



## **KNOW YOUR RIGHTS:**

### **VERMONT'S HEALTHY WORKPLACES LAW**



After over a decade of struggle to guarantee the basic workplace right of paid sick time off, in March of 2016

Vermont became the fifth state to require that employees have access to earned leave, joining CT, CA, MA, and OR. Now that we've won this fight, it is crucial that VT workers know their rights under the new law and ensure that their employers are complying with the new requirements. Please send us your comments, suggestions, or questions at [info@radvt.org](mailto:info@radvt.org).

## **FREQUENTLY ASKED QUESTIONS FOR WORKERS:**

### **1. When can I start earning and using my paid sick days?**

It depends on how many workers your employer has. If there are 6 or more employees, this law goes into effect on **January 1st, 2017**. Employers that have five or fewer employees (who are employed for an average of no less than 30 hours per week) are not required to offer this benefit until **January 1, 2018**.

*For future reference: New businesses will have a one-year grace period starting from the the date of their first hire.*

*\*Employers may require a 1 year waiting period for new hires. If your employer does this, you can accrue sick time, but you cannot use it until the end of the probationary period.*

### **2. How many paid sick days can I earn per year?**

Employees in Vermont can earn up to a maximum of 24 hours (3 days) per year for the first two years after implementation. Following this two-year phase in (2019), employees gain access up to a ceiling of 40 hours (5 days) per year .

Full and part-time employees must earn the equivalent of at least 1 hour of paid time for every 52 hours worked.

### **3. What qualifies as sick time?**

Employers must permit you to use this time to:

- Recover from or receive treatment for an illness or injury
- Care for a family member when they are ill
- Obtain diagnostic, routine, preventive, or therapeutic health care
- Take necessary steps for their safety as a result of sexual abuse, domestic violence, or stalking

#### 4. Do I qualify if I am a part time employee, temp worker, or seasonal worker?

There are certain restrictions in this bill as to what types of employees can earn paid sick days:

- Temp and seasonal employees are excluded from this legislation, defined as 20 weeks/year
- Part-time workers who work fewer than 18 hours per week are excluded.
- Employees under age 18 are excluded.

#### 5. If I already receive paid time off (CTO or vacation) will this affect me?

All employers already offering equal or more generous paid time, combined time, paid sick time, or any type of paid leave that can be used for the purposes defined in the law will not be affected by this law.

The law does not require a discrete paid sick time policy in addition to other paid time provided by your employer. Employers may offer paid sick time flexibly, as part of a Combined Time off (CTO) system.

#### 6. If I am a tipped worker, what kind of compensation will I receive for paid sick time?

Tipped employees must be compensated at no less than the minimum wage for non-tipped employees. (2017: \$10.00, 2018: \$10.50...)

#### 7. What if I don't use my paid sick days?

You will have the right to be paid out for unused sick time. (If unused hours are carried over from a previous year, an employee may earn the balance between the unused portion and the maximum allowed).

*Caution: Employers are not required to cash out unused paid sick time when an employee leaves the job.*

#### 8. Is there anyone I can contact if my employer is failing to provide me with paid sick time?

If your employer is failing to meet the new requirements for employee paid sick time, please contact us at [info@radvt.org](mailto:info@radvt.org).

