
CLIENT ALERT

TO:

DATE:

FROM:

FILE NO:

SUBJECT:

Effective January 1, 2012, a new state law will require Connecticut employers with 50 or more employees to provide any "service worker" that it employs with paid sick leave of no less than days per year once an employee qualifies for such leave. In implementing the new law you should be aware of the following:

- Service workers includes many categories of employees, including social workers, many classes of health care workers, couriers and messengers, secretaries and administrative assistants, taxi drivers and chauffeurs, hotel workers; sales workers and their supervisors, cashiers, receptionists, and computer operators and data entry clerks;
- Employees accrue paid sick leave at the rate of one hour of paid sick leave for each forty hours worked, in one-hour increments up to a maximum of forty hours per calendar year, and employees may carry over up to forty unused accrued hours of paid sick leave from one calendar year to the next;
- Paid sick leave may be used (1) by the employee with respect to his or her own illness, injury or health condition, or in connection with medical diagnosis, care or treatment, or preventative care; (2) in connection with the illness, injury or health condition of the employee's child or spouse; or (3) in connection with an employee who is a victim of family violence or sexual assault;
- An employer may require advanced notice if the need to use paid sick leave is foreseeable, and where it is not foreseeable, the employer may require notice to be given as soon as possible;
- For leave which is three or more consecutive days, an employer may require reasonable documentation that the leave is taken for a permissible purpose, with documentation signed by a health care provider treating the employee or child or spouse being considered reasonable;
- Unless the employer has a policy or subject to a collective bargaining agreement which provides for the payment of accrued fringe benefits upon termination or

employment an employer need not pay for unused sick leave upon an employee's termination of employment;

- An employer may not retaliate or discriminate against an employee who requests or uses paid sick leave, or files a complaint regarding the employer's policy;
- Employers must notify all eligible employees, at the time of hire, of their entitlement to paid sick leave and how the policy works; that retaliation is prohibited; and of their right to file a complaint with the Labor Commissioner for violations of the law.

Please call Jeff Mirman at (860) 676-3120 or Lisa Zaccardelli at (860) 676-3065 for more information.