

## Seattle's Paid Sick and Safe Time

Recent amendments to Seattle's Paid Sick and Safe Time (PSST) ordinance make it even more comprehensive and inclusive. The law provides employees of eligible employers with paid sick time as well as "safe" time to deal with situations such as domestic abuse or sexual assault, or closure of work or school for any health-related reason.

**Eligibility:** Work-study employees are now eligible.

### PSST Use:

- **Waiting Period:** Employees may now use PSST after 90 days of employment (previously 180 days of employment).
- **"Family Members"** now includes children of any age, siblings, and grandparents.
- **Increment Use:** PSST may be measured in the smallest increments in which compensation is tracked, rather than limiting it to 15-minute or hourly increments.

**No More CBA Waivers:** Starting January 1, 2019, employees may not waive PSST with collective bargaining waivers.

**Caps:** Employers may no longer cap an employee's PSST, but caps for carryover of unused PSST remain in place.

**Employer Verification:** Seattle employers may still seek verification of

the need for PSST for more than three consecutive days, but the ordinance adds a caveat prohibiting unreasonable burden or expense on the employee, or any intrusion on privacy requirements.

**Recordkeeping:** Employer Recordkeeping requirements have expanded to include accrued but unused PSST, and reductions donated or not carried over, in addition to each employee's used PSST.

**Rate of Pay:** While the previous ordinance excluded tips and commissions from the hourly amount that must be paid for PSST, the current ordinance now simply requires payment of the "normal hourly rate", removing any language that specifically excludes excluding tips and commissions.

**Food-and-drink establishments** also may no longer substitute shift changes for use of PSST or require an employee to find a replacement during PSST.

**Posting requirements** have expanded to include employees' rights to PSST and to be free of retaliation for its use.

Employers should review their Paid Sick and Safe Time policies to ensure compliance with the new ordinance. Please contact Stokes Wagner with any questions or concerns on how to enact these policies.