

Rhode Island Enacts Paid Sick Leave Law

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Rhode Island has joined the growing list of states and municipalities that have enacted paid sick leave laws. Under the [Healthy and Safe Families and Workplaces Act](#), signed by Governor Gina Raimondo, employers with at least 18 employees must provide their employees with paid sick leave. The new law goes into effect July 1, 2018.

Employers with fewer than 18 employees are not required to provide paid time off; however, such employers cannot take an adverse action against an employee based solely on an employee's use of paid sick time up to the maximum accrual allowed under the Act.

Reasons for Leave

Under the Act, covered employers must allow employees to use paid sick time:

- For an employee's or family member's illness, injury, or health condition;
- When the employee's workplace or a child's school is closed due to a public health emergency; and
- For reasons relating to domestic violence, sexual assault, or stalking.

Accrual

The amount of paid sick time an employee can accrue is being phased in over a three-year period. Employees accrue one hour of paid sick time for every 35 hours worked, up to a maximum of 24 hours during calendar year 2018. The maximum accrual increases to 32 hours during calendar year 2019 and to 40 hours each year thereafter. The Act also provides a lump sum alternative to tracking accruals.

Existing Policies, Lump Sum

Employers whose paid time off policies meet the amount and other requirements of the Act (including the reasons for which time off may be used) are not required to provide additional paid time off, as long as the policies make clear that additional time will not be provided.

Further, employers that provide a lump sum amount of paid time off at the start of each benefit year equivalent to the accrual amount required under the Act do not need to track accrual, allow carry-over, or pay out upon termination.

The new law also contains provisions on notice, enforcement, and confidentiality, among other requirements.

Employers should take time now to review their existing policies and make any necessary changes, including drafting new policies, to comply with the law. Please contact your Jackson Lewis attorney to discuss the Act and your specific organizational needs.

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