

**CITY OF SPOKANE, WASHINGTON,
THE EARNED SICK AND SAFE LEAVE ORDINANCE**

ELIGIBILITY: Employees are covered if they perform full-time, part-time or temporary work within City of Spokane. Employees who occasionally work in Spokane are **covered if they perform more than 240 hours of work in the City of Spokane within a calendar year**, but does not include seasonal workers. Only the hours worked in the City of Spokane will count toward accrual of paid sick/safe leave.

“Seasonal worker” – means a worker with a term of employment expected to last less than one year and which is intermittent or recurs annually.

Starting January 1, 2017, employees will earn **1 hour of paid leave for every 30 hours** the employee works in the City of Spokane.

Covered employees must complete a **90-day probationary period before using accrued leave**.

Employees can use **40 hours of paid sick and safe leave in a calendar year**. If an employee does not use all the paid leave in a given year, they can **“roll over” up to 40 hours of accrued but unused hours into the next year**.



Effective: **January 1, 2017**

Note: Employers who already provide paid sick leave or other paid time off to employees do not have to provide additional paid leave as long as the existing leave meets the minimum accrual rates and employees are allowed to use the paid leave for the same reasons and in the same manner as required by City of Spokane ordinance.

Uses of Earned Sick and Safe Leave

Paid sick/safe leave may be used for:

1. **Diagnosis, care, or treatment of the employee, or the employee’s covered family member** for mental or physical illness, injury or health condition.
2. **The employee, their child or dependent is a victim of domestic violence, harassment, sexual assault, or stalking.**
3. **Closure of the employee’s place of business, or the employee’s child’s school or place of care, by order or a public official due to a public health emergency.**
4. **Bereavement leave** in connection with the employee’s family member.

“Family member” means a:

- Spouse or domestic partner;
- Child who is:
 - Under 18 years of age or;
 - 18 years of age or older and incapable of self-care due to a mental or physical disability;
- Parent or guardian;
- Grandparent; or
- Grandchild.

Employee Notice Requirements

- If the paid leave is unforeseeable, the employee must provide notice as soon as practicable and must generally comply with the company's/customer's usual and customary notice and procedural requirements for absences and/or requesting leave.
- If paid leave is foreseeable, a written request shall be provided in advance of the paid leave, or as early as possible. When the use of accrued time is foreseeable, schedule the use of sick/safe leave in a manner that does not unduly disrupt the operations of the customer.

Earned Sick and Safe Leave Accrual and Cap Guidelines

- Current employees will begin to accrue paid sick/safe leave on January 1, 2017, which is the date the ordinance takes effect. Accrual rates will not apply to hours worked before that date. New employees hired on or after January 1, 2017, will begin to accrue paid sick/safe leave from the start date of employment.
- Sick/safe leave will accrue at a rate of 1 hour for every 30 hours worked.
- Employees accrue paid leave in one amount and can choose to use it either for sick leave or safe leave.
- Accrued but unused sick and safe leave carries over to the following year, but is limited to a carryover amount.
- **Carryover Amount:** 40 hours (5 8-hour days) – No leave will carryover above this limit.
- Exempt employees do not accrue paid sick/safe leave for hours worked beyond a 40-hour work week. If an exempt employee's normal work week is less than 40 hours, paid sick/safe leave accrues based on the employee's normal work week. If an exempt employee's normal work week is 40 hours or more, paid sick/safe leave accrues based on a 40-hour work week.
- Compensation due to an employee during the period of leave is at the same rate of pay and with the same benefits as the employee would have earned during the time during those hours in which the employee was scheduled to work but for which leave is taken.
- Employee can use the earned paid and sick leave in one hour increments.

No Pay Out Upon Termination or Rehire

- Accrued unused paid sick leave **is not paid out** upon termination, resignation, retirement, or other separation from employment.
- Rehires: There is no reinstatement rule for prior accrued but unused earned sick and safe leave.

City of Spokane, Washington, Zip Codes Included – if employee is *working* in the City of Spokane, in SmartSearch mark Personnel subarea as “City of Spokane”. If they *live* in the City of Spokane but do not work in the city of Spokane, mark Personnel subarea as “Washington”.

99201	99216	99228
99202	99205	99258
99203	99206	99260
99204	99211	99220
99207	99213	99223
99208	99215	99251
99209	99217	99252
99210	99218	99256
99212	99219	99299
99214	99224	



NOTICE TO EMPLOYERS AND EMPLOYEES

The Earned Sick and Safe Leave ordinance (Ord. C-35300; Chapter 9.01 SMC), enacted by the Spokane City Council in 2016 ensures that, starting January 1, 2017, all eligible persons working in the City of Spokane earn sick time to use when they or a family member are sick, injured, or need preventive health care, or when they or a family member need to address issues of domestic violence. This notice is required by the ordinance.

WHEN CAN AN EMPLOYEE TAKE SICK AND SAFE LEAVE?

- ▶ **Effective January 1, 2017**, employees in the City of Spokane other than those who work in the building and construction trades can earn and use paid sick and safe leave after completing the employer's probationary period (which cannot be longer than 90 days) and works for the employer within the geographic boundaries of the City for at least 240 hours per year.
- ▶ **Employees may take paid sick and safe leave for the following reasons:**
 - **Diagnosis, care, or treatment of the employee, or the employee's covered family member** for mental or physical illness, injury or health condition.
 - **The employee, their child or dependent is a victim of domestic violence, harassment, sexual assault, or stalking**
 - **Closure of the employee's place of business**, or the employee's child's school or place of care, by order or a public official due to a public health emergency
 - **Bereavement leave** in connection with the employee's family member

HOW MUCH SICK AND SAFE LEAVE MAY BE USED IN A YEAR?

- ▶ If the business has up to 10 employees, workers can use up to 24 hours (3 8-hour days) of sick and safe leave per year.
- ▶ If the business has 10 or more employees, workers can use up to 40 hours (5 8-hour days) of sick and safe leave per year.
- ▶ Any sick and safe leave you could use during the year but do not use carries over to the next year. For example, if you could use 24 hours of leave in a year and you only use 10 hours, 14 hours of sick and safe leave time carries over into the next year.

EMPLOYEE RIGHTS CONCERNING SICK AND SAFE LEAVE

- ▶ Your employer cannot retaliate against you in you take sick leave you have earned.
- ▶ You can, if allowed by your employer's policies, trade shifts or donate your leave hours to an employee who may need them.
- ▶ Your employer must inform you of your leave balance at least quarterly, and if you request the information.

More Information: City of Spokane: <https://my.spokanecity.org/citycouncil/items-of-interest/sick-leave/>

Employers of employees working in the City of Spokane: The Spokane Municipal Code requires you to provide written notice to your employees, detailing their rights under the ordinance.

THIS INFORMATION MUST BE POSTED IN A CONSPICUOUS LOCATION