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October 17, 2023

Connecticut Expands Sick and Safe Leave



Connecticut Paid Sick and Safe Leave was expanded to add two additional permitted uses, effective October 1, 2023.

Connecticut Paid Sick and Safe Leave

Connecticut Paid Sick and Safe Leave originally went into effect in 2012. The law allows covered employees to accrue one hour of paid sick and safe leave for every 40 hours worked and accrue up to 40 hours per year. Covered employees may also carry over up to 40 hours of paid sick and safe leave from one year to the next, subject to a usage cap of 40 hours. However, unlike other mandatory paid sick and safe leave laws, the Connecticut law has narrow application.

The law only applies to employers with 50 or more Connecticut employees, as determined by the number of employees on payroll for the week containing October 1. Additionally, most manufacturers and certain nonprofits are excluded from coverage. Finally, the law only covers employees that are "service workers." A service worker is defined as an employee that primarily works in certain listed occupations as defined by the U.S. Labor Bureau's Standard Occupational Classification (SOC) system and is either paid hourly or is not exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA). Examples of listed occupations include nurses, pharmacists, secretaries and administrative assistants, and fast food and counter workers.

Expanded Leave

Under the law, eligible employees have always been able to use sick leave for their own, their child's, or their spouse's illness, injury, or health condition; diagnosis, care, or treatment of an illness, injury, or health condition; or preventative medical care. Now, employees can also take sick leave for a "mental health wellness day." A

mental health wellness day is defined as a day to attend to a worker's "emotional and psychological well-being in lieu of attending a regularly scheduled shift."

Eligible employees have always been able to take safe leave to obtain medical care, counseling, and/or services from a victim services organization, or to relocate or participate in legal proceedings if they were the victim of family violence or sexual assault. Now, employees can also take safe leave for those same reasons if they are the parent or guardian of a child who is a victim of family violence or sexual assault, so long as they are not the perpetrator.

Next Steps

Connecticut employers should review and update existing leave policies and procedures to ensure they are in compliance. Connecticut employers should also provide notice, as required by the law, to ensure employees understand their rights. Finally, they should train managers and human resources personnel to respond to requests for leave required by the new categories of permitted use.

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