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KNOW YOUR RIGHTS: Washington State Paid Sick Leave

1) What does the Washington State Paid Sick Leave law do?

It gives workers sick leave that can be used to recover from physical/mental illness or injury; to seek medical diagnosis, treatment, or preventative care; to care for a family member who is ill or needs medical diagnosis, treatment, or preventative care; when the worker's place of business is closed by order of a public official for any health-related reason or to care for a child whose school or childcare provider has been closed by order of a public official for any health-related reason; or to address certain needs that may arise if the worker or a family member are victims of domestic violence, sexual assault, or stalking. Additionally, the Washington State Department of Labor & Industries released [administrative guidance](#) clarifying that sick leave can also be used for certain COVID-19 related reasons, including exposure to COVID-19.*

Pursuant to the [Safe Workers Proclamation](#) issued by Governor Inslee, from February 22, 2022 until the end of the state of emergency, workers may also have the right to take a reasonable amount of leave, which may be unpaid, without retaliation or other negative employment actions: 1) to receive the COVID-19 vaccine; 2) to recover from side effects of the vaccine; 3) when subject to a federal, state, or local quarantine or isolation order related to COVID-19; 4) when advised by a health care official or provider to self-quarantine or self-isolate due to concerns related to or a positive diagnosis of COVID-19; or 5) when experiencing COVID-19 symptoms and seeking a medical diagnosis or treatment. An employer cannot deny a reasonable amount of unpaid leave to a worker if the worker has used up or doesn't have paid leave available for these purposes.

**Between August 18, 2020 and November 13, 2020, a statewide Proclamation may have provided certain food production workers with emergency supplemental paid sick leave in relation to COVID-19. For more information, see the expired Proclamation [here](#).*

2) Am I covered?

If you work as an employee in Washington State, you are probably covered, whether you are a **full-time, part-time, or temporary** worker. However, the law does not cover federal employees.

3) How much sick leave can I earn?

You earn **1 hour** of paid sick leave for **every 40 hours worked**. There is no limit on how much sick leave you can earn, however, your employer isn't required to allow you to carry over more than 40 hours of paid sick leave per year.

All covered employees are protected against being fired or punished for using their sick leave (including threats, discipline, demotion, reduction in hours, termination, etc.).



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4) What if my work or my child’s school or daycare is closed for a health emergency?

You can also use your sick leave if your place of business is closed by order of a public official for any health-related reason or to care for a child whose school or childcare provider has been closed by order of a public official for any health-related reason.

5) Which of my family members are covered by the law?

You can take sick leave to care for yourself or a child, spouse, registered domestic partner, parent, parent of a spouse or registered domestic partner, grandchild, grandparent, or sibling. You can also take sick leave to address certain needs if you or a child, parent, parent of a spouse, spouse, grandparent, or person with whom you have a dating relationship is a victim of domestic violence, sexual assault, or stalking.

6) What if I already have paid leave or paid time off?

If you already get any paid leave (vacation, paid time off, etc.) that you can use as sick leave *and* it’s **at least** the same amount you would earn under this law, the law does **not** give you any additional paid time off.

7) When can I begin using my sick leave?

You start earning sick leave immediately but cannot use it until 90 calendar days after the start of your employment.

8) Do I need a doctor’s note?

If you use sick leave for more than 3 days, your employer can require a note from a health care provider. The note does not need to describe the health issue—only your need for the amount of sick leave taken.

The Washington State Department of Labor & Industries is in charge of enforcing this law.

All covered workers are protected against being fired or punished for using sick leave. If you have a problem—or want more information—call A Better Balance’s **free** legal clinic at **1-833-NEED-ABB**.

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