



## **State Mandated Paid Sick Leave**

Effective **July 1, 2023**, employee state-mandated paid sick leave (“PSL”) will be offered only to those who work in a qualifying state in which an employer is required to pay out those benefits to their employees. Texas and Oklahoma are two of those states that are excluded from that coverage.

PSL accrues at the rate of one hour per every 30 hours worked (40 hours in some states). For purposes of calculating PSL, employees who are exempt from overtime as an administrator, executive or professional under the appropriate wage order will be deemed to work 40 hours per workweek. All other employees must keep a record of hours worked so that Hire Up Staffing Services can properly account for accrued sick leave. An employee is entitled to use accrued PSL beginning on the **90<sup>th</sup> day** of employment.

Upon an oral or written request, an employee may use PSL for the diagnosis, care or treatment of an existing condition, or for the preventive care of the employee or a family member. PSL can also be taken by an employee who is a victim of domestic violence, sexual assault, or stalking. The employee should provide notice of the need for leave as soon as practicable, and in advance if foreseeable. Family members include a child (biological, adopted, foster, step), legal ward, child to whom the employee stands in loco parentis; parent (biological, adoptive, step), legal guardian of employee or employee’s spouse or registered domestic partner, person who stood in loco parentis when employee was a minor; spouse; registered domestic partner; grandparent; grandchild; and sibling. Employees must use PSL in at least two-hour increments.

An employee may accrue a maximum of 48 hours of PSL. Once the maximum is reached, the employee must reduce accrued PSL before accrual will recommence. An employee can use no more than 48 hours of PSL in each year of employment. Hire Up Staffing Services will not lend PSL to employees in advance of accrual. Unused PSL will not be paid to the employee at the separation of employment. However, if the employee is rehired by Hire Up Staffing Services within one year of the date of separation, previously accrued but unused PSL will be reinstated at rehire.

PSL will be paid at the employee’s hourly rate of pay. For employees paid different hourly pay rates within the last 90 days before taking PSL, or employees paid by commission, piece rate or nonexempt salaried employees, the rate of pay will be calculated by dividing the employee’s total wages, excluding overtime, by total hours worked.

A poster describing PSL rights is located in the employee resource center. Hire Up Staffing Services will maintain records documenting hours worked and PSL accrued and used and will make them available within 21 days upon request.