



## Washington Paid Sick Leave Regulations

### Frequently Asked Questions

**Q. Who is eligible for Washington Paid Sick Leave?**

**A.** All full-time and part-time (including casual part-time and seasonal) employees who perform work in the state of Washington are eligible for the paid sick leave benefit.

**Q. How much paid time does an employee receive under the Paid Sick Leave Plan?**

**A.** Employees will accrue 1 hour per every 40 hours. There is no cap on how much can be earned or used in a year. Seattle will continue to accrue 1 hour per every 30 hours worked.

**Q. What can I use Paid Sick Leave for?**

**A.** Employees can use paid sick leave for:

- An absence resulting from an employee's mental or physical illness, injury, or health condition; to accommodate the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;
- To allow the employee to provide care for a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care for a family member who needs preventive medical care; and
- When the employee's place of business has been closed by order of a public official for any health-related reason, or when an employee's child's school or place of care has been closed for such a reason.
- An employee is authorized to use paid sick leave for absences that qualify for leave under the domestic violence leave act, chapter 49.76 RCW.

**Family member is defined as:**

- A child, including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status;
- A biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;
- A spouse;
- A registered domestic partner;
- A grandparent;
- A grandchild; or
- A sibling.

**Q. Can I use accrued Paid Sick Leave Immediately?**

**A.** Full-time employees may use paid sick leave for the reasons listed above, and any other reason, as soon as it is accrued. Part-time employees may use paid use sick leave after their 90 day waiting period.

**Q. How do I check accrued Paid Sick Leave balances?**

**A.** Paid Sick Leave will appear on employee paychecks beginning with the January 19<sup>th</sup> paycheck. Part-time and salaried employees will see time under “Sick Balance” on their paystub and full-time employees will continue to see PTO.

**Q. Is there a limit to how much Paid Sick Leave can be accrued?**

**A.** There is now cap on how much paid sick leave can be earned or used in a year.

**Q. Can I can over unused paid sick leave?**

**A.** Up to 40 hours can be carried over each year except for Seattle which allows 72 hours to be carried over for part-time employees and 108 hours for full-time employees.

**Q. Will we require employees to give us notice of their need for paid sick leave?**

**A.** Yes. When the need to take sick leave is foreseeable, such as a scheduled appointment, the employee shall provide advance notice and should make a reasonable effort to schedule the sick leave in a manner that does not unduly disrupt business operations. Where unforeseeable, employees will be required to notify us as soon as practicable and follow the normal call-in procedures, unless a legitimate reason prevents them from doing so.

**Q. Will an employee be asked to provide a doctor’s note verifying the need for paid sick leave?**

**A.** Managers may ask for doctors’ notes or other types of verification in accordance with their brand’s attendance policy. However an employer cannot require that the documentation specify the nature of the employee’s or family member’s injury, illness, or medical condition. If management feels an employee is abusing the Paid Sick Leave benefit, they can contact Employee Relations via the **Employee Relations** icon on [HR Central](#). Possible signs of abuse may include, but are not limited to:

- Repeated use of unscheduled sick leave on or adjacent to weekends, regularly scheduled days off, holidays, vacation, or pay day.
- Taking leave on days when other leave has been denied.
- Evidence that an employee engaged in an activity that is not consistent with the employee being sick or using sick leave for a preventative medical appointment.

**Q. Can an employee be required to find coverage for their absence?**

**A.** No. An employee is not required to find a replacement to cover their shift, but is encouraged to seek out and participate in voluntary shift trades.

**Q. Can paid sick leave count as an absence under the attendance policy?**

**A.** No. It is unlawful for employers to count paid sick leave as an absence that may result in discipline, discharge, demotion, suspension, or any other adverse action. However, any related absences extending beyond an employee’s accrued PTO/Paid Sick Leave balance will count as an unexcused absence, provided the absence is not covered by a Company-approved leave of absence or other applicable law.

Retaliation against any employee that asserts his or her rights to receive paid sick leave is strictly prohibited.

**Q. Is using paid sick leave the same as taking intermittent leave under the Family Medical Leave Act (FMLA)?**

**A.** No. Paid sick leave differs from intermittent FMLA leave in many ways. Most importantly, employees do not have to contact Luxottica Leave and Disability or submit medical certification paperwork before using paid sick leave. As long as employees have accrued enough hours of PTO/Paid Sick Leave to cover their absences and provided sufficient notice for their individual circumstance, they may use their PTO/Paid Sick Leave without further Company approval.

**Note:** Employees should still contact Luxottica Leave and Disability at 1-866-431-8484 to initiate a leave of absence if their absence is due to their own or a family member's serious health condition. Please refer employees to the Luxottica Employee Guide for additional information on FMLA and Company Medical Leave requirements. In such cases, employees may choose to use their accrued, unused PTO/Paid Sick Leave while taking a leave of absence. Managers should enter the time in the POS, which will run concurrently with their designated leave of absence.

**Q. What If an employee's employment status changes in a calendar year?**

**A.**

- **Part-Time to Full-Time:** If an employee's status changes from part-time to full-time, their status change date will be the date used to determine when full-time rules begin to apply. Employees will not lose the paid sick leave they have accrued and will need to e-mail [Kronos@luxotticaretail.com](mailto:Kronos@luxotticaretail.com) to request that their remaining accrued Sick Balance be transferred to PTO hours.
- **Full-Time to Part-Time:** If an employee's status changes from full-time to part-time, any accrued, unused PTO hours beyond 40-hour paid sick leave requirement will be paid out at the time of their status change. They will then be eligible to begin accruing paid sick leave under the part-time Paid Sick Leave plan.

**Q. Are we required to pay out an employee's accrued, unused paid sick leave when the employee terminates?**

**A.** Part-time employees will not be paid out their remaining sick leave balance on termination. Full-time employees will be paid out their remaining PTO balance per current PTO policy.