

Paid Sick and Safe Time and COVID-19 -- Frequently Asked Questions & Answers

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Employers and employees can play a part in keeping the community safe and healthy by ensuring employees use their Paid Sick and Safe Time (PSST)! This document provides answers to questions that you may have about Seattle's Paid Sick and Safe Time law. Please visit the [Office of Labor Standards](#) website for more detailed information.

The Paid Sick and Safe Time Ordinance:

- Protects public health by ensuring that employees and children can stay home, away from coworkers, school, and customers when they are sick
- Creates more productive workplaces by limiting the spread of disease
- Builds economic security because employees can care for their health without losing their wages

Do you have a question that isn't covered by this Q&A? Visit our [Paid Sick and Safe Time Website](#), call 206-256-5297, or reach us electronically:

- Workers with questions and complaints—submit an [online inquiry](#) or send an email to workers.laborstandards@seattle.gov.
- Employers with requests for technical assistance—submit an [online inquiry](#) or send an email to business.laborstandards@seattle.gov.

New and important! On April 8, 2020, the Office of Labor Standards issued a **temporary, emergency rule** that changes the types of verification that an employer may request during the COVID-19 pandemic outbreak. Between now and June 7, 2020, an employer cannot request healthcare provider documentation for verification of PSST use. Instead, if an employer chooses to request verification, the employer must identify and provide alternative verification methods. A reminder: employers may not request verification for absences of three or fewer days. For more information about timing, permissible verification, and this new rule, visit our [website](#) or view our [comprehensive Q&A](#).

New! This law was amended on March 16, 2020. Those changes went into effect on March 18, 2020. This document has been updated to reflect those changes.

What is paid sick and safe time (PSST)?

Paid sick and safe time is employer-paid time off that employees can use:

- To care for themselves or a family member for an illness, injury, or health condition
- To go to the doctor to get medical and preventative care for themselves or a family member
- When employees are recommended by public health officials to self-quarantine
- When their family member's school or place of care closes
- When their place of business has been closed by order of public official for health-related reasons
- For a business of 250 or more full-time equivalent employees worldwide: when their place of business closes for any health or safety reason

What employees get PSST?

In Seattle, the law requires employers to provide all employees with paid sick and safe time. This includes full-time, part-time, temporary, exempt, and non-exempt employees.

How much PSST do employees get?

Paid Sick and Safe Time is earned over time. The amount depends on how many hours an employee works and the size of their employer's business. For details, visit the [Office of Labor Standards' website](#).

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How much PSST can an employee take at one time?

An employee can use any and all the hours that they have accrued and in increments as small as the smallest amount of time that an employer tracks work time (but no longer than an hour).

How can an employee find their PSST balance?

Employers must share this information every time wages are paid. Many employers put this information on paystubs or make it available via an online payroll information system.

Can an employee use PSST if their place of work is closed because of a possible health concern like COVID-19?

Yes, under the following circumstances:

- All employers must allow employees to take PSST if their place of work is closed by order of a public official for a health-related reason.
- Employers of 250 or more full-time equivalent employees worldwide must allow employees to take PSST if their place of work reduces operations or closes for any health or safety related reason. The closure does not have to be ordered or recommended by a public official.

Who is a public official?

A public official is a government employee that is granted the authority to close a place of business or school. This can include local, state, or federal authorities and public health officials (e.g. Seattle - King County Public Health, the Center for Disease Control, or the State Department of Health) or the superintendent or principal of a public school.

Can an employee use PSST if their *family member's school or place of care* is closed?

Yes. An employee may use PSST if their family member's school or place of care has been closed. Prior to the March 2020 amendments, employees could use PSST when their *child's* place of care or school was closed due to the order of a public health official for a health-related reason. Now an employee may use PSST if any *family member's* place of care or school is closed. Also, the law no longer requires that the closure be for a health-related reason or that a public official order the closure.

Who qualifies as a family member?

A family member is a child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling.

Can an employer ask for details about, or the reason why, an employee asked to use PSST?

No. Employees are not required to share the reason for using PSST. Employers may ask for verification that the use of PSST was for an authorized use after more than three consecutive workdays of PSST. Employers may not ask about the nature of the use. Please see our [comprehensive Q&A](#) for more information.

When can an employer ask for verification of the employee's use of PSST?

After an absence of three days, an employer can require documentation that continued use of PSST is necessary. The employee cannot be required to explain the nature of the use, only that the use was authorized. Employers do not have to request verification and we encourage employers to be as flexible as possible during this time.

To find out more about verification and rules related to payment for verification, please see our [comprehensive Q&A](#).

Can you require an employee to use PSST?

No. Employers cannot require employees to use PSST for an absence that is otherwise covered by the ordinance.

Can an employer require an employee to go home when sick?

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The PSST law does not prohibit an employer from sending an employee home because of illness. Other state and local laws may determine whether it is lawful or a requirement to send someone home. For instance, Department of Health regulations require an employer to send a food service worker home if they have symptoms like vomiting or a sore throat with fever. For more information, see [Washington Administrative Code 246-215](#) or contact [Seattle-King County Public Health Department](#).

Can an employer prevent an employee from working because they traveled to a country that has an outbreak?

Travel to a particular country or region is not a reliable indicator of whether someone has been exposed to COVID-19. No one group is responsible nor should be targeted as the cause of the COVID-19 outbreak. Information on how to prevent and respond to stigmas and the spread of misinformation can be found by [clicking here](#). Taking an adverse employment action based on an employee's ethnicity or national origin could give rise to a claim of discrimination. For more information, contact the [Office of Civil Rights](#) at 206-684-4500.

What if an employee has used all their accrued PSST or is a new employee without any accrued leave?

An employer is only required to allow an employee to use accrued hours of PSST. In their discretion, employers can provide more paid leave or allow the use of vacation or other accrued leave. Other laws may require an employer to provide employees with leave; including: the Family and Medical Leave Act, Washington State Paid Family Medical Leave, and federal, state, and local disability laws.

On March 18, 2020, the U.S. government passed emergency legislation that may provide some employees with access to sick leave for COVID-19 related reasons even if the employees do not have any accrued PSST. This legislation takes effect on or around April 2, 2020. OLS will update our website as new information is available.

Can an employee donate unused PSST to a paid leave donation plan to help co-workers who need PSST?

Yes, if the employer has a program to allow this. (The law does not require it.)

Does an employee have to find someone to cover the hours that they need to take PSST?

No. An employer cannot require an employee to find someone to cover their PSST hours.

Can an employee swap shifts instead of using paid sick and safe time?

Yes. If both employer and employee agree, an employee can swap shifts instead of taking PSST.

Are employees of the Seattle Public Schools (SPS) covered by Seattle's Paid Sick and Safe Time law?

No. But, some SPS employees may be covered by the Washington State Paid Sick Leave law. For more information about State protections, visit: <https://lni.wa.gov/workers-rights/leave/paid-sick-leave/>.

Can an employee use PSST for reasons other than that protected by the law?

Yes. An employer can allow the use of PSST for reasons not covered by the law.

Who can I call if I have more questions about my rights or responsibilities under this law?

Please call the [Seattle Office of Labor Standards \(OLS\)](#) at [206-256-5297](tel:206-256-5297) or visit our website at <http://www.seattle.gov/laborstandards>. We can answer questions and provide resources!

Where can I find out more about COVID-19 (formerly called the novel coronavirus) and the steps I can take to prepare?

Visit the Public Health – Seattle & King County [website](#) for information on COVID-19, which includes an [extensive FAQ](#) and recommendations for preparedness for the general public, schools, workplaces, health care workers and more.

New! Visit this webpage to [discover resources for communities impacted by Covid-19](#).

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