


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.

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|  <p>For more information visit A Better Balance (abetterbalance.org)</p> | Rhode Island |
| 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. | Workers employed in Rhode Island are covered. Independent contractors, subcontractors, work study participants, apprenticeships and interns, certain employees licensed to practice nursing, and state and municipal workers are exempted. Workers exempt from the state minimum wage law are also exempt from the paid sick time law. See http://webserver.rilin.state.ri.us/Statutes/TITLE28/28-12/28-12-2.HTM for a detailed list of exemptions. |
| Can sick time be used to care for loved ones? | Yes: children; parents; spouses; parents-in-law; grandparents; grandchildren; domestic partners (broadly defined); siblings; care recipients; and members of the worker's household. A "care recipient" is any person for whom the worker is responsible for providing or arranging health or safety related care. |
| How is "child" defined? | Biological, adopted, or foster child, stepchild, legal ward, a child of a domestic partner, or a child of a worker standing in loco parentis to the child. |
| Can sick time be used for specific "safe time" purposes (related to domestic violence, sexual assault, or stalking)? | Yes, when the worker or the worker's family member is the victim. |
| 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. | No. |
| 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? | Yes. |
| Rate at which workers earn paid sick time? | 1 hour for every 35 hours worked (for both paid and unpaid sick time, as described below). |
| Do workers have different sick time-related rights based on the size of their employer? If so, based on what employer-size threshold(s)? | Yes. As of 2019, workers in businesses with 18 or more workers can earn up to 32 hours of paid sick time; workers in businesses with fewer than 18 workers can earn up to 32 hours of unpaid, job-protected sick time. Each year after 2019, workers in businesses with 18 or more workers can earn up to 40 hours of paid sick time; workers in businesses with fewer than 18 workers can earn up to 40 hours of unpaid, job-protected sick time. |

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| 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.) | As of 2019, workers in businesses with 18 or more workers can earn up to 32 hours of paid sick time; workers in businesses with fewer than 18 workers can earn up to 32 hours of unpaid, job-protected sick time. Each year after 2019, workers in businesses with 18 or more workers can earn up to 40 hours of paid sick time; workers in businesses with fewer than 18 workers can earn up to 40 hours of unpaid, job-protected sick time. |
| When do workers begin to earn paid sick time? | At the commencement of employment (for both paid and unpaid sick time). However, workers aren't entitled to use sick time until after 90 days of employment. Temporary workers are entitled to use sick time beginning on the 180th calendar day following commencement of their employment. Seasonal workers are entitled to use sick time beginning on the 150th calendar day following commencement of their employment. |
| Does unused sick time carry forward to the subsequent year? | Workers are entitled to carry forward unused paid sick time, but employers aren't required to allow use of more than 24 hours of paid sick time in 2018, 32 hours of paid sick time in 2019, and 40 hours of paid sick time each year after 2019. In lieu of carryover of unused earned paid sick time from one year to the next, an employer may pay a worker for unused paid sick time at the end of a year and provide the worker with an amount of paid sick time that meets or exceeds the law's requirements that is available for the worker's immediate use at the beginning of the subsequent year. |
| Private Right of Action to go to Court? | Yes. |
| Are there waivers/ exemptions for workers covered by a valid Collective Bargaining Agreement (CBA)? | No specific waivers or exemptions for workers covered by a CBA. |
| What Agency or Official Enforces the Law? | The Rhode Island Department of Labor and Training |
| 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. The Rhode Island law preempts—or prohibits—cities from requiring employers to provide sick time benefits in excess of those required by the state law. |
| Statutory Citation(s) | 28 R.I. Gen. Laws § 28-57-1 et seq. |
| Additional Notes | For more information on Rhode Island's law, see https://dlt.ri.gov/wrs/laborstandards/ |