



SUPPORT COMMONSENSE CHANGES TO THE EARNED SICK TIME ACT (ESTA)

PLEASE SUPPORT HOUSE BILL 4002: LEGISLATION TO LESSEN THE HARM OF THE MICHIGAN SUPREME COURT'S DECISION ON PAID LEAVE AND MAKE IMPLEMENTATION WORKABLE FOR EMPLOYERS AND EMPLOYEES ALIKE.

Left unchanged, the sweeping new Earned Sick Time Act (ESTA)—which is slated to go into effect on Feb. 21—would be one of the most far-reaching and stringent paid time off laws found in any state. Here's why:

- Will force businesses of all sizes and types to rethink their approach to paid time off (PTO). Even if businesses offering 72 hours or more of leave to employees today will need to make significant changes.
- There are no exemptions—even for small businesses—and all employees must be covered: full-time, part-time, seasonal, temps, paid interns, and maybe even independent contractors.
- The 72 hours of mandatory leave can be used intermittently and without advanced notification to the business, thereby exacerbating staffing shortages.
- All unused time must roll over from year to year with no cap.
- ESTA is a litigation nightmare, allowing employees to go right to court and automatically assuming the employee's side for unfavorable personnel actions.

OUR ASK

- Exempt small businesses and certain classifications of workers.
- Allow employers to frontload time and avoid tracking and carryover requirements.
- Give businesses more flexibility to combine earned sick time with other PTO.
- Avoid a one-size-fits-all approach to advanced notice and increments of time, recognizing that different businesses have different needs.
- Strike the private right of action and rebuttable presumptions, leaving enforcement and penalties to the state.



***House Bill 4002 finds a workable solution and avoids a scenario where businesses across Michigan are forced to make drastic and costly changes to their PTO policies.
We hope we can count on your support!***



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