




COVID-19: State and Local Guidance on Paid Leave Laws

Location and Sources	Paid Sick Leave	Other Types of Paid Leave
<p>Federal</p> <p>Applies to private employers with fewer than 500 employees.</p> <p>Effective not later than 4/2/20 until 12/31/20.</p> <ul style="list-style-type: none"> • An employer cannot force employees to use other forms of leave concurrently with the new and additional leave provided by the act. • Covered employers must post a notice to employees about their rights under this act (at least as to paid sick leave) once the Department of Labor prepares it. • Unused time would not carry over from one year to the next. • The Secretary of Labor is charged with issuing implementation guidelines by the effective date. • Employers may not change paid leave policies once the legislation is enacted to avoid being subject to the act's paid sick time provisions. • An employer may elect to exclude health care providers and emergency responders from the leave benefits. • The Secretary of Labor is empowered to exempt small businesses (fewer than 50 employees) 	<p>Up to 80 hours (pro-rated for part-time employees) of paid sick leave, available for immediate use regardless of length of employment, if the employee cannot work (or telework) because he/she:</p> <ul style="list-style-type: none"> • Is experiencing symptoms of COVID-19 and seeking a medical diagnosis, which is paid at 100% and capped at \$511 per day and \$5,110 in the aggregate. • Is subject to a government quarantine or has been told by a health care provider that he or she should self-quarantine due to COVID-19, which is paid at 100% and capped at \$511 per day and \$5,110 in the aggregate (or assisting an individual who must quarantine/self-quarantine for those reasons, which is paid at 2/3 the employee's rate and capped at \$200 per day and \$2,000 in the aggregate). • Is caring for a son or daughter if his/her school/child care provider is unavailable due to COVID-19, which is paid at 2/3 the employee's rate and capped at \$200 per day and \$2,000 in the aggregate. • Is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, which is paid at 2/3 the employee's rate and capped at \$200 per day and \$2,000 in the aggregate. 	<p>Up to 12 weeks of expanded FMLA leave, unpaid during the first 10 days (which are practically covered by paid sick leave), and then paid at 2/3 the employee's rate (but capped at \$200 per day and \$10,000 in the aggregate) and available to anyone after 30 days of employment for time to care for the employee's son or daughter if the child's school/child care provider is unavailable due to COVID-19 and the employee is unable to work (or telework).</p>

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<p>from the leave benefits if the requirements would jeopardize the viability of the business as a going concern.</p> <ul style="list-style-type: none"> The act provides tax credits to employers to help cover the benefit cost (described here).  <p>Federal Families First Coronavirus Respon</p>		
Alabama	No COVID-19 guidance to date (3/19/2020)	N/A
Arkansas	No COVID-19 guidance to date (3/22/2020)	N/A
Arizona	No COVID-19 specific guidance to date (3/22/2020)	N/A
California	<p>Proposed legislation would require workforce protections related to California Family Rights Act due to COVID-19. Among other things, the bill specifies that an employer is not required to pay an employee for the leave taken, but an employee taking a leave would be able to elect, or an employer can require, a substitution of the employee's accrued vacation or other time off during this period and any other paid or unpaid time off negotiated with the employer. The bill would authorize an employee to elect, or the employer to require, that the employee substitute their accrued sick leave if the leave is because of the employee's diagnosis with COVID-19 or due to quarantine because of COVID-19. The bill would prohibit an employee from using sick leave during a period of leave to care for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner diagnosed with or quarantined because of COVID-19.</p> <p>http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB3216</p> <p>California prepared FAQs about how the current state paid sick leave law applies in light of COVID-19:</p>	<p>The Governor's Executive Order waives the one-week waiting period for people who are unemployed and/or disabled as a result of COVID-19:</p> <p>https://www.gov.ca.gov/2020/03/12/governor-newsom-issues-new-executive-order-further-enhancing-state-and-local-governments-ability-to-respond-to-covid-19-pandemic/</p>

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	https://www.dir.ca.gov/dlse/2019-Novel-Coronavirus.htm	
Colorado	<p>Adopted the Colorado Health Emergency Leave with Pay which temporarily requires employers in certain industries, including leisure and hospitality, food services, child care, education, home health, nursing homes, community living facilities, to provide a small amount of paid sick leave to employees with flu-like symptoms who are being tested for coronavirus COVID-19. The employer must provide to an employee four calendar days of paid sick leave for days the employee would have worked if the employee has flu-like symptoms and is being tested for COVID-19. If the employee receives a negative test result before the end of four days, the paid leave ends. The employer may, but is not required to, require the employee to submit certain documentation. Unless too ill to communicate, the employee must (a) give notice of his/her absence as soon as possible, (b) give notice of getting a COVID-19 test within 24 hours of being prescribed the test, and (c) provide documentation that the employer requests by the end of their illness or his/her return to work, whichever is sooner. The state prepared a FAQs page and information about the law here:</p> <p>https://www.colorado.gov/pacific/cdle/colorado-health-emergency-leave-pay-colorado-help-rules</p>	N/A
Connecticut	No COVID-19 specific guidance to date (3/22/2020).	N/A
Delaware	No COVID-19 guidance to date (3/19/2020)	N/A
District of Columbia	No COVID-19 specific guidance to date (3/18/2020).	N/A
Florida	No COVID-19 guidance to date (3/22/2020)	N/A
Georgia	No COVID-19 specific guidance to date (3/22/2020).	N/A

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Hawaii	Pending legislation urges state and private health care networks to allow sick employees to take time off without fear of retaliation or retribution in light of COVID-19: https://www.capitol.hawaii.gov/session2020/bills/SCR152_.pdf	N/A
Idaho	No COVID-19 guidance to date (3/19/2020)	N/A
Illinois	The Governor's Executive Order Number 20-04, Sec. 3, states that the two-year continuous service requirement for state employees to receive advancement of sick leave is suspended: https://www2.illinois.gov/Documents/ExecOrders/2020/ExecutiveOrder-2020-04.pdf	N/A
Indiana	No COVID-19 guidance to date (3/19/2020)	N/A
Iowa	No COVID-19 guidance to date (3/19/2020)	N/A
Kansas	No COVID-19 guidance to date (3/19/2020)	N/A
Kentucky	In partial response to the concerns raised by the potential impact of COVID-19 on the economy, Kansas lawmakers put forth a bill for paid sick leave. SB 282 was put before the Economic Development, Tourism and Labor Committee on 3/6/2020. The bill is still pending.	N/A
Louisiana	No COVID-19 guidance to date (3/19/2020)	N/A
Maine	No COVID-19 specific guidance to date (3/18/2020).	No COVID-19 specific guidance to date (3/18/2020).
Maryland	No COVID-19 specific guidance to date (3/18/2020).	N/A
Massachusetts	No COVID-19 specific guidance to date (3/22/2020).	N/A
Michigan	No COVID-19 specific guidance to date (3/18/2020).	N/A
Minnesota	There is no state paid sick leave law. The Minnesota Department of Health issued guidance on sick leave policies in light of COVID-19: https://www.health.state.mn.us/diseases/coronavirus/businesses.html Pending legislation states that the employee or employer may elect to have the employee use paid leave benefits for which the employee is eligible under any	N/A

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	<p>paid time off, vacation, paid sick leave, or other paid leave benefit made available by the employer during the period of isolation or quarantine:</p> <p>https://www.revisor.mn.gov/bills/text.php?session=ls91&number=HF3532&session_number=0&session_year=2019&version=list</p>	
Mississippi	<p>On 3/16/2020, Governor Reeves issued Executive Order No. 1458 which granted Mississippi state agencies, boards, commissions, and other entities authority to provide employees administrative leave with pay if (a) the employee’s employer has closed in response to COVID-19, (b) the employee’s supervisor has determined that the employee’s duties are non-essential during any period of the Mississippi State of Emergency that went into effect on 3/14/2020, or (c) the employee or a member of their immediate house hold is placed in quarantine or isolation as a result of being diagnosed with COVID-19.</p>	N/A
Missouri	No COVID-19 guidance to date (3/19/2020)	N/A
Montana	No COVID-19 guidance to date (3/19/2020)	N/A
Nebraska	No COVID-19 guidance to date (3/19/2020)	N/A
Nevada	No COVID-19 specific guidance to date (3/18/2020).	N/A
New Hampshire	No COVID-19 guidance to date (3/19/2020)	N/A
New Jersey	<p>Pending legislation that provides paid leave without utilizing accumulated leave time for local government employees under certain circumstances:</p> <p>https://www.njleg.state.nj.us/2020/Bills/A/4000/3847_I1.HTM</p> <p>The Department of Labor & Workforce Development prepared information about how the state’s paid sick leave law applies in light of COVID-19:</p> <p>https://www.nj.gov/labor/worker-protections/earnedsick/covid.shtml</p>	<p>The Department of Labor & Workforce Development prepared information about how benefits, including temporary disability insurance, applies in light of COVID-19:</p> <p>https://www.nj.gov/labor/worker-protections/earnedsick/covid.shtml</p>
New Mexico	No COVID-19 specific guidance to date (3/18/2020).	N/A
New York	Effective March 18, 2020, employees that are subject to mandatory or precautionary orders of quarantine or isolation due to	The amendments to the New York Labor Law provide for job protection for employees during any period of quarantine or isolation and require that

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	<p>COVID-19 will be entitled to paid sick leave as follows:</p> <ul style="list-style-type: none"> • Employers with 10 or fewer employees (as of Jan. 1, 2020) must provide unpaid sick leave until the termination of any mandatory or precautionary order of quarantine or isolation due to COVID-19. Employers must also guarantee their employees access to Paid Family Leave and disability benefits during the period of quarantine. • Employers with 10 or fewer employees (as of Jan. 1, 2020) and a net income greater than \$1 million in the previous tax year must provide at least 5 days paid sick leave, and then unpaid sick leave until the termination of any quarantine or isolation. Employers must also guarantee their employees access to Paid Family Leave and disability benefits for the period of quarantine. • Employers with 11 to 99 employees (as of Jan. 1, 2020) and a net income greater than \$1 million in the previous tax year must provide at least 5 days paid sick leave, and then unpaid sick leave until the termination of any quarantine or isolation. Employers must also guarantee their employees access to Paid Family Leave and disability benefits for the period of quarantine. • Employers with 100 or more employees (as of Jan. 1, 2020) must provide at least 14 days of paid sick leave during any order of quarantine or isolation. • Public employers (which includes, but is not limited to, the state, counties, cities, towns, villages, school districts) must provide at least 14 days of paid sick leave during any order of quarantine or isolation. Each officer or employee will be compensated at his or her 	<p>employers provide employees access to New York’s Paid Family Lave and short-term disability benefits during such a period.</p>

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	<p>regular rate of pay for those regular work hours during which the officer or employee is absent from work due to the mandatory or precautionary order of quarantine or isolation due to COVID-19.</p> <p>The employee must be able to return to work following the leave and be restored to his or her position held prior to the leave. Any paid sick leave under the bill is in addition to an employee’s accrued sick leave provided by the employer’s policy.</p> <p>However, this law excludes employees subject to quarantine or isolation as a result of non-business travel to a country identified by the CDC as level 2 or 3 risk and if the employee was provided the travel health notice and limitations of this law prior to such travel.</p> <p>If the federal government provides sick leave and/or other benefits to employees in response to COVID 19, the leave provided under this bill will not be in addition to those benefits. Instead, these benefits will offset the difference of any benefits offered by the federal government.</p> <p>Employees who are deemed asymptomatic or have not yet been diagnosed with a medical condition and are physically able to work remotely or through other means while under the mandatory quarantine or isolation are not eligible to take sick leave.</p> <p>https://nyassembly.gov/leg/?default_fld=&leg_video=&bn=A10153&term=2019&Summary=Y&Memo=Y&Text=Y</p>	
North Carolina	No COVID-19 specific guidance to date (3/21/2020).	
North Dakota	No COVID-19 guidance to date (3/19/2020)	N/A
Ohio	No COVID-19 guidance to date (3/19/2020)	N/A
Oklahoma	No COVID-19 guidance to date (3/19/2020)	N/A
Oregon	No COVID-19 specific guidance to date (3/18/2020).	No COVID-19 specific guidance to date (3/18/2020).

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Puerto Rico	Pending legislation (HB 2428) seeks to amend Puerto Rico Law 180-1998, which establishes paid sick and vacation leave benefits to some private sector employees; Senate has revised HB 2428 to replace the provision of 20 days of unpaid emergency leave with 5 days of paid emergency leave.	N/A
Pennsylvania	No COVID-19 specific guidance to date (3/18/2020).	
Rhode Island	State issued a Workplace Fact that provides guidance of the current sick leave law for those impacted by COVID-19 and are quarantined and unable to work: http://www.dlt.state.ri.us/pdfs/COVID-19%20Workplace%20Fact%20Sheet.pdf	State issued a Workplace Fact Sheet that provides guidance on other leave, including Temporary Disability Insurance and safe leave, for those impacted by COVID-19 and are quarantined and unable to work: http://www.dlt.state.ri.us/pdfs/COVID-19%20Workplace%20Fact%20Sheet.pdf
South Carolina	No COVID-19 specific guidance to date (3/21/2020).	
South Dakota	No COVID-19 specific guidance to date (3/21/2020).	
Tennessee	No COVID-19 specific guidance to date (3/21/2020).	
Texas	No COVID-19 specific guidance to date (3/21/2020).	
Utah	No COVID-19 specific guidance to date (3/21/2020).	
Vermont	Pending legislation regarding the state's sick leave law to protect businesses and employees forced to take time off because of the virus: https://legislature.vermont.gov/Documents/2020/WorkGroups/House%20Commerces/Bills/H.681/Drafts/H.681~Damien%20Leonard~Clean%20Floor%20Amendment~3-13-2020.pdf	No COVID-19 specific guidance to date (3/18/2020).
Virginia	No COVID-19 specific guidance to date (3/21/2020).	
Washington	Washington prepared FAQs about how the current state leave laws apply in light of COVID-19: https://paidleave.wa.gov/coronavirus/	Washington prepared FAQs about how the current state leave laws apply in light of COVID-19: https://paidleave.wa.gov/coronavirus/
West Virginia	No COVID-19 specific guidance to date (3/21/2020).	
Wisconsin	No COVID-19 specific guidance to date (3/21/2020).	

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Berkeley, California https://www.cityofberkeley.info/PSLO/	City site links to guidance from the CA Labor Commissioner.	N/A
Emeryville, California http://emeryville.org/DocumentCenter/View/12614/Emeryville-PSL-GuidanceCoronavirus-final	Provides reminder about Emeryville’s sick leave law to allow covered employees to use accrued sick leave for: <ul style="list-style-type: none"> • The employee takes time off work because public health officials or healthcare providers require or recommend an employee isolate or quarantine to prevent the spread of disease; • The employee takes time off work because the employee falls within the definition of a “vulnerable population” under the Guidance from the State or any other official subsequent updates. • The employee takes time off work because the employee’s business or a work location temporarily ceases operations in response to a public health or other public official’s recommendation; • The employee takes time off work because the employee needs to provide care for a family member who is not sick but who public health officials or healthcare providers have required or recommended isolate or quarantine; or • The employee takes time off work because the employee needs to provide care for a family member whose school, childcare provider, senior care provider, or work temporarily ceases operations in response to a public health or other public official’s recommendation. 	N/A
Long Beach, California (Hotel Workers)	No COVID-19 specific guidance as of 3/18/20.	N/A
Los Angeles, California	No COVID-19 specific guidance as of 3/18/20.	N/A
Oakland, California	Reminder about Oakland’s sick leave law.	N/A

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https://www.oaklandca.gov/documents/covid-19-coronavirus-disease-and-oaklands-sick-leave-law		
San Diego, California	No COVID-19 specific guidance as of 3/18/20.	N/A
<p>San Francisco, California (City and County)</p> <p>https://sfgov.org/olse/san-francisco-paid-sick-leave-coronavirus</p> <p>https://sfmayor.org/article/mayor-breed-announces-plan-provide-paid-sick-leave-workers-impacted-coronavirus</p>	<p>Under the current paid sick leave ordinance, employers may not require a doctor’s note or other documentation for the use of paid sick leave taken pursuant to the Paid Sick Leave Ordinance during the duration of the Local Health Emergency regarding Novel Coronavirus Disease 2019.</p> <p>Employers covered by the Paid Sick Leave Ordinance must allow covered employees to use accrued sick leave in the following situations:</p> <ul style="list-style-type: none"> • The employee takes time off work because public health officials or healthcare providers require or recommend an employee isolate or quarantine to prevent the spread of disease; • The employee takes time off work because the employee falls within the definition of a “vulnerable population” under the San Francisco Department of Public Health’s (DPH) March 6, 2020 guidelines or any subsequent updates. As of March 6, 2020, a “vulnerable population” is a person who is 60 years old or older or a person with a health condition such as heart disease, lung disease, diabetes, kidney disease, or weakened immune system; • The employee takes time off work because the employee’s business or a work location temporarily ceases operations in response to a public health or other public official’s recommendation; 	N/A

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	<ul style="list-style-type: none"> • The employee takes time off work because the employee needs to provide care for a family member who is not sick but who public health officials or healthcare providers have required or recommended isolate or quarantine; or • The employee takes time off work because the employee needs to provide care for a family member whose school, child care provider, senior care provider, or work temporarily ceases operations in response to a public health or other public official's recommendation. <p>Also, the Workers and Families First Program will provide City financial assistance to businesses and nonprofits to provide an additional 5 days of paid sick leave time to employees, over and above their existing policies. All San Francisco businesses will be eligible, with up to 20% of funds reserved for small businesses with 50 or fewer employees. The City will contribute up to one week (40 hours) at \$15.59 per hour (minimum wage) per employee, or \$623 per employee. The employer will pay the difference between the minimum wage and an employee's full hourly wage.</p> <p>This program will be available only if the employee has exhausted their currently available sick leave, has exhausted or is not eligible for federal or state supplemental sick leave, and the employer agrees to extend sick leave beyond current benefits. This leave can be used pursuant to the Paid Sick Leave Ordinance or any guidance issued by the city's OLSE, including when employees are:</p> <ul style="list-style-type: none"> • Sick, • Self-quarantined to prevent spread, • Caring for a sick family member, • Home because of a temporary work closure in response to a 	

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	public official’s recommendation, or <ul style="list-style-type: none"> • Caring for a child who is home because of school/daycare closures in response to a public official’s recommendation. 	
Santa Monica, California https://www.santamonica.gov/press/2020/03/12/santa-monica-city-attorney-reminds-employers-to-comply-with-paid-sick-leave-requirements-in-city-s-minimum-wage-law	Reminder to employers to comply with the city’s paid sick leave requirements.	N/A
Chicago, Illinois	No COVID-19 specific guidance as of 3/18/20 School closings caused by public health emergency are qualifying reason for paid sick leave.	N/A
Cook County, Illinois	No COVID-19 specific guidance as of 3/18/20 School closings caused by public health emergency are qualifying reason for paid sick leave.	N/A
New Orleans, Louisiana (limited to EEs of covered ERs)	The City of New Orleans “strongly encourages any employer who is able to do so to provide paid sick leave to their employees.” https://ready.nola.gov/incident/coronaviruses/mayor-cantrell-provides-monday-update-on-response/	N/A
Montgomery County, Maryland	No COVID-19 specific guidance as of 3/18/20 School closings caused by public health emergency are qualifying reason for paid sick leave.	N/A
Duluth, Minnesota	No COVID-19 specific guidance as of 3/18/20	N/A

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Minneapolis, Minnesota	<p>Issued COVID-19 specific FAQ for interpreting Sick and Safe Time Ordinance</p> <p>http://sicktimeinfo.minneapolismn.gov/uploads/9/6/3/1/96313024/covid-19_and_sst_3_17_20.pdf</p>	N/A
St. Paul, Minnesota	No COVID-19 specific guidance as of 3/18/20	N/A
Bernalillo County, New Mexico Eff. 7/1/20	No COVID-19 specific guidance as of 3/18/20	N/A
New York City, New York	<p>Advising employers to “inform employees of paid sick leave policies” and “consider relaxing leave policies.”</p> <p>https://www1.nyc.gov/assets/doh/downloads/pdf/imm/novel-coronavirus-faq-for-businesses.pdf</p> <p>School closings caused by public health emergency are qualifying reason for paid sick leave.</p>	N/A
Westchester County, New York	<p>No COVID-19 specific guidance as of 3/18/20</p> <p>School closings caused by public health emergency are qualifying reason for paid sick leave.</p>	N/A
Philadelphia, Pennsylvania https://www.phila.gov/2020-03-16-city-announces-new-restrictions-on-business-activity-in-philadelphia/	Expanded so that covered workers can use their paid sick leave for COVID-19 related business closures, quarantine, and to stay home with their children during school closures without fear of retaliation.	N/A
Pittsburgh, Pennsylvania	<p>Took effect March 15, 2020. No COVID-19 specific guidance as of 3/18/20.</p> <p>School closings caused by public health emergency are qualifying reason for paid sick leave.</p>	N/A

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Dallas, Texas	No COVID-19 specific guidance as of 3/18/20.	N/A
SeaTac, Washington (transportation and hospitality EEs)	No COVID-19 specific guidance as of 3/18/20.	N/A
Seattle, Washington https://www.seattle.gov/Documents/Departments/LaborStandards/PSSTQACOV/D030620.pdf	An employee can use paid sick leave if their place of work, child’s school, child’s place of care is closed by a public official because of a possible health concern like COVID-19. Also, an employer may allow an employee to use accrued paid sick leave where the employee’s place of work, child’s school, child’s place of care is closed, but where there has been no order by a public official. For example, if a private school principal (who is not a public official) closes an employee’s child’s school, the employer may, as a discretionary matter, allow the employee to use accrued paid sick leave.	N/A
Spokane, Washington	No COVID-19 specific guidance as of 3/18/20.	N/A
Tacoma, Washington	No COVID-19 specific guidance as of 3/18/20.	N/A