



THE DIOCESE OF YAKIMA • PASTORAL OFFICE
LA DIÓCESIS DE YAKIMA • CENTRO PASTORAL

Memo

To: Priests, Diaconate Community, Women and Men Religious, Seminarians

**From: Diana Aparicio
Vice Chancellor**

Date: December 7, 2017

RE: Paid Sick Leave Effective January 1, 2018

The purpose of this memo is to provide information about the new paid sick leave requirements. Effective January 1, 2018, employers in Washington will be required to provide most of their employees with paid sick leave.

The new law requires employers to provide paid sick time to all part-time and seasonal employees. The Act's definition of employee excludes several categories of workers such as white collar exempt workers and carriers subject to the Interstate Commerce Act.

Paid Sick Leave Usage:

Employees are entitled to use accrued paid sick leave beginning on the 90th calendar day after the start of their employment. Paid sick time, which must be compensated at the employee's current pay rate, may be used for the following reasons:

- An employee's illness, or health condition, including diagnosis, treatment, care and preventive care;
- To care for a family member's illness, injury or health condition, including diagnosis, treatment, care, and preventive care;
- A public health emergency: when the employees' workplace or their child's school or place of care has been closed by a public official for any health-related reason;
- For absences that qualify for leave under the state's Domestic Violence Leave Act, Chapter 49.76 RCW.

The law broadly defines "family member" to include children and stepchildren of any age, parents and stepparents, spouses and domestic partners, grandparents, siblings, in-laws, and other individuals related by either blood or affinity whose close association with the employee is the equivalent of a family relationship.

Paid Sick Leave Accruals:

Employers must permit employees to accrue paid sick leave at a rate of one sick leave hour for every 40 hours worked. Additionally, employees must be permitted to carry over at least 40 hours of unused, accrued leave to the next year. Paid sick leave must be paid to employees at their normal hourly compensation. The minimum increment for using earned sick leave is one hour.

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

Employers are not required to pay an employee for any accrued, unused paid sick time upon termination of the employee's employment. If an employer rehires a separated employee within 12 months of separation, whether at the same or a different business location, all leave that the employee has accrued at the time of his or her separation must be reinstated, and the previous period of the employee's employment shall be counted for purposes of determining the employee's eligibility to use paid sick leave.

Recordkeeping Requirements:

An employer's failure to maintain the required records will create a rebuttable presumption of a violation. It will be important for bookkeepers to develop a method for tracking and reporting employees' paid sick time. Accurate record keeping of timesheets is important. Employers must provide employees with the following information either in or on an attachment to the employee's paycheck:

- The amount of paid sick time available for use by the employee
- The amount of paid sick time taken by the employee to date in the year
- The amount of pay the employee has received as paid sick time to date in the year

Employers may not require an employee using paid sick leave to find a replacement worker to cover hours for which the employee is using paid sick leave. Employers may not discriminate or retaliate against employees for their use of paid sick leave.

Paid sick leave tools, training and other resources are available in L&I's online Employer Resource Center: www.Lni.wa.gov/SickLeave. For questions please contact Diana Aparicio at (509) 367-5296 or via e-mail at diana.aparicio@yakimadiocese.net or contact Sue Schoolcraft at (509) 367-5289 or via e-mail at sue.schoolcraft@yakimadiocese.net.

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