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# MICHIGAN'S EARNED SICK TIME ACT: SAMPLE EMPLOYEE HANDBOOK POLICY

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All employees including full-time, part-time, seasonal, and temporary workers not already covered are eligible to accrue paid sick time. Employees will accrue one (1) hour of paid sick time for every 30 hours worked. Sick time will begin accruing on an employee's first day of employment but cannot be accessed until after 90 days of employment. Employees can use earned sick time for any of the following reasons:

- (a) The employee's mental or physical illness, injury or health condition; medical diagnosis, care or treatment of the employee's mental or physical illness, injury, or health condition; or preventative medical care for the employee.
- (b) For the employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care or treatment of the employee's family members' mental or physical illness, injury or health condition; or preventive medical care for a family member of the employee.
- (c) If the employee or the employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- (d) For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child; or
- (e) For the closure of the employee's place of business by order of a public official due to a public health emergency; for an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For the purposes of this policy, "family member" includes all the following:

- (a) Biological, adopted or foster child, stepchild, or legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis.
- (b) Biological parent, foster parent, stepparent, or adoptive parent or a legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child.
- (c) A person to whom the employee is legally married under the laws of any state or a domestic partner.
- (d) A grand parent.
- (e) A grandchild.
- (f) A biological, foster or adopted sibling.
- (g) Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

**(IF EMPLOYER HAS LESS 10 OR MORE EMPLOYEES USE THIS.)**

Unused, accrued paid sick time will be carried over into the next benefit year. However, only a maximum of 72 hours of accrued sick time can be used in a year. Sick time will be paid at the employee's regular rate of pay. For the purposes of this policy, a year is defined as (CALENDAR YEAR, FISCAL YEAR OR OTHER 12 MONTH PERIOD OF TIME).

All unused, accrued sick time will be forfeited at the time of separation.

Employees are asked to provide notice no more than 7 days in advance if they are aware of the need to use sick time or as soon as reasonably practicable.

employees will not be penalized or retaliated against in any way for requesting or using accrued paid sick time for the purposes designated above.

**(IF EMPLOYER HAS 9 OR LESS EMPLOYEES USE THIS.)**

Employees can accrue a maximum of 72 hours of paid sick time per year. Unused paid sick time will be carried over into the next benefit year without a maximum. However, only a maximum of 72 hours can be used in a year. The first 40 hours of earned sick time will be paid and the remaining 32 hours will be unpaid. For the purposes of this policy, a year is defined as (CALENDAR YEAR, FISCAL YEAR OR OTHER 12 MONTH PERIOD OF TIME).

All unused, accrued sick time will be forfeited at the time of separation.

Employees are asked to provide notice no more than 7 days in advance if they are aware of the need to use sick time or as soon as reasonably practicable.

Employees will not be penalized or retaliated against in any way for requesting or using accrued paid sick time for the purposes designated above.

*This document was created by HRM Services to aid in employer compliance with the ESTA and is not meant to be used as legal advice.*

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# QUESTIONS

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