

Vermont's Paid Sick Leave Law will take effect January 1, 2017

The Legislative Committee on Rules has approved the final proposed rule for Vermont's Paid Sick Leave bill. Read the [law here](#) or the [final rule here](#).

Under the new Paid Sick Leave law, employees will earn up to three days of paid sick leave per year in 2017 and 2018, and up to five days per year in the years following. The new law delays implementation for businesses with 5 or fewer employees until January 1, 2018, exempts certain employees, and allows employers a 1 year waiting period to for newly hired employees.

Frequently Asked Questions:

When do I need to have an earned sick leave policy in place?

- If you have more than 5 employees you will need to have in place a policy that allows employees to accrue earned time off starting their first day of employment or January 1, 2017, whichever is first.
- Small businesses with five or fewer employees have until January 1, 2018 to set in place a policy that will allow employees to accrue earned time off.

Does this law require that all employees accrue earned sick leave?

No, the following groups of employees are exempted:

- Employees under 18 years of age.
- Employees who work fewer than 20 weeks per year
- Employees who work fewer than an average of 18 hours per week

How much time will employees accrue?

- Employees will earn 1 hour for every 52 hours worked (including overtime)
 - After December 1, 2018, employers may cap the number at 40 (5 days) of earned sick time an employee can use.
- Employers may cap the number at 24 hours (3 days) of earned sick time an employee can use between January 1, 2017 and December 31, 2018

When are employees allowed to use earned sick time?

- The employee is ill or injured
- The employee obtains professional, diagnostic, preventive, routine, or therapeutic health care
- The employee cares for a sick or injured parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child, including helping that individual obtain professional, diagnostic, preventive, routine, or therapeutic health treatment, or accompanying that individual to an appointment related to his or her long-term care.
- The employee is arranging for social or legal services or obtaining medical care or counseling for the employee or for the employee's parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child who is a victim of domestic violence, sexual assault, or stalking or who is relocating as the result of domestic violence, sexual assault, or stalking.
- The employee cares for a parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child because the school or business where that individual is normally located during the employee's workday is closed for public health or safety reasons.

Will unused accrued hours roll over to the following year?

If you provide the employee with the full amount of sick time at the beginning of each year any unused earned sick time is not required to be carried into the next year. However, if you require the employee to accrue time throughout the year, any unused earned sick time will need to be rolled over to the following year.

(Example: If you provide Sarah three days of earned sick time on January 1, 2017 and she uses 1 day throughout the year, the remaining 2 days will not need to be rolled over to 2018. If you require Sarah to accrue throughout the year 1 hour for every 52 hours worked, any unused earned time off will need to roll over to 2018.)

Note: If an employee accrues more than the required amount of earned sick time, you are not required to allow the employee to use any more than the required amount of earned sick time (24 hours/3 days in 2017, 40 hours/5 days in 2018)

What if I already offer a vacation/combined time off policy?

You can offer a different paid leave policy if that policy meets the minimum requirements set forth by this Act. If your policy requires prior notice for all absences, you must adjust at least a portion of your policy to allow for use of paid time for unexpected absences.

Do I have to pay earned sick time of an employee quits?

No, if an employee voluntarily leaves and does not give you good cause for their departure, you are not required to pay the accrued earned sick time.

I'm a multi-state employer. Do my Vermont-based employees earn paid leave if they work out of state for a day?

Yes, employees that are primarily based in Vermont but work out of state for short periods of time are eligible to accrue and use earned sick time.

Am I supposed to post notice of this Act?

Yes, you will need to post [this poster](#) in a place conspicuous to employees. You must also notify an employee of the provisions at the time the employee is hired.

If you have more questions, please call Erin at the VRGA Office, 802-839-1928