

Provided By Employco USA, Inc.

## Employment Law Summary

# Connecticut

## Paid Sick Leave

Connecticut’s paid sick leave [law](#) took effect in 2012, mandating up to 40 hours of leave per year for certain workers. Currently, the law applies only to employers with at least 50 employees and only to service worker employees. However, [amendments](#) to the law passed in 2024 significantly expand the paid sick leave mandate, requiring the leave for nearly all Connecticut workers by 2027. The amendments phase in coverage to successively smaller employers year by year, beginning Jan. 1, 2025, and remove the law’s limit to “service workers.”

This document addresses both the amended law that takes effect in January 2025 and the law as it stands until that time.

### Amended Paid Sick Leave Law, Effective Beginning Jan. 1, 2025

#### *Covered Employers*

Under the newly amended law, all Connecticut employers will be covered by the paid sick leave mandate according to the following schedule:

Jan. 1, 2025	Employers with 25 or more employees in the state
Jan. 1, 2026	Employers with 11 or more employees in the state
Jan. 1, 2027	Employers with one or more employees in the state

An employer’s number of employees will be determined by its annual payroll for the week in which Jan. 1 falls.

#### *Covered Employees*

The amendments expand eligibility for paid sick leave to all employees, except:

- Collectively bargained construction workers with multiemployer health plans; and
- Seasonal workers, defined as those who work fewer than 121 days annually.

### ***Accrual, Carryover and Frontloading***

Employees will start to accrue paid sick leave on the date the employer becomes covered by the law or the employee's first day of employment—whichever is later. Leave will accrue at the rate of one hour for every 30 hours worked (up from 40 hours in the current law), with a maximum accrual of 40 hours per year.

Unused leave will carry over into the next year, up to a maximum of 40 hours. However, employers that frontload 40 hours of paid sick leave at the beginning of the year are not required to allow carryover into that year.

### ***Use of Paid Sick Leave***

Employees must be allowed to use their accrued paid sick leave by their 120th calendar day of employment for the purposes previously allowed by the paid sick leave law, plus the following new reasons (effective Jan. 1, 2025):

- Closure by order of a public official due to a public health emergency of either an employer's place of business or a family member's school or place of care; and
- A health official's determination that the employee or a family member poses a risk to public health due to exposure to a communicable illness.

In addition, safe leave will be permitted for employees whose family members are victims of family violence or sexual assault. "Family member" is defined expansively by the amendments and includes:

- An employee's:
  - Spouse;
  - Sibling;
  - Child;
  - Grandparent;
  - Grandchild; and
  - Parent; and
- An individual related to the employee by blood or affinity whose close association the employee shows to be equivalent to those family relationships.

Employers will be allowed to cap employee use of paid sick leave at 40 hours per year.

### ***Compensation***

Employees on paid sick leave must be paid their normal wage or minimum wage, whichever is greater. The normal wage of a worker with variable hours is their average hourly wage in the pay period before the leave.

Exempt employees are presumed to work 40 hours per week unless they normally work fewer hours, in which case they accrue leave based on their regular hours.

The law does not require payout of unused accrued paid sick leave when employment ends.

### ***Notice Obligations of Employers***

Employers are required to post a workplace notice in Spanish and English advising employees of their paid sick leave rights. Employers must additionally provide written notice of these rights to each employee by Jan. 1, 2025, or at the time of hire, if later. The state labor commissioner is charged with creating a model poster and a notice for employers to use to meet these requirements, which may be satisfied electronically for remote work.

### ***Notice Obligations of Employees***

The amendments removed all notice and documentation requirements for employees from the law. Furthermore, the amended law specifically prohibits employers from requesting documentary proof that an employee's paid sick leave was taken for a qualifying reason.

### ***Recordkeeping***

Under the revised law, employers must maintain a record of:

- The number of paid sick leave hours accrued by or provided to the employee; and
- The number of paid sick leave hours used by the employee during the calendar year.

Records must be maintained for three years, and violations are subject to a civil penalty of \$100 per violation.

### ***Collective Bargaining Agreements***

The paid sick leave law currently in effect provides that it may not be construed to diminish employee rights under any collective bargaining agreement or preempt collective bargaining agreements effective before Jan. 1, 2012. The amendments add that the law does not preempt collective bargaining agreements for family child care providers or personal care attendants entered into on or after July 1, 2012.

## **Current Paid Sick Leave Law, Effective Until Jan. 1, 2025**

### ***Covered Employers***

The Connecticut paid sick leave law that is valid until the amendments take effect in 2025 applies only to employers of 50 or more employees. Employers must annually determine if they meet the 50-employee threshold based on the number of employees on their payroll for the week in which Oct. 1 falls.

The current law does **not** apply to charitable organizations exempt under Section 501(c)(3) of the Internal Revenue Code that provide recreation, child care and education.

### ***Covered Employees***

Eligible employees are limited to "service workers," defined as employees who are:

- Paid on an hourly basis or not exempt from the minimum wage and overtime compensation requirements of the federal [Fair Labor Standards Act](#); and
- Primarily engaged in one of the occupations listed in Section 1(7) of the paid sick leave statute and identified by occupation code numbers and titles used by the federal [Bureau of Labor Statistics Standard Occupational Classification System](#).

### ***Accrual, Carryover and Payout***

Under the paid sick leave law, sick leave accrues for service workers at the rate of one hour of paid sick leave for every 40 hours worked, in one-hour increments up to a maximum of 40 hours per calendar year. Accrual begins on the date of hire.

Workers are entitled to **carry over** up to 40 unused accrued hours from the current year to the next year. The law defines “year” as any 365-day period an employer uses to calculate employee benefits.

Employers may offer the option of payout in lieu of carryover to employees as long as the payout is voluntary.

### ***Use of Paid Sick Leave***

Employers may impose a waiting period of 680 working hours before employees are allowed to take paid sick leave. At that point, the leave must be permitted for:

- The service worker’s (or child’s or spouse’s) illness, injury or health condition;
- The medical diagnosis, care or treatment of the service worker’s (or child’s or spouse’s) mental or physical illness, injury or health condition;
- Preventive medical care for the service worker (or child or spouse);
- A mental health wellness day; and
- Medical care or counseling for a service worker who is a victim of family violence or sexual assault, services from a victim services organization, relocation, or participation in civil or criminal proceedings related to the family violence or sexual assault. Parents or guardians of victims may take leave for these purposes as well.

“Mental health wellness day” is defined as a day during which an eligible employee attends to their emotional and psychological well-being in lieu of attending a regularly scheduled shift.

Employees’ use of leave may be limited to 40 hours per year.

### ***Compensation***

Employers must pay employees on sick leave their normal hourly wage or the minimum wage, whichever is higher. “Normal hourly wage” does not include overtime and commissions.

For workers whose hourly wage varies, “normal hourly wage” means the average hourly wage of the pay period before the one in which paid sick leave was taken.

### ***Employers' Notice Obligations***

Employers with 50 or more employees are required to provide notice of the following to each service worker at the time of hiring:

- The entitlement to sick leave;
- The amount and terms of the sick leave;
- The prohibition against retaliation by an employer against an employee who requests or uses sick leave; and
- The employee's right to file a complaint with the Connecticut Department of Labor (Department) for violations of the paid sick leave law.

Employers may satisfy this notice requirement by displaying posters in English and Spanish at the employer's place of business. The Department has created [posters](#) that satisfy the notice requirements of the law.

### ***Employees' Notice and Documentation Obligations***

Employers may require a maximum of seven days' notice if the need to use paid sick leave is foreseeable. Otherwise, notice must be given as soon as practicable. Employers may deny the use of paid sick leave to employees who could have complied with required notice provisions but failed to do so.

Employers may request reasonable documentation for the use of paid sick leave for three or more consecutive work days.

### ***Employee Protections***

Employers may not retaliate against a worker who requests or uses paid sick leave in accordance with the law or who files a complaint with the Department alleging violations of the law.

### **More Information**

The Department has created a [webpage](#) with an overview and guidance about the law, providing information such as definitions of terms used in the law and a list of occupations that qualify as "service workers."

Contact Employco USA, Inc. for more information on employee leave laws in Connecticut.