. Information on how to prevent and respond to stigmas and the spread of misinformation can be found by [clicking here](#). Taking an adverse employment action based on an employee's ethnicity or national origin could give rise to a claim of discrimination. For more information, contact the [Office of Civil Rights](#) at 206-684-4500.

What if an employee has used all their accrued PSST or is a new employee without any accrued leave?

An employer is only required to allow an employee to use accrued hours of PSST. In their discretion, employers can provide more paid leave or allow the use of vacation or other accrued leave. Other laws may require an employer to provide employees with leave; including: the Family and Medical Leave Act, Washington State Paid Family Medical Leave, and federal, state, and local disability laws.

Can an employee donate unused PSST to a paid leave donation plan to help co-workers who need PSST?

Yes, if the employer has a program to allow this. (The law does not require it.)

Does an employer have to find someone to cover the hours that they need to take PSST?

No. An employer cannot require an employee to find someone to cover their PSST hours.

Can an employee swap shifts instead of using paid sick and safe time?

Yes. If both employer and employee agree, an employee can swap shifts instead of taking PSST.

Are employees of the Seattle Public Schools (SPS) covered by Seattle's Paid Sick and Safe Time law?

No. But, some SPS employees may be covered by the Washington State Paid Sick Leave law. For more information about State protections, visit: <https://lni.wa.gov/workers-rights/leave/paid-sick-leave/>.

Can an employee use PSST for reasons other than that protected by the law?

Yes. An employer can allow the use of PSST for reasons not covered by the law.

Who can I call if I have more questions about my rights or responsibilities under this law?

Please call the [Seattle Office of Labor Standards \(OLS\)](#) at [206-256-5297](tel:206-256-5297) or visit our website at <http://www.seattle.gov/laborstandards>. We can answer questions and provide resources!

Where can I find out more about COVID-19 (formerly called the novel coronavirus) and the steps I can take to prepare?

Visit the Public Health – Seattle & King County website and [their information sheet](#) on COVID-19 for more information, which includes an extensive FAQ as well as recommendations for preparedness for the general public, schools, workplaces and health care workers.