

Paid Sick and Safe Time (PSST) Policy

Employer:

Policy Date:

Employer follows the Seattle's Paid Sick and Safe Time (PSST) Ordinance, [SMC 14.16](#)¹ requiring employers to provide their employees working in Seattle with paid leave for work absences due to a physical or mental health condition or a critical safety issue.

Eligibility and Application

All employees (working in Seattle only), including full time, part time, temporary, and seasonal workers, regardless of overtime exempt status, have a right to use paid sick and safe time for:

- An employee's personal illness, injury or health condition or medical appointment, or to take care of a family member with an illness, injury or medical appointment (Sick Time);
- Closure of the employee's place of business or child's school/place of care by order of a public official for health reasons (Safe Time); and
- For reasons related to domestic violence, sexual assault, or stalking for the employee or a family or household member (Safe Time).

For Paid Sick and for Paid Safe Time, "family member" includes the following individuals, without regard to age, a spouse, registered domestic partner, child, stepchild, foster child, sibling, parent, grandparent, grandchild, and parent-in-law.

For Paid Safe Time only, "household member" includes child, stepchild, foster child, sibling, parent, stepparents, stepchildren, grandparents, grandchildren, current and former spouses and domestic partners, persons who have a child in common, adult persons related by blood or marriage, adult persons who have resided or are residing together, and persons 16 years of age or older who are or were residing together and who are or were in a dating relationship.

Accrual and Carry Over

We are a Tier _____ employer (circle the tier that applies to your business in the following page).

Tier 1 Employer	Tier 2 Employer	Tier 3 Employer
less than 50 FTE employees worldwide	50 to 249 FTE employees worldwide	250 or more FTE employees worldwide
Accrual of 1 PSST hour per 40 hours worked	Accrual of 1 PSST hour per 40 hours worked	Accrual of 1 PSST hour per 30 hours worked
Carry over unused PSST hours per year: 40	Carry over unused PSST hours per year: 56	Carry over unused PSST hours per year: 72*

This employer's year begins _____ and ends _____. There is no cap on accrual or use of PSST hours; the only cap is on carry over of unused PSST hours to the following year.

*108 hours for tier 3 employers with an Optional Paid Time Off (PTO Policy) for combined or universal leave.

Method of Notification of PSST Balance

This employer chooses to notify employees of (1) total available Paid Sick and Safe Time; (2) Paid Sick and Safe Time accrued since the last notification; and (3) Paid Sick and Safe Time used since the last notification at each pay period by (check one of the following):

- Along with the pay check
- A summary sheet providing the tally
- Printed by the payroll service

Using PSST Hours and Rate of Pay

This employer does/does not impose a waiting period of _____ (maximum 90) days after an employee commences employment before that employee can use any accrued PSST hours. Employees may use PSST in increments of check one of the followings:

- minute
- hour
- day

Reasonable Notice Requirements for Requesting PSST

To request PSST, an employee must follow the employer's notice procedure for absences, including marking the timesheet accordingly. The employee does not have to disclose the nature of an illness or the specific reason; but must give the employer enough information to understand that the absence is for a PSST-qualifying reason.

The employer will maintain the confidentiality of information provided by the employee or others regarding an employee's request for PSST.

- For foreseeable (e.g. doctor appointment) absence, the employee must make a written request to the immediate supervisor at least 5 working days, or as soon as practicable, before the date of use.
- For not foreseeable (e.g. unexpected illness) absence, the employee must provide notice as soon as practicable.
- For the absence that involves domestic violence, sexual assault, or stalking, the employee must provide oral or written notice no later than the end of the first day of using PSST.

Separation from Employment

If an employee is separated from employment and rehired within twelve months, Employer will reinstate the employee's PSST balance as of the date of separation.

Retaliation Prohibited

Any discrimination or retaliation against an employee for good faith assertion of PSST rights is against the law. An employer may not require, as a condition of an employee taking PSST, that the employee search for or find a replacement worker to cover the hours during which the employee is on paid sick leave. An employer may not apply an absence control policy to PSST-covered absences.

PSST Questions

Employees with questions about PSST benefits may contact:

Name: _____ Title: _____

The Seattle Office of Labor Standards (OLS) is responsible for enforcing the Paid Sick and Safe Time ordinance and ensuring that employees are not retaliated against for using PSST. An employee who experiences a violation of PSST rights may file a complaint with OLS or file a lawsuit. OLS also provides free technical assistance, brochures, posters and other resources. For more information from OLS, call 206-256-5297 or visit <http://www.seattle.gov/laborstandards/ordinances/paid-sick-and-safe-time>.

This Paid Sick and Safe Time Policy has additional conditions if the following addendum is checked:

Addendum A - verification requirement

¹This policy also satisfies the employer's obligation to provide sick leave under Washington State's paid sick leave law, RCW 49.46.200-.210.

PSST Policy Addendum A – Verification Requests

PSST Policy - Verification Requests from Employer

Note to employers: Only include this addendum on verification requests if it is part of your policy or practice. Verification requirements are allowed by the ordinance, but not required. Also, employers that do not offer medical benefits to employees must pay half the cost of obtaining the verification.

In the case of an employee use of PSST for an authorized purpose for more than three (3) consecutive days during which the employee is required to work, the employee must provide verification that establishes or confirms that the use of PSST is for an authorized purpose.

The employee is not required to disclose the nature of the illness or other specific reason for the absence. The employer will maintain the confidentiality of information provided by the employee or others in support of an employee's request for PSST.

- **For Sick Time acceptable verification may include:**
 - o A health care provider's signed statement indicating that the use of paid sick leave is for care of the employee or their family member for an authorized purpose; or
 - o **[insert other types of documentation demonstrating that the employee's use of paid sick leave is for care of the employee or their family member for an authorized purpose].**
- **For Safe Time:** The supporting documentation must indicate that the employee or a family or household member is experiencing domestic violence, sexual assault, or stalking, and that the leave was taken for a purpose covered by the law. This could include:
 - o A written statement by the employee;
 - o A police report;
 - o A court order;
 - o Evidence from a court or prosecuting attorney;

- o Documentation from any of the following persons from whom an employee or an employee's family member sought assistance in addressing the domestic violence situation indicating that the employee or the employee's family member is a victim:
 - An advocate for victims of domestic violence, sexual assault, or stalking;
 - An attorney;
 - A member of the clergy; or
 - A medical professional.
 - [insert other types of documentation that the employee or the employee's family member is experiencing domestic violence, sexual assault, or stalking].
- For Safe Time related to closure of a child's school or place of care: the employee may provide the notice of closure the employee received.

Note to employers: the "unreasonable burden" procedures described below are required by WAC 296-128-660 for employees subject to the Washington Minimum Wage Act, RCW 49.46.

If an employee believes that obtaining verification for use of PSST would result in an unreasonable burden or expense on the employee, the employee must contact the Employer orally or in writing. The employee must indicate that the absence is for an authorized purpose, and explain why verification would result in an unreasonable burden or expense on the employee.

Within 10 calendar days of receiving the employee's request, Employer will work with the employee to identify an alternative verification method that does not result in an unreasonable burden or expense. Options may include, but are not limited to:

- Accepting the previously submitted oral or written statement;
- Company-provided transportation;
- Sharing more of the cost of getting a signed statement from a health care provider.

Employer may choose not to pay an employee for paid sick leave taken for such absences until verification is provided. An employee has the right to contact Employer if the employee believes the proposed alternative still results in an unreasonable burden or expense. If an employee is not satisfied with the employer's alternatives, the employee may contact the Seattle Office of Labor Standards or the Washington State Department of Labor & Industries.²

²The Washington State Department of Labor & Industries only investigates claims by employees covered by the Washington Minimum Wage Act, RCW 49.46.