



Paid Sick Leave Ordinance

Frequently Asked Questions

For Employees

1. How is paid sick leave accrued?

For employees who are exempt from overtime payment, an employee earns at least one hour of paid leave. Employers are required to allow employees to use 24 hours of accrued paid leave time per year.

2. If I don't use all of my accrued paid sick time in a year, will it roll over to the next calendar year?

The Ordinance does not require employers to allow accrued paid leave time to roll over to the next year.

3. Will the Ordinance apply to collective bargaining units?

The provisions in this Ordinance will not override the terms of any collective bargaining agreements in place at the time the Ordinance becomes effective on January 1, 2016. The requirements of the Ordinance can be waived in collective bargaining agreements as long as the terms are expressed clearly and unambiguously.

4. Do I qualify for paid sick leave if I work through a staffing agency?

Yes, staffing agencies are not exempt from complying with the Ordinance.

5. As a restaurant worker, can I choose to trade shifts when I'm sick so I don't miss out on pay?

Yes, the Ordinance allows employers to establish policies allowing employees to voluntarily trade shifts.

For Employers

6. Does the Ordinance affect my company if I already offer employees at least three or more days paid time off?

No, as long as you allow your employees to use this time for any of the qualifying reasons stated in the Ordinance.

7. How long do I have to implement this policy?

Businesses must come into compliance with the Ordinance by January 1, 2016.

8. Will the Ordinance apply to collective bargaining units?

The provisions in this Ordinance will not override the terms of any collective bargaining agreements in place at the time the Ordinance becomes effective on January 1, 2016. The requirements of the Ordinance can be waived in collective bargaining agreements as long as the terms are expressed clearly and unambiguously.

9. How will the Ordinance be enforced?

Enforcement of the Ordinance will be complaint-based. The City of Tacoma's goal is to provide educational support to businesses during the year leading up to the Ordinance's effective date to ensure they have the information they need to be compliant with the new law. The City is currently exploring options as to which department will be responsible for administering compliance and enforcement.

10. Can I require a minimum use of accrued paid sick leave?

Yes, subject to the Fair Labor Standards Act. If you do not establish a minimum use policy, accrued paid leave time may be used in hourly increments, for employees covered by the overtime requirements of the FLSA.

11. Are there any restrictions on the use of paid leave time?

Yes. The Ordinance does not require employers to allow employees to use any accrued paid leave time prior to 180 calendar days after the commencement of their employment. Employers are not required to allow employees to use more than 24 hours of paid leave in a calendar year. Employers are also not required to allow any unused accrued paid leave time to roll over into the next calendar year.