



e-Alert: Michigan Amends Paid Sick Leave Law

Background

Michigan has amended its paid sick leave law — which takes effect in March 2019. The newly amended law will require Michigan employers with 50 or more employees within the state to provide paid sick leave to full-time employees. Employers with 1 – 49 employees are exempt from, or do not have to provide paid sick leave.

Who is covered?

- Michigan employers with 50 or more employees
- Employees who work 35 or more hours per week except:
 - Administrative, executive, professional, computer, or outside sales employees exempt from overtime pay
 - Seasonal employees
 - Employees under 18 years old
 - Variable-hour employees
 - Employees whose primary work location is not Michigan

Main provisions

- All employees must be compensated for paid sick leave at their usual rate of pay. This excludes overtime pay, holiday pay, bonuses, commissions, and tips.
- An employee may use up to 40 hours per year in paid sick leave.
- As of March 2019, employees may use paid sick leave as it is accrued, but newly hired employees may be required to wait 90 days.
- Life events that will qualify employees for paid sick leave:
 - If the employee or his/her family member is a victim of sexual assault or domestic violence
 - An employee's or family member's mental or physical illness or injury
- All employers must display a state-created poster in a conspicuous place accessible to employees.
- Employees requesting leave must follow the employer's usual and customary notice requirements.
- Employers must allow employees at least three days to provide documentation of their need for leave.
- Employers must retain records documenting the hours worked and paid sick leave taken by employees for a minimum of one year.

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