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KNOW YOUR RIGHTS: COVID-19 Vaccination Leave

Millions of people throughout the U.S. are now able to receive the COVID-19 vaccine. Workers who need time off to receive the vaccine, recover from related immune responses, or help family members receive the COVID-19 vaccine may be entitled to paid leave. This fact sheet covers laws at the federal, state, and local level that may help workers access paid leave in relation to the COVID-19 vaccine.

Workers Protected Under Any of the Paid Sick Time Laws Nationwide Can Use Accrued Sick Time in Relation to the COVID-19 Vaccine

Various states and localities (listed below) across the country have passed permanent paid sick time laws, which allow workers to earn paid sick time based on hours worked.¹ Generally, permanent paid sick time can be used for several purposes, including to recover from physical or mental illness or injury and to seek preventive care. Thus, workers are likely able to use their accrued permanent paid sick time under these laws to **receive the COVID-19 vaccine, recover from related immune responses, and help covered family members access and recover from the COVID-19 vaccine.** For more information on your sick time rights under these laws, click [here](#).

- [Arizona](#)
- [California](#)
 - [Berkeley, CA](#)
 - [Emeryville, CA](#)
 - [Los Angeles, CA](#)
 - [Oakland, CA](#)
 - [San Diego, CA](#)
 - [San Francisco, CA](#)
 - [Santa Monica, CA](#)
- [Colorado](#)
- [Connecticut](#)
- [Maryland](#)
 - [Montgomery County, MD](#)
- [Massachusetts](#)
- [Michigan](#)
- [New Jersey](#)
- [New York State](#)
 - [New York City, NY](#)
- [Oregon](#)
- [Rhode Island](#)
- [Vermont](#)
- [Washington State](#)
 - [Seattle, WA](#)
 - [Tacoma, WA](#)
- [Washington, D.C.](#)
- [Cook County & Chicago, IL](#)
- [Duluth, MN](#)
- [Minneapolis, MN](#)
- [Saint Paul, MN](#)
- [Philadelphia, PA](#)
- [Pittsburgh, PA](#)

Additionally, **Maine**, **Nevada**, and **Bernalillo County, NM** have enacted paid time off laws, which provide covered workers with paid time off that can be used for any reason, including reasons related to the COVID-19 vaccine. For more information, click [here](#).

Emergency Paid Sick Time in Response to COVID-19 and Public Health Emergencies

In response to the COVID-19 pandemic, several states and localities throughout the country have enacted emergency paid sick time laws, which grant workers sick time to use for purposes related to COVID-19 or public health emergencies in general. For a complete list of emergency paid sick time measures, click [here](#).

Under emergency paid sick time laws, covered workers can use their emergency paid sick time—which is provided up front rather than accrued based on hours worked—to receive the COVID-19 vaccine and recover from related immune responses in:

- [California](#)
 - [Fairfax, CA](#)
 - [Los Angeles, CA](#)
 - [Marin County, CA](#)
- [San Anselmo, CA](#)
- [San Mateo County, CA](#)
- [Sonoma County, CA](#)
- [Colorado](#)
- [Massachusetts](#)
- [Pittsburgh, PA](#)



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And workers in [New York State](#) and [Nevada](#) may have the right to take paid time off to receive the COVID-19 vaccine.

Workers in the unincorporated areas of **Los Angeles County** who have exhausted their emergency COVID-19 paid sick leave under California's law may have additional paid leave rights related to the COVID-19 vaccine. For more information, click [here](#).

Voluntary Vaccination Leave Pursuant to the American Rescue Plan

Under the federal American Rescue Plan, employers with fewer than 500 employees—and state and local governments regardless of size—may receive federal tax credits to cover the cost of providing workers with paid time off related to certain kinds of COVID-19 related leave, including leave to receive and recover from the COVID-19 vaccine and help others receive and recover from the COVID-19 vaccine. While employers are not *required* to provide paid time off under this law, it may incentivize eligible employers to do so. For more information on these voluntary tax credits, click [here](#) and [here](#).

Vaccination Leave for Essential Workers and Government Employees

Pursuant to an [emergency temporary standard](#) issued by OSHA (the U.S. Occupational Safety and Health Administration), certain workers who provide healthcare services or healthcare support services may be entitled to paid leave related to receiving and recovering from the COVID-19 vaccine. For more information, click [here](#) and [here](#).

Several localities have enacted laws regarding paid time off for obtaining the COVID-19 vaccine.

- In Chicago, employers that require workers to be vaccinated must pay the worker for the time it takes to get vaccinated, up to 4 hours; and no employer can require that a worker only get vaccinated during non-shift hours. For more information from the City of Chicago, click [here](#).
- In Shelby County, TN, certain county employees can receive up to 4 hours of paid time off to receive each dose of the COVID-19 vaccine from July 26, 2021 until September 30, 2021. For more information, click [here](#).
- Under now expired measures, in several cities in California ([Daly City](#), [Millbrae](#), and [San Mateo](#)), certain essential workers were entitled to receive up to 4 hours of paid time to obtain the COVID-19 vaccine.²

Certain state employees in [New Jersey](#), [Michigan](#), and [Idaho](#) have the right to additional paid time which can be used to receive the COVID-19 vaccine. Additionally, public sector employees in [New York State](#) have the right to take up to 4 hours of paid time off to receive each dose of the vaccine pursuant to a recently enacted COVID-19 vaccination time law.

If you have a question or want more information about COVID-19 sick leave or your workplace rights, call [A Better Balance's free legal helpline](#) at 1-833-NEED-ABB.

Please note that this fact sheet does not represent an exhaustive overview of the vaccine leave and sick leave laws described, and it does not constitute legal advice. It is possible that additional provisions, laws, or protections not described in this fact sheet may apply to a worker's specific circumstances or category of employment.

¹ Note that New Mexico recently passed a paid sick time law that is effective beginning July 1, 2022. For more information, click [here](#).

² Note that the Daly City and Millbrae ordinances expired on July 8, 2021 and the San Mateo ordinance expired on July 13, 2021.