


Overview of Paid Sick Time Laws in the United States

Please note that these paid sick time materials do not represent an exhaustive overview of the state, county, and city paid sick time laws described, and it does not constitute legal advice. It is possible that additional provisions not described in these materials may apply to a worker's specific circumstances or category of employment.

 <p>For more information visit A Better Balance (abetterbalance.org)</p>	<p>Maryland</p>
<p>Who is covered? Note: City/county paid sick time laws cannot cover state government workers, and city, county, and state paid sick time laws cannot cover federal government workers.</p>	<p>Workers employed in Maryland who regularly work at least 12 hours per week are covered. The following workers are exempted: independent contractors; agricultural workers; certain realtors who work solely on a commission basis; workers under the age of 18 before the beginning of the year; certain workers employed by a temporary services agency to provide temporary staffing to another person if the agency doesn't have day-to-day control over the work assignments and supervision of the worker; workers directly employed by an employment agency to provide part-time or temporary services to another person; workers that are on-call in a health or human services industry that can reject or accept a shift, not guaranteed to be called on to work, and not employed by a temporary staffing agency.</p>
<p>Can sick time be used to care for loved ones?</p>	<p>Yes: children; parents; parents-in-law; legal guardians; spouses; grandparents; grandchildren; siblings; and individuals who acted as a parent or stood in loco parentis to the employee (or the employee's spouse) when the employee (or the employee's spouse) was a minor. Beginning on October 1, 2020, wards of the employee or the employee's spouse and legal guardians of the employee's spouse will be covered as well.</p>
<p>How is "child" defined?</p>	<p>Biological, adopted, or foster children; stepchildren; a child for whom the employee has legal or physical custody or guardianship; a child for whom the employee stands in loco parentis regardless of the child's age.</p>
<p>Can sick time be used for specific "safe time" purposes (related to domestic violence, sexual assault, or stalking)?</p>	<p>Yes, when the worker or the worker's family member is a victim</p>
<p>Can sick time be used under the law to bond with a new child and/or deal with a family member's death? Note: It is possible that other laws, such as the Family and Medical Leave Act or a state equivalent, could provide eligible workers with unpaid leave for these purposes.</p>	<p>Sick time can be used for maternity or paternity leave.</p>
<p>Can sick time be used when a worker's place of work or child's school/place of care is closed by public health officials for a public health emergency?</p>	<p>No</p>
<p>Rate at which workers earn paid sick time?</p>	<p>1 hour for every 30 hours worked (for both paid and unpaid sick time, as described below).</p>

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Do workers have different sick time-related rights based on the size of their employer? If so, based on what employer-size threshold(s)?	Workers in businesses with 15 or more employees can earn up to 40 hours of paid sick time per year. Workers in businesses with 14 or fewer workers can earn up to 40 hours of unpaid, job-protected sick time per year.
Amount of paid sick time that can be earned under the law per year? (Note: All of these paid sick time laws make it clear that these laws establish a minimum requirement, and employers can provide greater or more generous paid sick time benefits to their workers.)	Employers with 15 or more employees may cap the amount of sick time a worker earns at 40 hours of paid sick time per year. Employers with 14 or fewer employees shall at least provide an employee with 40 hours of unpaid, job-protected sick time per year. Employers may cap the amount of sick time a worker can use at 64 hours per year.
When do workers begin to earn paid sick time?	At the commencement of employment. However, workers aren't entitled to use earned sick time during the first 106 calendar days of employment.
Does unused sick time carry forward to the subsequent year?	Workers are entitled to carry forward up to 40 hours of unused sick time to the following year, but employers are allowed to cap the total amount of earned sick time accrued at any time at 64 hours. Carry forward is not required if the employer provides the full amount of earned sick time at the beginning of each year or if an employee is employed by a nonprofit entity or governmental unit in accordance with a grant, the duration of which is limited to 1 year and not subject to renewal.
Private Right of Action to go to Court?	No
Are there waivers/ exemptions for workers covered by a valid Collective Bargaining Agreement (CBA)?	All or any part of the law doesn't apply to certain workers in the construction industry covered by a CBA to the extent that the CBA explicitly waives the requirements in clear and unambiguous terms. The CBA waiver provision does not apply to those employed as a janitor, building cleaner, security officer, superintendent, concierge, doorperson, or handyperson. The law does not have an effect on any bona fide CBA entered into before June 1, 2017, for the duration of the contract term.
What Agency or Official Enforces the Law?	Maryland Department of Labor, Licensing & Regulation
For the statewide paid sick time laws: can cities in the state pass paid sick time laws that are broader than the state law?	No, except that Montgomery County's paid sick time law (which pre-dated the statewide law) remains valid and in effect. Local governments can still pass sick time laws covering their own workforces.
Statutory Citation(s)	Md. Code Ann. Lab. & Empl. § 3-1301 et seq.



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Maryland

Additional Notes

For more information, see
<https://www.dllr.state.md.us/paidleave/paidleaveposter.shtml>.