

# Overview of Paid Sick Time Laws in the United States

Updated on October 26, 2018

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 (<a href="http://abetterbalance.org">abetterbalance.org</a>)</p>	<p>Duluth, MN</p>
<p>Who is covered?</p>	<p>Workers are covered if they are employed within the City of Duluth for more than 50% of their working time in a 12-month period, or if they are based in the City of Duluth and spend a substantial part of their time working in the city and do not spend more than 50% of their work-time in a 12-month period in any other particular place. Independent contractors, student interns, seasonal employees, certain railroad workers, and government workers other than workers employed by the City of Duluth are exempted. Workers who work for a business with fewer than 5 employees (counting employees outside Duluth) are also exempted.</p>
<p>Can sick time be used to care for loved ones?</p>	<p>Yes: children; spouses; domestic partners; siblings; parents; parents-in-law; stepparents; grandchildren; grandparents; and any other individual related by blood or whose close association with the employee is the equivalent of a family relationship.</p>
<p>How is "child" defined?</p>	<p>Biological, adopted, or foster child, stepchild, legal ward, or a child for whom the employee is legal guardian regardless of 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 the 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>No</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 50 hours worked</p>
<p>Do workers have different sick time-related rights based on the size of their employer? If so, based on what employer-size threshold(s)?</p>	<p>Yes, workers who work for employers with fewer than 5 employees are exempt.</p>



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Duluth, MN

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.)

Workers are entitled to earn up to 64 hours of paid sick time per year. However, employers may cap use of earned paid sick time at 40 hours per year.

When do workers begin to earn paid sick time?

At the commencement of employment, or January 1, 2020, whichever is later, but workers aren't entitled to use paid sick time until after 90 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 paid sick time to the following year.

Private Right of Action to go to Court?

Yes, provided the worker exhausts administrative remedies

Are there waivers/ exemptions for workers covered by a valid Collective Bargaining Agreement (CBA)?

An employer may opt to satisfy the law for construction employees by paying at least the State prevailing wage or the rate required in an applicable registered apprenticeship agreement (regardless of whether working on private or public projects).

What Agency or Official Enforces the Law?

Office of the City Clerk of Duluth, MN

For the statewide paid sick time laws: can cities in the state pass paid sick time laws that are broader than the state law?

N/A

Statutory Citation(s)

Duluth Ordinance 18-009-O (to be codified in Duluth City Code Chapter 29E)

Additional Notes

On May 29, 2018, the Duluth City Council passed a paid sick time law by a 7-1 vote, making Duluth the third city in Minnesota to guarantee workers the right to earned paid sick time. The law will take effect on January 1, 2020. For more information, see <http://www.duluthmn.gov/city-clerk/earned-sick-and-safe-time/>.