



Headquarters
5 Columbus Circle, 11th floor
New York, NY 10019
tel: 212.430.5982

Southern Office
2301 21st Ave. South, Suite 355
Nashville, TN 37212
tel: 615.915.2417

DC Office
815 16th Street NW, Suite 4162
Washington, DC 20005

Colorado Office
303 E. 17th Ave., Suite 400
Denver, CO 80203

abetterbalance.org | info@abetterbalance.org

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 side effects, 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.

Vaccination Leave for Employees of Large Employers

Pursuant to an [emergency temporary standard](#) (“ETS”) issued by OSHA (the U.S. Occupational Safety and Health Administration) on November 5, 2021, many workers would have been entitled to paid sick time to receive vaccines and recover from side effects. **In light of active litigation, however, the law has been temporarily blocked and OSHA has been ordered to suspend enforcement of this ETS for the time being.** Return to this document for any updates on the litigation regarding this ETS. For more information, click [here](#).

Vaccination Leave for Essential Workers and Government Employees¹

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](#).

Many public sector workers may be entitled to paid vaccination leave.

- Federal employees can receive up to 4 hours of paid leave to receive each dose of the COVID-19 vaccine, including booster shots, and up to 2 days of paid leave to recover from related adverse reactions. Additionally, federal employees may take up to 4 hours of paid leave to help family members² receive each dose of the vaccine, including booster shots. For more information from the federal government, click [here](#).
- Certain state employees in [New Jersey](#) and [Michigan](#) have the right to additional paid time which can be used to receive the COVID-19 vaccine.
- 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.
- Public sector employees of New York City also have the right to take up to 4 hours per child³ of paid time to accompany their child to receive each dose of the vaccine pursuant to a recent [Mayor’s Personnel Order](#).

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 side effects in:



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- [Colorado](#)
- [Massachusetts](#)
- [San Mateo County, CA](#)
- [Pittsburgh, PA](#)

Many workers in [New York City](#) may have the right to take paid time off to help their children receive and recover from the COVID-19 vaccine—this child vaccination leave time is retroactive to November 2, 2021. Workers in [Washington, D.C.](#) may have the right to take paid time off to receive and recover from the COVID-19 vaccine *and* to help their minor children receive and recover from the vaccine. 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](#).

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.⁴ 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 side effects, 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, Bernalillo County, NM, and West Hollywood, CA** 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](#).

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.



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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 Under now expired measures: (1) Pursuant to a now expired [emergency temporary standard](#) issued by OSHA, between July and December 2021, certain workers who provide healthcare services or healthcare support services were entitled to paid leave related to receiving and recovering from the COVID-19 vaccine. For more information, click [here](#) and [here](#). Note that many healthcare service or support service providers may be covered by more generally applicable protections referenced in this fact sheet; (2) Certain state employees in [Idaho](#) had the right to additional paid time which could be used to receive the COVID-19 vaccine; (3) In several cities in California ([Daly City](#), [Millbrae](#), and [San Mateo](#)), certain essential workers were entitled to up to 4 hours of paid time to obtain the COVID-19 vaccine (note that the Daly City and Millbrae ordinances expired on July 8, 2021 and the San Mateo ordinance expired on July 13, 2021); and (4) From July 26 until September 30, 2021, certain county employees in [Shelby County, TN](#) could receive up to 4 hours of paid time off to receive each dose of the COVID-19 vaccine.

² Family members include an employee's spouse or domestic partner, parent-in-law, child, child-in-law, parent, step-parent, sibling, sibling-in-law, grandparent, grandchild, spouse or domestic partner of a grandparent or grandchild, and any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship. See 5 C.F.R. § 630.201(b).

³ A child includes a biological, adopted, or foster child, stepchild, a legal ward or a child with respect to whom the employee stands in loco parentis, under the age of 18 years of age, or age 18 or older and incapable of self-care because of a mental or physical disability, and eligible to receive the COVID-19 vaccine.

⁴ Note that New Mexico recently passed a paid sick time law that is effective beginning July 1, 2022. For more information, click [here](#).