

# Earned Sick Time Act

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MICHIGAN DEPARTMENT OF  
**LABOR & ECONOMIC  
OPPORTUNITY**

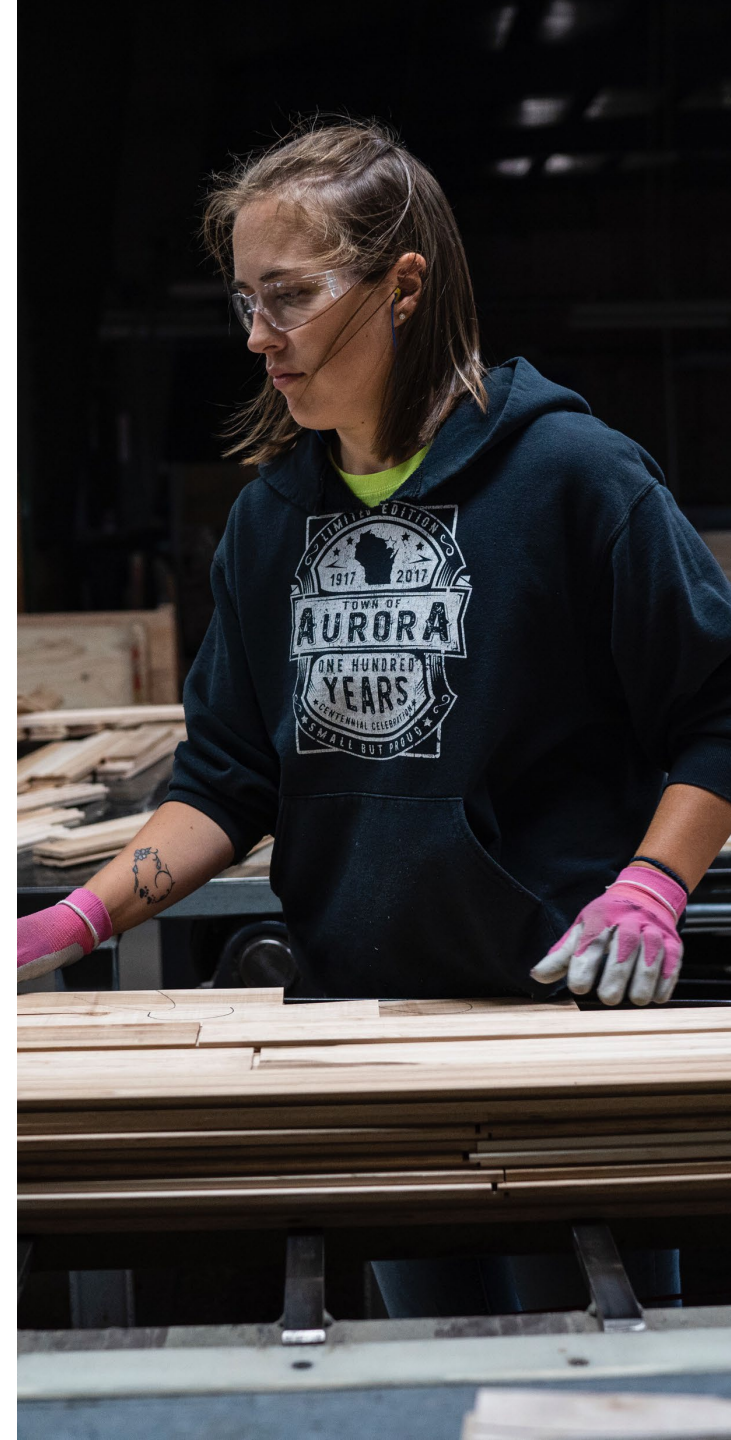
# Key Provisions of Michigan's Earned Sick Time Act



- Back in Effect February 21, 2025.
- Applies to all employers in Michigan with 1 or more employees, except for those employed by the United States Government.
- Includes salaried (both exempt and non-exempt) and full and part-time hourly workers.

## Key Provisions of Michigan's Earned Sick Time Act

- Employees accrue sick time at a rate of 1 hour for every 30 hours worked.
- Businesses with 10 or more employees must allow at least 72 hours of paid sick time per year to be used to the extent the leave is accrued.
- Businesses with fewer than 10 employees must allow at least 40 hours of paid sick time annually, plus an additional 32 hours of unpaid sick time to the extent leave is accrued.



## Key Provisions of Michigan's Earned Sick Time Act



- Unused sick time can be carried over, but employers may limit annual use to no more than 72 hours.
- Employees have the right to pursue action if an employer interferes with or retaliates against their use of ESTA benefits, including through private action.

# Frequently Asked Questions



# How to determine if an employer meets the 10-employee threshold?

- An employer meets the 10-employee threshold if it employs 10 or more employees in 20 or more workweeks in the current or previous calendar year.
  - *The 20 workweeks need not be consecutive.*
- Once an employer meets the 10 or more-employee threshold, the employer remains covered through the remainder of the current and following calendar year.



## What employees are eligible to receive earned sick time?

- An eligible employee is an individual engaged in service to an employer in the business of the employer.



## When does an eligible employee begin to accrue earned sick time?

- Accrual begins on **February 21, 2025**, or upon commencement of the employee's employment, whichever is later.





# When can an eligible employee use earned sick time?

## Reasons include:

- The employee's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee's mental or physical illness, injury, or health condition; or preventative medical care for the employee.
- For the employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee's family member's mental or physical illness, injury, or health condition; or preventative medical care for a family member of the employee.



# When can an eligible employee use earned sick time?

- If the employee or the employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child; or



# When can an eligible employee use earned sick time?

- For closure of the employee's place of business by order of a public official due to a public health emergency; for an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.



# Can an employer require an employee to provide notice of and documentation for the use of earned sick time?

- If the need for earned sick time is foreseeable, an employer may require advance notice not to exceed 7 days prior to the date the earned sick time is to begin, of the intention to use the earned sick time.
- If the need for earned sick time is not foreseeable, an employer may require the employee to give notice of the intention as soon as practicable.





# Can an employer require an employee to provide notice of and documentation for the use of earned sick time?

- For earned sick time of more than **3** consecutive days, an employer may require reasonable documentation. Upon request the employee must provide this documentation in a timely manner.
  - *Documentation should not include a description of the illness or details of the violence.*
  - *If an employer requires documentation, it is responsible for paying all out-of-pocket expenses the employee incurs in obtaining the documentation.*
  - *An employer cannot delay commencement of the leave based on a failure to receive documentation.*



For more information visit,  
**[Michigan.gov/EarnedSickTime](https://Michigan.gov/EarnedSickTime)**



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