



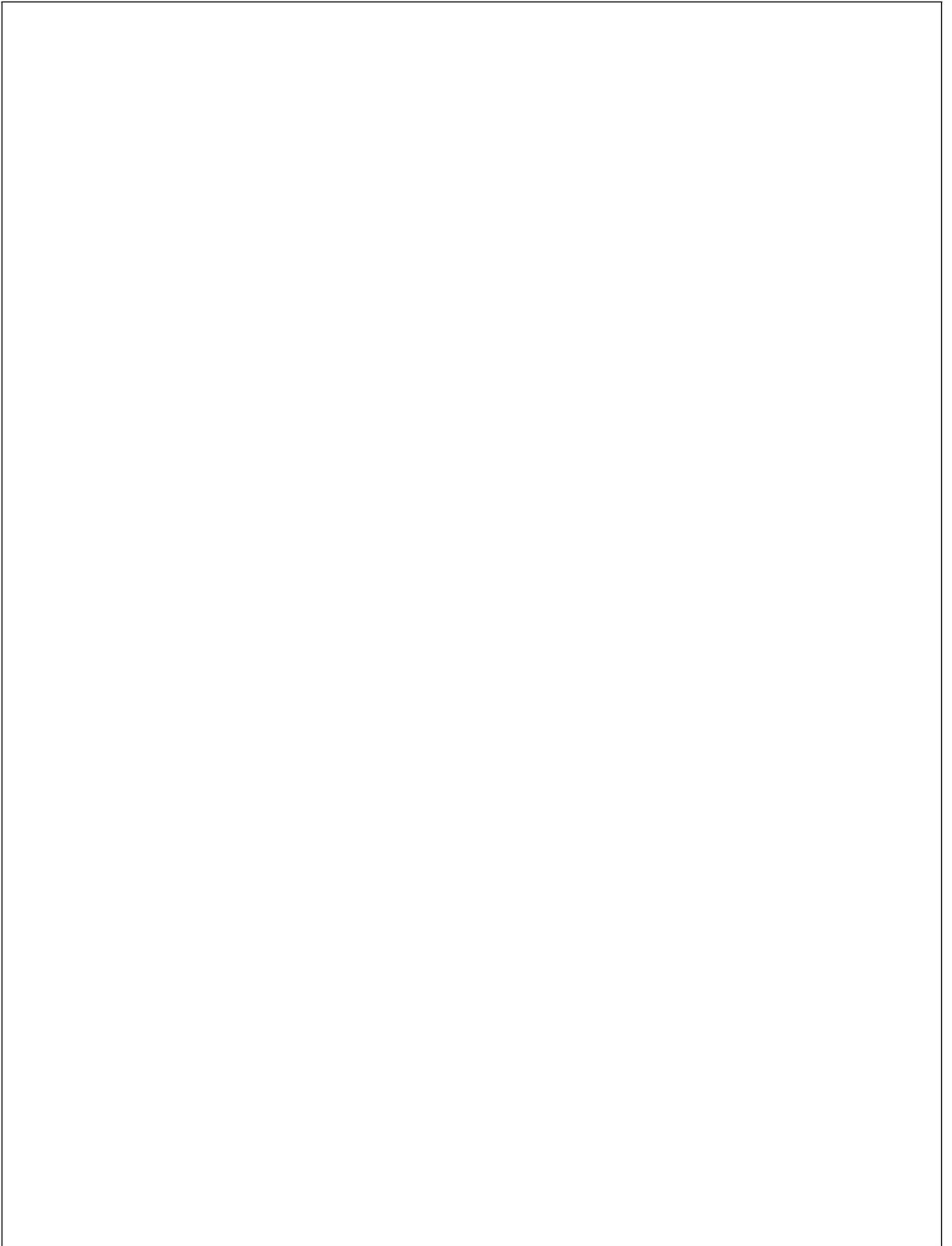
***Get Well Soon:  
Americans Can't Afford to Be Sick***

June 2004

***The National Partnership for Women & Families promotes fairness in the workplace, quality health care, and policies that help women and men meet the dual demands of work and family. Working with business, government, unions, nonprofit organizations and the media, the National Partnership is a voice for fairness, a source for solutions, and a force for change. Visit the National Partnership on the web at [www.nationalpartnership.org](http://www.nationalpartnership.org).***

## Table of Contents

Executive Summary .....	i
Introduction .....	1
Lack of Sick Leave Benefits In the United States .....	1
Sick Children .....	1
Elder Care .....	2
Lower-Income Workers .....	2
Paid Sick Days Make Good Business Sense.....	3
Methodology.....	5
STATE REPORT CARD .....	9
Chart: State-by-State Summary of Benefits (in alphabetical order) .....	10
Chart: State-by-State Summary of Benefits (in rank order).....	13
Detailed State by State Analysis .....	16
Disclaimer.....	45



## **Executive Summary**

### **Get Well Soon: Americans Can't Afford to Be Sick**

Humane working conditions assume some paid leave when illness strikes. Yet, millions of workers in the United States are without this most basic benefit. In fact, the U.S. lags far behind the rest of the world in giving workers paid sick leave. Almost half (47 percent)<sup>1</sup> of private sector workers, and 59 million total workers in the U.S., have no paid sick days at all.<sup>2</sup>

A nation that truly values families would allow workers to use their paid sick leave to care for a child or other family member who is ailing. Yet 86 million workers in the U.S. do not have a single paid sick day that can be used to care for sick children.<sup>3</sup>

New research from The Project on Global Working Families at Harvard University finds that 139 nations provide paid leave for short or long term illnesses, and 117 of those nations guarantee their workers a week or more of paid sick days per year. However, no federal law in the United States guarantees a single day of paid sick leave to workers. The federal Family & Medical Leave Act provides only *unpaid* leave for serious illnesses to the approximately 60 percent of the workforce that it covers.

This report is the most comprehensive assessment to date of state and federal measures governing paid sick days. It examines laws, regulations, contractual agreements and other mechanisms that give workers access to paid sick leave.

The findings paint a picture of need and neglect. The failure to provide paid sick days to workers causes profound harm to families. It also results in unnecessary costs to businesses that spend money recruiting and training new workers, when employees already in place could often keep their jobs if some paid sick leave was available to them.

***Get Well Soon: Americans Can't Afford to Be Sick*** finds that not a single state is doing all it should to guarantee paid sick days to employees. Still, promising models are emerging and are explored in this report. All states provide paid sick days to their own employees, but some states are much more generous than others. More and more states are setting an example by allowing workers to use paid sick leave to care for close family members. It is especially encouraging that some states are beginning to govern private sector paid sick leave practices.

California is far ahead of any other state in providing workers with family leave benefits – and yet, even California's paid family leave program does not provide job protection for workers on

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<sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employee Benefits in Private Industry, 1999*, <http://www.bls.gov>.

<sup>2</sup> Vicky Lovell, *No Time to be Sick: Why Everyone Suffers When Workers Don't Have Paid Sick Leave*, Institute for Women's Policy Research, May 2004, p.1.

<sup>3</sup> *Id.*

leave.<sup>4</sup> Hawaii is next, followed by New Jersey, Rhode Island and New York.

Mississippi has the distinction of providing fewer sick leave benefits to state workers than any other state. Louisiana is barely better, followed by Arkansas, Idaho, Indiana, Kansas, Kentucky, Maine, North Carolina, North Dakota, South Dakota, and Wyoming in providing the fewest sick leave benefits for their workers.

The federal government gives its more than 2.7 million workers 13 paid sick days a year – relatively generous compared to the private sector but no better than what many states offer their own employees. And the federal government lags behind several states in that it does not require private employers to provide any paid sick leave.

The National Partnership for Women & Families has designed *Get Well Soon* to share information, generate a public conversation, and spur action to make our nation’s workplaces more compassionate, healthier and ultimately, more productive.

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<sup>4</sup> Individuals covered by the federal Family and Medical Leave Act, or California’s laws providing job protection for women on pregnancy leave or some workers on family and medical leave, would receive job protection. These laws do not cover all of the workers who could take advantage of California’s paid family and medical leave program.

# Get Well Soon: Americans Can't Afford to Be Sick

## Introduction

Those who have it take it for granted. Those who don't struggle every time illness strikes.

Paid sick leave is the next frontier in the effort to make our nation's workplaces more worker- and family-friendly. It needs to be. Too many hard-working Americans must choose between a paycheck and recovery when they get the flu, break a bone, or need to care for an ailing child, spouse, or parent.

The numbers point to enormous need. On average workers need about a week of sick leave each year to take care of their own health needs.<sup>1</sup> Workers who have paid sick days do not have to think twice about staying home to recover from the flu or to take a sick child to the doctor. But for almost half of the employees in this country, the choice is much more difficult because it means a day without pay or even the loss of a job or opportunities for advancement. And in most states, workers who are fired as a result of taking sick leave are not eligible for unemployment insurance.<sup>2</sup>

## Lack of Sick Leave Benefits In the United States

The statistics on paid sick leave in the U.S. are disturbing:

- Almost half (47 percent) of private sector workers have no paid sick days.<sup>3</sup>
- 59 million workers (public and private) have no paid sick days.<sup>4</sup>
- 86 million workers (public and private) do not have paid sick days to care for sick kids.<sup>5</sup>

## Sick Children

Personal illness is not the only reason workers need paid sick leave. Caregiving responsibilities can add significantly to the need. In 78 percent of American families, both parents work.<sup>6</sup> Every parent knows that children get sick. In fact, children age five to 17 average more than three days per year out of school due to health problems.<sup>7</sup> If the parents of these children do not have paid sick days, they must choose between leaving a sick child home alone, or missing pay and possibly putting the family's economic stability at risk.

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<sup>1</sup> Vicky Lovell, *No Time to be Sick: Why Everyone Suffers When Workers Don't Have Paid Sick Leave*, Institute for Women's Policy Research, May 2004, p.3.

<sup>2</sup> Rebecca Smith, Rick McHugh, Andres Stettner, and Nancy Segal, *Between a Rock and a Hard Place: Confronting the Failure of State Unemployment Insurance Systems to Serve Women and Working Families*, National Employment Law Project, July 2003, p.13.

<sup>3</sup> U.S. Department of Labor, Bureau of Labor Statistics, *Employee Benefits in Private Industry, 1999*, <http://www.bls.gov>.

<sup>4</sup> Lovell, *No Time to be Sick*, p.1.

<sup>5</sup> *Id.*

<sup>6</sup> Families and Work Institute, *Highlights of the 2002 National Study of the Changing Workforce*, 2004, p.14, <http://www.familiesandwork.org>.

<sup>7</sup> Lovell, *No Time to be Sick*, p.3.

If the parent cannot afford to stay home, children may suffer. One study found that 41 percent of parents said their working conditions had negatively affected their children's health in ways that ranged from a child missing a needed appointment with a doctor to a child failing to receive adequate early care which caused an illness or condition to worsen.<sup>8</sup>

The opposite is true as well. Children benefit when their parents have paid sick leave. The presence of parents has been shown to reduce the duration of children's hospital stays by 31 percent. And when parents are involved in children's care, children recover more rapidly from outpatient procedures.<sup>9</sup>

### Elder Care

Workers have responsibilities beyond sick children. The number of employees who need time off to care for sick spouses or elderly parents is growing. According to a 2002 study, more than a third of Americans (35 percent) had significant elder care responsibilities in the past year.<sup>10</sup> More than one-third of workers with these elder care obligations were forced to reduce their work hours or take time off to provide needed care.<sup>11</sup> Many suffered financially as a result.

### Lower-Income Workers

Workers at the bottom of the economic ladder are least likely to have access to paid leave. According to Dr. Jody Heymann, a researcher at Harvard University, 76 percent of low-wage workers have no paid sick leave.<sup>12</sup> A recent Urban Institute study found that 41 percent of working parents with incomes below 200 percent of the federal poverty line have no paid leave of any kind – no paid sick leave, no paid vacation, and no paid personal days off.<sup>13</sup>

Workers who do have paid sick days often cannot use it to care for a sick family member. In one study, 34 percent of parents reported that caring for their sick children led to difficulties at work; 12 percent said it led to lost pay; and 13 percent to loss of promotions or jobs.<sup>14</sup>

The problem is particularly acute for working women, who in most families are responsible for meeting the majority of family caregiving needs. Half of working mothers (49 percent) report that they do not get paid when they stay home to care for a sick child.<sup>15</sup>

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<sup>8</sup> Jody Heymann, *The Widening Gap: Why America's Working Families are in Jeopardy and What Can Be Done About It*, Basic Books, 2000, p. 62.

<sup>9</sup> Jody Heymann, Sara Toomey, and Frank Furstenberg, "Working Parents: What Factors Are Involved in Their Ability to Take Time Off From Work When Their Children Are Sick?" *Archives of Pediatrics and Adolescent Medicine*, vol. 153, August 1999.

<sup>10</sup> Families and Work Institute, *Highlights of the 2002 National Study of the Changing Workforce*, 2004, p.29, <http://www.familiesandwork.org>.

<sup>11</sup> *Id.* at p.30.

<sup>12</sup> Heymann, *The Widening Gap*, p.45.

<sup>13</sup> Katherin Ross Phillips, *Getting Time Off: Access to Leave among Working Parents*, The Urban Institute, April 2004, <http://www.urban.org>.

<sup>14</sup> Heymann, *The Widening Gap*, p.65.

<sup>15</sup> Kaiser Family Foundation, "Women, Work and Family Health: A Balancing Act," Issue Brief, April 2003, [http://www.kff.org/content/2003/3336/Balancing\\_Act\\_IssueBrief.pdf](http://www.kff.org/content/2003/3336/Balancing_Act_IssueBrief.pdf).

### Paid Sick Days Make Good Business Sense

Paid sick leave is not just good for families with children. Employees with paid sick leave are less likely to come to work when ill and less likely to infect their colleagues. In fact, 44 percent of corporate human resource executives say that “presenteeism” – employees coming to work when they are ill – is a problem in their companies.<sup>16</sup> A recent study from the Cornell University Institute for Health and Productivity Studies found that “presenteeism” costs employers an average of \$255 per employee per year, and that on-the-job productivity losses from “presenteeism” may be as high as 61 percent of an employee’s total medical and lost productivity costs.<sup>17</sup> That exceeds the costs of absenteeism and medical and disability benefits.<sup>18</sup>

Paid sick leave is good for business in other ways. According to one statistical model, offering workers the option to take time off when a family member is sick improves profits.<sup>19</sup> Employers who provide paid leave benefits to their employees see greater retention: 94 percent of leave-takers who are fully paid (compared to 76 percent of those who are not paid) return to their employers after taking leave.<sup>20</sup> In fact, a number of studies have found that businesses that provide paid leave for workers benefit from higher productivity and morale, lower turnover and training costs, and reduced absenteeism.<sup>21</sup> In most cases, these benefits more than make up for the direct costs of providing paid leave.<sup>22</sup>

Paid sick leave matters to Americans. A 2002 study by Office Team, a California-based staffing services firm, found that most workers ranked work and family balance as their top concern for the year – above competitive salary and job security.<sup>23</sup> Being able to take time off to recover from an illness or care for a sick child or spouse is fundamental to being able to balance work and family responsibilities.

Is our nation beginning to solve the problem of inadequate paid sick leave? Are public and private employers adopting more humane policies in this regard? Are we putting laws and policies in place that will give more workers access to paid sick leave? Are we doing what we should to support parents with sick children, workers with ailing spouses, employees who need to care for ill parents? This report explores those questions in depth, providing the most comprehensive information ever developed on paid sick leave laws in the United States.

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<sup>16</sup> CCH Incorporated, *2003 CCH Unscheduled Absence Survey*, October 2003, <http://www.cch.com/press/news/2003/20031022h.asp>.

<sup>17</sup> “Call in sick, save the boss money,” April 22, 2004, <http://www.cnn.com/2004/HEALTH/04/22/sick.call.ap>.

<sup>18</sup> Cornell News Press Release, April 20, 2004, <http://www.cepr.cornell.edu>.

<sup>19</sup> Christine Siegarth Meyer, Swati Mukerjee, and Ann Sestero, “Work-Family Benefits: Which Ones Maximize Profits?” *Journal of Managerial Issues*, vol. 13, no. 1, Spring 2001, p. 39.

<sup>20</sup> Commission on Family and Medical Leave, *A Workable Balance: Report to Congress on Family and Medical Leave Policies*, 1996, p. 114.

<sup>21</sup> Marilyn P. Watkins, *The Case for Minimum Paid Leave for American Workers*, Economic Opportunity Institute, January 2004, p.9.

<sup>22</sup> *Id.*

<sup>23</sup> *Employee Benefits News*, “Benefit Priorities Shift as Families Demand More Time,” August 1, 2002.

Sadly, the answer to most of those questions is “no.” *Get Well Soon* documents inadequate laws and unmet needs. It is designed to focus the spotlight on a major problem affecting millions of Americans and, its authors hope, to serve as a catalyst for real change.

## Methodology

This report focuses on access to paid sick leave, examining how each state, the District of Columbia, and the federal government provide or guarantee access to paid sick days for workers in the public and private sectors. Specifically, it answers the following questions:

### Private Sector

- Does the state guarantee all workers access to paid sick days?
- Does the state have a program to provide private sector workers with paid family leave to care for sick family members?
- Does the state have a program to provide private sector workers with medical leave benefits to recover from their own short-term disability?
- Does the state require private employers to let workers use their paid sick days to care for family members?

### State Employees

- How many paid sick days does a state provide to its own employees each year?<sup>24</sup>
- How many paid personal days, that can be used in addition to sick days to care for one's self or a sick family member, does the state provide to its own employees each year?
- Can state employees use their sick days to care for family members?
- Does the state have a sick leave pool that allows state employees to apply for additional paid sick days in times of need?
- Does the state have a direct donation program that permits a state employee to donate unused sick or annual leave to a co-worker in need of additional sick days?
- Does the state make short-term disability insurance available to state employees?

To answer these questions, the authors consulted a variety of sources:

- As part of its Campaign for Paid Leave Benefits, the National Partnership for Women & Families tracks state developments on paid family and medical leave laws and publishes the information annually in a State Round-Up. For information on what states guarantee to private sector workers, the National Partnership relied on the most recent version (2003) of its State Round-Up, which reviews state activities regarding access to paid family leave benefits and paid sick days. The authors also consulted relevant state statutes and regulations and state websites.
- For information on what benefits each of the 50 states provides to state employees, the authors primarily relied on the *2004 State Employee Benefits Survey* published by Workplace Economics, Inc. In cases where the National Partnership's State Round-Up included a state law governing state employees, the authors consulted the relevant state statute and/or regulation.

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<sup>24</sup> Authors relied on number of paid sick days given in the first year of employment, as most states do not tie the amount of sick leave to service.

- For information on what benefits the District of Columbia provides to city employees, authors consulted the D.C. Personnel Manual available to the public via the D.C. public library system and the D.C. government.
- Authors reviewed federal Office of Personnel Management (OPM) materials available on the Internet, and spoke with officials at the OPM to determine federal sick leave policies.

Authors awarded points to each state based on the programs made available to private and public employees. As most employees work in the private sector, the point system favors laws that provide protection and benefits to private sector employees.

Sadly, not a single state or federal law in the country guarantees workers the right to job protected paid sick leave. America's families desperately need policies that guarantee access to this critical work/life support.

The good news is that some states are setting an example. Several have laws that govern access to paid leave that can be used for one's own illness or to care for a family member. And all states offer their own employees paid sick leave benefits, although some states are much more generous than others.

#### Laws Governing Private Sector Employees

Only a handful of states have adopted laws that give private sector employees access to paid sick leave through paid family and or medical leave, or guarantee employees the right to use their employer-provided paid sick leave to care for a sick family member. Authors assigned:

- ⌚ 25 points to states that guarantee all workers access to job-protected paid sick days. None do.
- ⌚ 20 points to states that have programs in place to give workers family leave benefits to care for sick family members. Beginning July 1, 2004, 13 million California families will be eligible for up to six weeks of family leave benefits at 55 percent of salary to care for a seriously ill family member or newborn/newly adopted child. The program is funded by employee payroll deductions. The program does not provide job protection for employees on leave, although an employee on family leave may have job protection through the federal Family & Medical Leave Act or the California state Family and Medical Leave Law.
- ⌚ 20 points to states that have programs in place to give workers medical leave benefits to recover from their own short-term disability. Five states – California, Hawaii, New Jersey, New York, and Rhode Island<sup>25</sup> – have enacted state-wide programs to provide paid leave for employees needing to take time off from their jobs due to illnesses unrelated to work (including pregnancy and childbirth-related conditions). The programs do not provide job protection for employees on leave, but are instead similar to unemployment insurance, replacing a portion of workers' lost earnings during the period of disability. An employee on short-term disability leave may have job protection

<sup>25</sup> Puerto Rico also has a Short-Term Disability program.

through the federal Family & Medical Leave Act or a similar state statute. Each state's program is unique, but generally requires employers either to offer this coverage to employees or establish a state-administered disability insurance fund. The programs are funded either through employee or employer contributions, or a combination of both.

- ⌚ 15 points to states that require private employers to let workers use their paid sick days to care for family members. California, Connecticut, Hawaii, Minnesota, and Washington state have laws that mandate this flexible use of sick days.

### Benefits Provided to State Employees

Authors assigned:

- ⌚ One point for each paid sick day, over seven, that a state provides to its own employees each year.<sup>26</sup> Iowa and West Virginia lead the nation, offering state employees 18 sick days a year. State employees in Colorado fare the worst, receiving only 10 paid sick days per year.
- ⌚ One point for each paid personal day that a state provides to its own employees, which can be used in addition to sick days to care for oneself or a sick family member. Nineteen states offer paid personal leave in addition to paid sick leave. Maryland offers the most personal leave – six days. State employees in Maryland are eligible for a total of 21 days of paid sick and personal leave each year. Following closely behind, employees in Connecticut, Iowa, Massachusetts, New Jersey, and West Virginia are eligible for 18 days of paid sick and/or personal days. The median length of combined sick and/or personal days is 14 days. The federal government falls below the state median as it provides federal employees with 13 days of sick leave and no personal leave.
- ⌚ Three points if the state allows state employees to use their sick leave to care for family members – two points if this benefit is only available to some state employees. Forty-eight states, the District of Columbia, and the federal government allow state employees to use their sick leave to care for family members. Louisiana is the only state that neither provides paid sick nor personal leave to care for sick family members. In Virginia employees hired prior to 1999 can use their sick leave for this purpose. Virginia employees hired since 1999 can only use their personal leave – and not their sick leave – to care for sick family members.
- ⌚ Five points if the state has a sick leave pool that allows state employees to apply for additional paid sick days in times of need – three points if this benefit is only available to some state employees. Eighteen states – as well as the District of Columbia and the federal government – have created sick leave pools that employees who have exhausted their paid leave can obtain additional leave. These pools are usually limited to catastrophic illness and/or when an employee has used all of his or her own leave. Arkansas, Connecticut, Delaware, Florida, Illinois, Louisiana, Maryland, Massachusetts,

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<sup>26</sup> Only Hawaii, Kentucky, Louisiana, Mississippi, Nebraska, Vermont, Virginia, the District of Columbia, and the federal government tie sick leave to years of service. As a result, the authors awarded points based on the first year of service.

Missouri, Montana, Nevada, Ohio, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, the District of Columbia, and the federal government have sick leave pools.

- ⌚ Five points if the state has a direct donation program that permits a state employee to donate unused sick or annual leave to a co-worker in need of additional sick days. Three points if this benefit is only available to some state employees. Twenty-two states either allow workers to donate additional paid leave to co-workers in need who have exhausted their sick leave or have a program to grant additional leave to workers who exhaust their leave. Alabama, Alaska, Arizona, California, Colorado, Delaware, Hawaii, Iowa, Kansas, Kentucky, Montana, Nebraska, New Jersey, New Mexico, New York, North Dakota, Oklahoma, Pennsylvania, Tennessee, Virginia, Washington, Wyoming, and the federal government have direct donation programs. Although they do not have direct donation programs, both Georgia and New Hampshire received points because these states have alternative programs that allow workers who exhaust their sick leave to receive additional paid leave. Georgia received three points for its program that grants workers additional paid leave on a case-by-case basis, and New Hampshire received five points for its supplemental sick leave plan.
- ⌚ Five points if the state makes short-term disability insurance available to state employees. Three points if this benefit is only available to some state employees. Twenty-nine states and the District of Columbia make short-term disability insurance available to state employees. Alabama, Alaska, Arizona, California, Colorado, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Massachusetts, Michigan, Minnesota, Montana, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Rhode Island, Texas, Utah, Virginia, West Virginia, Wisconsin, and the District of Columbia either provide or make short-term disability insurance available to their employees.

## STATE REPORT CARD

### A

No state provides enough benefits to merit a grade of "A".

### B+

California

### B

Hawaii

### B-

New Jersey      Rhode Island  
New York

### C+

Connecticut      Washington  
Minnesota

### C

Alaska      Massachusetts  
Delaware      Montana  
Illinois      Oklahoma  
Maryland      Wisconsin

### C-

Alabama      Iowa  
District of Columbia      New Mexico  
Federal Government      Ohio  
Georgia      West Virginia

### D+

Arizona      Texas  
Nebraska      Utah  
Tennessee      Virginia

### D

Colorado      New Hampshire  
Florida      Oregon  
Michigan      Pennsylvania  
Missouri      South Carolina  
Nevada      Vermont

### D-

Arkansas      Maine  
Idaho      North Carolina  
Indiana      North Dakota  
Kansas      South Dakota  
Kentucky      Wyoming

### F

Louisiana      Mississippi

**Chart: State-by-State Summary of Benefits (in alphabetical order)**

	State guarantees private sector workers access to paid leave	State provides private sector workers with paid leave to care for a sick family member	State provides private sector workers with paid leave for worker's short-term disability	State requires private employers to allow workers to use paid leave to care for family members	# of paid sick days provided to state employees <sup>1</sup>	# of paid personal days provided to state employees	State employees can use sick/personal leave to care for family members	State employees can access sick leave pool	State employees can take advantage of direct donation program	State employees offered short-term disability insurance
Alabama (C-)					13	1	☒		☒	☒
Alaska (C)					15		☒		☒	☒
Arizona (D+)					12		☒		☒	☒
Arkansas (D-)					12		☒	☒		
California (B+)		☒	☒	☒	12	1	☒		☒	☒
Colorado (D)					10		☒		☒	☒
Connecticut (C+)				☒	15	3	☒	☒		
Delaware (C)					15		☒	☒	☒	
Florida (D)					13		☒	☒ <sup>2</sup>		☒
Georgia (C-)					15		☒		☒ <sup>3</sup>	☒
Hawaii (B)			☒	☒	15 <sup>4</sup>		☒		☒	☒
Idaho (D-)					12		☒			☒
Illinois (C)					12	3	☒	☒		☒
Indiana (D-)					9	3	☒			☒
Iowa (C-)					18		☒		☒	
Kansas (D-)					12		☒		☒	
Kentucky (D-)					12		☒		☒	
Louisiana (F)					12			☒		

<sup>1</sup> Only Hawaii, Kentucky, Louisiana, Mississippi, Nebraska, Vermont, Virginia, the District of Columbia, and the federal government tie sick leave to years of service.

<sup>2</sup> Florida agencies can establish sick leave pools or other methods to provide additional sick leave to employees in need.

<sup>3</sup> Georgia provides additional leave on a case-by-case basis.

<sup>4</sup> 21 days if hired before 7/2/01.

	State guarantees private sector workers access to paid leave	State provides private sector workers with paid leave to care for a sick family member	State provides private sector workers with paid leave for worker's short-term disability	State requires private employers to allow workers to use paid leave to care for family members	# of paid sick days provided to state employees	# of paid personal days provided to state employees	State employees can use sick/personal leave to care for family members	State employees can access sick leave pool	State employees can take advantage of direct donation program	State employees offered short-term disability insurance
<b>Maine (D-)</b>					12	2	☒			
<b>Maryland (C)</b>					15	6	☒	☒		
<b>Massachusetts (C)</b>					15	3 <sup>5</sup>	☒	☒		☒
<b>Michigan (D)</b>					13	2	☒			☒
<b>Minnesota (C+)</b>				☒	13		☒			☒
<b>Mississippi (F)</b>					12 <sup>6</sup>		☒			
<b>Missouri (D)</b>					15		☒	☒		
<b>Montana (C)</b>					12		☒	☒	☒	☒
<b>Nebraska (D+)</b>					12		☒		☒	☒
<b>Nevada (D)</b>					15		☒	☒		
<b>New Hampshire (D)</b>					15		☒		☒ <sup>7</sup>	
<b>New Jersey (B-)</b>			☒		15	3	☒		☒	☒
<b>New Mexico (C-)</b>					12	1	☒		☒	☒
<b>New York (B-)</b>			☒		8 <sup>8</sup>	5	☒		☒	☒
<b>North Carolina (D-)</b>					12		☒			☒
<b>North Dakota (D-)</b>					12		☒		☒	
<b>Ohio (C-)</b>					10	4 <sup>9</sup>	☒	☒		☒
<b>Oklahoma (C)</b>					15		☒		☒	☒

<sup>5</sup> Massachusetts state police receive 5 days of personal leave as a result of a collective bargaining agreement.

<sup>6</sup> Sick leave accrual rate drops after 3 years: after 3 years state employees accrue 10.5 days/year; after 8 years employees accrue 9 days/year; after 15 years employees accrue 7.5 days/year.

<sup>7</sup> New Hampshire has a supplemental sick leave plan for workers who exhaust leave.

<sup>8</sup> Depending on bargaining units and the date of the employee's hire, New York provides 8, 10 or 13 days of sick leave to state employees.

<sup>9</sup> Depending on bargaining unit, Ohio provides 3-5 days of personal leave to state employees.

	State guarantees private sector workers access to paid leave	State provides private sector workers with paid leave to care for a sick family member	State provides private sector workers with paid leave for worker's short-term disability	State requires private employers to allow workers to use paid leave to care for family members	# of paid sick days provided to state employees	# of paid personal days provided to state employees	State employees can use sick/personal leave to care for family members	State employees have access to sick Leave pool	State employees can take advantage of direct donation program	State employees offered short-term disability insurance
<b>Oregon (D)</b>					12	2	☒			☒
<b>Pennsylvania (D)</b>					13	1 <sup>10</sup>	☒		☒	
<b>Rhode Island (B-)</b>			☒		13	4	☒	☒		☒
<b>South Carolina (D)</b>					15		☒	☒		
<b>South Dakota (D-)</b>					14		☒			
<b>Tennessee (D+)</b>					12		☒	☒	☒	
<b>Texas (D+)</b>					12		☒	☒		☒
<b>Utah (D+)</b>					13		☒	☒ <sup>11</sup>		☒
<b>Vermont (D)</b>					12	☒ <sup>12</sup>	☒	☒		
<b>Virginia (D+)</b>					8 <sup>13</sup>	4 <sup>14</sup>	☒ <sup>15</sup>		☒	☒
<b>Washington (C+)</b>				☒	12	1	☒		☒	
<b>West Virginia (C-)</b>					18		☒			☒
<b>Wisconsin (C)</b>					16.25	3.5	☒			☒
<b>Wyoming (D-)</b>					12		☒		☒	
<b>District of Columbia (C-)</b>					13		☒	☒		☒
<b>Federal Government (C-)</b>					13		☒	☒	☒	

<sup>10</sup> Pennsylvania state employees receive 1 personal day the 1<sup>st</sup> calendar year of employment, 2 personal days the 2<sup>nd</sup> calendar year, and 4 personal days each year thereafter.

<sup>11</sup> Utah state agencies can create sick leave pools for employees with catastrophic illness.

<sup>12</sup> Management employees only are entitled to 3 personal days.

<sup>13</sup> If hired after 1999, Virginia state employees receive 8-10 days of sick leave/year (varies by length of service). If hired prior to 1/1/1999, state employees receive 15 days/year.

<sup>14</sup> If hired after 1999, Virginia state employees receive 4-5 personal days/year (varies by length of service). Employees hired before 1/1/1999 receive no personal leave.

<sup>15</sup> Virginia state employees hired before 1999 can use their sick leave to care for family members. Employees hired after 1999 can only use their personal leave for this purpose.

**Chart: State-by-State Summary of Benefits (in rank order)**

	State guarantees private sector workers access to paid leave	State provides private sector workers with paid leave to care for a sick family member	State provides private sector workers with paid leave for worker's short-term disability	State requires private employers to allow workers to use paid leave to care for family members	# of paid sick days provided to state employees <sup>1</sup>	# of paid personal days provided to state employees	State employees can use sick/personal leave to care for family members	State employees can access sick leave pool	State employees can take advantage of direct donation program	State employees offered short-term disability insurance
California		☑	☑	☑	12	1	☑		☑	☑
Hawaii			☑	☑	15 <sup>2</sup>		☑		☑	☑
New Jersey			☑		15	3	☑		☑	☑
Rhode Island			☑		13	4	☑	☑		☑
New York			☑		10 <sup>3</sup>	5	☑		☑	☑
Connecticut				☑	15	3	☑	☑		
Minnesota				☑	13		☑			☑
Washington				☑	12	1	☑		☑	
Maryland					15	6	☑	☑		
Massachusetts					15	3 <sup>4</sup>	☑	☑		☑
Alaska					15		☑		☑	☑
Delaware					15		☑	☑	☑	
Illinois					12	3	☑	☑		☑
Montana					12		☑	☑	☑	☑
Oklahoma					15		☑		☑	☑
Wisconsin					16.25	3.5	☑			☑
Alabama					13	1	☑		☑	☑

<sup>1</sup> Only Hawaii, Kentucky, Louisiana, Mississippi, Nebraska, Vermont, Virginia, the District of Columbia, and the federal government tie sick leave to years of service.

<sup>2</sup> 21 days if hired before 7/2/01.

<sup>3</sup> Depending on bargaining units and the date of the employee's hire, New York provides 8, 10 or 13 days of sick leave to state employees.

<sup>4</sup> Massachusetts state police receive 5 days of personal leave as a result of a collective bargaining agreement.

	State guarantees private sector workers access to paid leave	State provides private sector workers with paid leave to care for a sick family member	State provides private sector workers with paid leave for worker's short-term disability	State requires private employers to allow workers to use paid leave to care for family members	# of paid sick days provided to state employees	# of paid personal days provided to state employees	State employees can use sick/personal leave to care for family members	State employees can access sick leave pool	State employees can take advantage of direct donation program	State employees offered short-term disability insurance
<b>Ohio</b>					10	4 <sup>5</sup>	☒	☒		☒
<b>Georgia</b>					15		☒		☒ <sup>6</sup>	☒
<b>Iowa</b>					18		☒		☒	
<b>New Mexico</b>					12	1	☒		☒	☒
<b>West Virginia</b>					18		☒			☒
<b>District of Columbia</b>					13		☒	☒		☒
<b>Federal Government</b>					13		☒	☒	☒	
<b>Arizona</b>					12		☒		☒	☒
<b>Nebraska</b>					12		☒		☒	☒
<b>Tennessee</b>					12		☒	☒	☒	
<b>Texas</b>					12		☒	☒		☒
<b>Virginia</b>					9 <sup>7</sup>	4 <sup>8</sup>	☒ <sup>9</sup>		☒	☒
<b>Utah</b>					13		☒	☒ <sup>10</sup>		☒
<b>Colorado</b>					10		☒		☒	☒
<b>Michigan</b>					13	2	☒			☒
<b>Missouri</b>					15		☒	☒		
<b>New Hampshire</b>					15		☒		☒ <sup>11</sup>	

<sup>5</sup> Depending on bargaining unit, Ohio provides 3-5 days of personal leave to state employees.

<sup>6</sup> Georgia provides additional leave on a case-by-case basis.

<sup>7</sup> If hired after 1999, Virginia state employees receive 8-10 days of sick leave/year (varies by length of service). If hired prior to 1/1/1999, state employees receive 15 days/year.

<sup>8</sup> If hired after 1999, Virginia state employees receive 4-5 personal days/year (varies by length of service). Employees hired before 1/1/1999 receive no personal leave.

<sup>9</sup> Virginia state employees hired before 1999 can use their sick leave to care for family members. Employees hired after 1999 can only use their personal leave for this purpose.

<sup>10</sup> Utah state agencies can create sick leave pools for employees with catastrophic illness.

<sup>11</sup> New Hampshire has a supplemental sick leave plan for workers who exhaust leave.

	State guarantees private sector workers access to paid leave	State provides private sector workers with paid leave to care for a sick family member	State provides private sector workers with paid leave for worker's short-term disability	State requires private employers to allow workers to use paid leave to care for family members	# of paid sick days provided to state employees	# of paid personal days provided to state employees	State employees can use sick/personal leave to care for family members	State employees have access to sick Leave pool	State employees can take advantage of direct donation program	State employees offered short-term disability insurance
Nevada					15		☒	☒		
Pennsylvania					13	1 <sup>12</sup>	☒		☒	
South Carolina					15		☒	☒		
Florida					13		☒	☒ <sup>13</sup>		☒
Oregon					12	2	☒			☒
Vermont					12	☒ <sup>14</sup>	☒	☒		
Arkansas					12		☒	☒		
Idaho					12		☒			☒
Indiana					9	3	☒			☒
Kansas					12		☒		☒	
Kentucky					12		☒		☒	
North Carolina					12		☒			☒
North Dakota					12		☒		☒	
Wyoming					12		☒		☒	
Maine					12	2	☒			
South Dakota					14		☒			
Louisiana					12			☒		
Mississippi					12 <sup>15</sup>		☒			

<sup>12</sup> Pennsylvania state employees receive 1 personal day the 1<sup>st</sup> calendar year of employment, 2 personal days the 2<sup>nd</sup> calendar year, and 4 personal days each year thereafter.

<sup>13</sup> Florida agencies can establish sick leave pools or other methods to provide additional sick leave to employees in need.

<sup>14</sup> Management employees only are entitled to 3 personal days.

<sup>15</sup> Sick leave accrual rate drops after 3 years: after 3 years state employees accrue 10.5 days/year; after 8 years employees accrue 9 days/year; after 15 years employees accrue 7.5 days/year.

## Detailed State by State Analysis

### ALABAMA (C-)

#### Private Sector Employees

Alabama has no laws governing access to or use of sick leave for private sector employees.

#### State Employees

Alabama provides 13 days of sick leave to state employees. Employees who do not live in one of two counties that consider Mardi Gras a holiday are also entitled to one personal day. Sick leave begins to accrue immediately and can be used immediately. State employees can accrue up to 150 days of sick leave. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers who are in an equal or higher pay grade. Alabama provides short-term disability insurance to state employees.

- 13 days of sick leave
- 1 personal day<sup>1</sup>
- Can use for family members
- Direct donation
- Short-term disability for state employees

### ALASKA (C)

#### Private Sector Employees

Alaska has no laws governing access to or use of sick leave for private sector employees.

#### State Employees

Alaska provides 15 days of sick leave to state employees except those who are in bargaining units that provide paid time off in lieu of paid sick, vacation, or personal days. Employees in bargaining units receive between 24 and 36 days of paid time off depending on their length of service in state government. Sick leave begins to accrue immediately and can be used immediately. There is no limit to how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers. Alaska provides short-term disability insurance to state employees as an optional benefit.

- 15 days of sick leave
- Can use for family members
- Direct donation
- Short-term disability for state employees

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<sup>1</sup> Except in counties where employees receive Mardi Gras as a holiday.

## **ARIZONA (D+)**

### Private Sector Employees

Arizona has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Arizona provides 12 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers. Arizona provides short-term disability insurance to state employees through a contribution plan.

- 12 days of sick leave
- Can use for family members
- Direct donation
- Short-term disability for state employees

## **ARKANSAS (D-)**

### Private Sector Employees

Arkansas has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Arkansas provides 12 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. State employees can accrue up to 120 days of sick leave. State employees can use their sick leave to care for family members. A sick leave pool is available for employees who exhaust all of their leave and continue to suffer from a catastrophic illness.

- 12 days of sick leave
- Can use for family members
- Sick leave pool

## CALIFORNIA (B+)

### Private Sector Employees

#### *Flexible Sick Leave*

California requires employers to allow employees to use some of their sick leave to care for a sick child, parent, spouse, or domestic partner. Employees have this flexibility with the number of days of sick leave that they would accrue in six months (at their current level of seniority).

#### *Short-Term Disability*

California enacted a short-term disability program in 1946. The program covers nearly all workers in the state and operates through a state-administered disability insurance fund. Employers have the option to provide their own self-insured plans, as long as the plans meet state requirements. The program is funded through employee payroll deductions although employers may elect to pay some or all of the amount that would be paid by the employee. Employees may use this program to replace a portion of their wages if they are unable to work because of a non-work related physical or mental condition, illness, or injury, including pregnancy, childbirth, or a related condition. The maximum benefit period is 52 weeks.

#### *Paid Family Leave*

In 2002, California adopted the first paid family leave insurance program in the nation. All employees covered by the state's short-term disability program are qualified to participate. The program provides partial wage replacement for up to six weeks of leave to care for an ill parent, child, spouse, or domestic partner, or to bond with a new baby. The program is funded through employee payroll deductions. Employees cannot receive benefits under the short-term disability program and this program at the same time.

### State Employees

California provides 12 days of sick leave and one day of personal leave to state employees. The sick leave begins to accrue immediately and can be used one month after it is earned. Some managers, supervisors, and bargaining units have the option of providing composite paid sick/vacation leave: 22.5 days after one year, 25.5 after ten years, 27 days after 15 years, and 28.5 days after 20 years. The maximum accumulation for those receiving composite paid leave is 80 days. There is no limit on how many sick days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers. California provides short-term disability insurance to state employees.

- 12 days of sick leave
- 1 personal day
- Can use for family members
- Direct donation
- Short-term disability for state employees

## COLORADO (D)

### Private Sector Employees

Colorado has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Colorado provides ten days (80 hours) of paid sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. State employees can accrue up to 45 days of sick leave. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers. Colorado provides short-term disability insurance to state employees.

- 10 days of sick leave
- Can use for family members
- Direct donation
- Short-term disability for state employees

## CONNECTICUT (C+)

### Private Sector Employees

#### *Flexible Sick Leave*

Employees who work for employers with more than 75 employees have the right to use up to two weeks of accumulated sick leave to care for child, spouse, or parent suffering from a serious health condition, or to care for a new baby.

### State Employees

Connecticut provides 15 days of sick leave and three days of personal leave to state employees. The sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Connecticut has a sick leave pool for workers who have exhausted all of their paid leave.

- 15 days of sick leave
- 3 personal days
- Can use for family members
- Sick leave pool

## **DELAWARE (C)**

### Private Sector Employees

Delaware has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Delaware provides 15 days of sick leave to state employees. The sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Delaware has a sick leave pool for employees suffering from catastrophic illness. In addition, an employee can receive direct donations of additional paid leave from co-workers.

- 15 days of sick leave
- Can use for family members
- Sick leave pool
- Direct donation

## **FLORIDA (D)**

### Private Sector Employees

Florida has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Florida provides 13 days of sick leave to state employees. The sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Individual agencies can create sick leave pools or other programs to provide additional sick leave to employees that exhaust their sick leave benefits. Florida provides short-term disability insurance to management and other selected employees.

- 13 days of sick leave
- Can use for family members
- Agencies can establish sick leave pools or other methods to provide additional sick leave to employees in need.
- Short term disability for some state employees

## **GEORGIA (C-)**

### Private Sector Employees

Georgia has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Georgia provides 15 days of sick leave to state employees. The sick leave begins to accrue after five days of employment and can be used immediately. State employees can accrue up to 90 days of sick leave. State employees can use their sick leave to care for family members. Additional leave may be requested and is granted on a case-by-case basis. Georgia has a program that makes short-term disability insurance available to employees at their own expense.

- 15 days of sick leave
- Can use for family members
- Additional leave on a case-by-case basis
- Short-term disability for state employees

## **HAWAII (B)**

### Private Sector Employees

#### *Flexible Sick Leave*

Employers of 100 or more employees must allow employees to use up to ten days of their accrued and available sick leave to care for a child, parent, spouse, or “reciprocal beneficiary” with a serious health condition.

#### *Short-Term Disability*

Hawaii enacted a short-term disability program in 1959. The program provides partial wage replacement for employees on leave for non-work related physical illnesses or injuries, including pregnancy and childbirth-related conditions. The program operates by requiring employers to purchase disability insurance, to self-insure, or to guarantee employees this benefit through a collective bargaining agreement. Employers can assume the full cost of the plan or impose some of the cost on employees, with a cap on the employee contribution. The maximum benefit period is 26 weeks.

### State Employees

Hawaii provides 15 days of sick leave to state employees hired on July 2, 2001 or later. After ten years of service these employees receive 21 days of sick leave a year. Employees hired before July 2, 2001 receive 21 days of sick leave each year. The sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers. Hawaii provides short-term disability insurance to state employees.

- 15 days of sick leave - hired 7/2/01 or later
- 21 days of sick leave - hired before 7/2/01
- Can use for family members
- Direct donation
- Short-term disability for state employees

## **IDAHO (D-)**

### Private Sector Employees

Idaho has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Idaho provides 12 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Idaho offers life insurance plus short and long-term disability insurance at a reduced cost to state employees.

- 12 days of sick leave
- Can use for family members
- Short-term disability for state employees

## **ILLINOIS (C)**

### Private Sector Employees

Illinois has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Illinois provides 12 days of sick leave and three days of personal leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Illinois has a sick leave pool for workers who have exhausted all of their paid leave. Short-term disability is funded as part of the state employee retirement system.

- 12 days of sick leave
- 3 personal days
- Can use for family members
- Sick leave pool
- Short-term disability for state employees

## **INDIANA (D-)**

### Private Sector Employees

Indiana has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Indiana provides nine days of sick leave and three days of personal leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Indiana provides short-term disability insurance to state employees.

- 9 days of sick leave
- 3 personal days
- Can use for family members
- Short-term disability for state employees

## **IOWA (C-)**

### Private Sector Employees

Iowa has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Iowa provides 18 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers.

- 18 days of sick leave
- Can use for family members
- Direct donation

## **KANSAS (D-)**

### Private Sector Employees

Kansas has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Kansas provides 12 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers.

- 12 days of sick leave
- Can use for family members
- Direct donation

## **KENTUCKY (D-)**

### Private Sector Employees

Kentucky has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Kentucky provides 12 days of sick leave to state employees. After ten years of employment with the state, employees receive 22 days of sick leave a year. After 20 years of employment with the state employees receive 32 days of sick leave a year. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers.

- 12 days of sick leave
- Can use for family members
- Direct donation

## **LOUISIANA (F)**

### Private Sector Employees

Louisiana has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Louisiana provides 12 days of sick leave to state employees. After five years of employment with the state, employees receive 18 days of sick leave a year. After ten years of employment with the state, employees receive 21 days of sick leave a year. After 15 years of employment with the state, employees receive 24 days of sick leave a year. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. Agencies can, subject to approval, create their own sick leave pools.

- 12 days of sick leave
- Sick leave pools in some agencies

## **MAINE (D-)**

### Private Sector Employees

Maine has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Maine provides 12 days of sick leave and two days of personal leave to state employees. Sick leave begins to accrue immediately and can be used immediately. State employees can accrue up to 120 days of sick leave. State employees can use their sick leave to care for family members.

- 12 days of sick leave
- 2 personal days
- Can use for family members

## **MARYLAND (C)**

### Private Sector Employees

Maryland has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Maryland provides 15 days of sick leave and six days of personal leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Maryland has a sick leave pool for workers who have exhausted all of their paid leave.

- 15 days of sick leave
- 6 personal days
- Can use for family members
- Sick leave pool

## **MASSACHUSETTS (C)**

### Private Sector Employees

Massachusetts has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Massachusetts provides 15 days of sick leave and three days of personal leave to state employees. State police receive five days of personal leave as a result of a collective bargaining agreement. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Massachusetts has a sick leave pool for workers who have exhausted all of their paid leave. Short-term disability insurance is available to state employees who are members of specific unions at the employee's expense.

- 15 days of sick leave
- 3 personal days (5 personal days for state police)
- Can use for family members
- Sick leave pool
- Short-term disability for some state employees

## **MICHIGAN (D)**

### Private Sector Employees

Michigan has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Michigan provides 13 days of sick leave and two days of personal leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Michigan provides short-term disability insurance to state employees through a contributory plan.

- 13 days of sick leave
- 2 personal days a year
- Can use for family members
- Short-term disability for state employees

## **MINNESOTA (C+)**

### Private Sector Employees

#### *Flexible Sick Leave*

Employers with 21 or more employees<sup>2</sup> must allow their employees to use paid sick leave to care for a sick or injured child “for such reasonable periods as the employee’s attendance with the child may be necessary.”

### State Employees

Minnesota provides 13 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Minnesota has a program that makes short-term disability insurance available to employees at their own expense.

- 13 days of sick leave
- Can use for family members
- Short-term disability for state employees

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<sup>2</sup> Employers with multiple worksites must have 21 employees in at least one of the worksites in order to be covered.

## **MISSISSIPPI (F)**

### Private Sector Employees

Mississippi has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Mississippi provides 12 days of sick leave per year to state employees who have worked for the state for three years or less. After three years employees accrue 10.5 days of sick leave a year. After eight years this drops to nine days a year, and after 15 years employees accrue 7.5 days of sick leave a year. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members.

- 12 days of sick leave
- Can use for family members

## **MISSOURI (D)**

### Private Sector Employees

Missouri has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Missouri provides 15 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Missouri has a sick leave pool for workers who have exhausted all of their paid leave.

- 15 days of sick leave
- Can use for a family member
- Sick leave pool

## **MONTANA (C)**

### Private Sector Employees

Montana has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Montana provides 12 days of sick leave to state employees. The sick leave begins to accrue immediately and can be used after three months. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Montana has a sick leave pool for workers who have exhausted their sick leave. Employees can receive direct donations of additional paid leave from co-workers. Short-term disability insurance is available to university system employees.

- 12 days of sick leave
- Can use for family members
- Sick leave pool
- Direct donation
- Short-term disability insurance for some state employees

## **NEBRASKA (D+)**

### Private Sector Employees

Nebraska has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Nebraska provides 12 days of sick leave to state employees. Employees who have worked for the state for six to 15 years receive 14 days of sick leave a year. After 16 years of service employees accrue 18 days of sick leave a year. The sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers. Nebraska has a program that makes short-term disability insurance available to employees at their own expense.

- 12 days of sick leave
- Can use for family members
- Direct donation
- Short-term disability for state employees

## NEVADA (D)

### Private Sector Employees

Nevada has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Nevada provides 15 days of sick leave to state employees. The sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Nevada provides a sick leave pool for employees that have exhausted their sick leave.

- 15 days of sick leave
- Can use for family illness
- Sick leave pool

## NEW HAMPSHIRE (D)

### Private Sector Employees

New Hampshire has no laws governing access to or use of sick leave for private sector employees.

### State Employees

New Hampshire provides 15 days of sick leave to state employees. The sick leave begins to accrue after six months of service, and employees can use their sick leave only after six months of service. State employees can accrue up to 120 days of sick leave. State employees can use their sick leave to care for family members. New Hampshire has a supplemental sick leave plan for workers who exhaust all of their sick leave.

- 15 days of sick leave
- Can use for family members
- Supplemental sick leave plan

## **NEW JERSEY (B-)**

### Private Sector Employees

#### *Short-Term Disability*

New Jersey enacted a short-term disability program in 1948. The program provides partial wage replacement for most employees on leave because of a non-work related accident or sickness, including pregnancy and childbirth-related disability. Eligible employees are enrolled in the state-administered Temporary Disability Insurance (TDI) plan or are enrolled by their employer in a self-insured plan that is at least equal to the provisions of the state plan. The plan is funded by contributions from both employers and employees. The maximum benefit period is 26 weeks.

### State Employees

New Jersey provides 15 days of sick leave and three days of personal leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers to care for themselves or a sick family member. New Jersey provides short-term disability insurance to state employees.

- 15 days of sick leave
- 3 personal days
- Can use for family members
- Direct donation
- Short-term disability for state employees

## **NEW MEXICO (C-)**

### Private Sector Employees

New Mexico has no laws governing access to or use of sick leave for private sector employees.

### State Employees

New Mexico provides 12 days of sick leave and one day of personal leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers. New Mexico provides short-term disability insurance to state employees.

- 12 days of sick leave
- 1 personal day
- Can use for family members
- Direct donation
- Short-term disability for state employees

## **NEW YORK (B-)**

### Private Sector Employees

#### *Short-Term Disability*

New York enacted its short-term disability program in 1949. The program provides partial wage replacement for employees needing to take leave due to injury or sickness not arising out of work, including pregnancy and childbirth-related disability. The program operates by requiring employers to purchase a disability insurance plan or provide a self-insured plan that meets minimum state requirements. Employees must contribute to the cost of the plan, but the share from the employee is capped and the employer must pay the remaining costs. The maximum benefit period is 26 weeks.

### State Employees

New York provides eight, ten, or 13 days of sick leave and five personal days to state employees depending on bargaining units and the date of the employee's hire. Sick leave begins to accrue immediately and can be used immediately. Employees can accrue 200 days or 1,500 hours of sick leave, depending on the employee's bargaining unit. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers. Most state employees rely on their sick leave policies for short-term disability protection.

- 8, 10, or 13 days of sick leave, depending on bargaining unit and date of hire
- 5 personal days
- Can use for family members
- Direct donation
- Short-term disability for some state employees

## **NORTH CAROLINA (D-)**

### Private Sector Employees

North Carolina has no laws governing access to or use of sick leave for private sector employees.

### State Employees

North Carolina provides 12 days of sick leave per year to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. North Carolina provides short-term disability insurance to state employees.

- 12 days of sick leave
- Can use for family members
- Short-term disability for state employees

## **NORTH DAKOTA (D-)**

### Private Sector Employees

North Dakota has no laws governing access to or use of sick leave for private sector employees.

### State Employees

North Dakota provides 12 days of sick leave per year to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers.

- 12 days of sick leave
- Can use for family members
- Direct donation

## **OHIO (C-)**

### Private Sector Employees

Ohio has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Ohio provides ten days of sick leave and three to five days of personal leave, depending on bargaining unit, to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Ohio has a sick leave pool for workers who have exhausted all of their paid leave. Short-term disability is made available as part of the state's long-term disability program.

- 10 days of sick leave
- 3-5 personal days depending on bargaining unit
- Can use for family members
- Sick leave pool
- Short-term disability for state employees

## **OKLAHOMA (C)**

### Private Sector Employees

Oklahoma has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Oklahoma provides 15 days of sick leave per year to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers. Short-term disability is provided as an optional benefit.

- 15 days of sick leave
- Can use for family members
- Direct donation
- Short-term disability for state employees

## **OREGON (D)**

### Private Sector Employees

Oregon has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Oregon provides 12 days of sick leave and two personal days per year to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Oregon has a program that makes short-term disability insurance available to employees at their own expense.

- 12 days of sick leave
- 2 personal days
- Can use for family members
- Short-term disability for state employees

## **PENNSYLVANIA (D)**

### Private Sector Employees

Pennsylvania has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Pennsylvania provides 13 days of sick leave per year to state employees. Employees receive one personal day the first calendar year of employment, 2 personal days the second calendar year, and four personal days each year thereafter. Some corrections officers have paid time off rather than sick, annual, or personal leave. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers.

- 13 days of sick leave (corrections officers have paid time off )
- 1 personal day first calendar year, 2 days second calendar year, 4 personal days thereafter
- Can use for family members
- Direct donation

## **RHODE ISLAND (B-)**

### Private Sector Employees

#### *Short-Term Disability*

Rhode Island established its short-term disability program in 1942. The program covers nearly all workers in the state, and operates through a state-administered disability insurance plan. Employees may use this program for partial wage replacement if they are unable to work because of a non-work related physical or mental condition, illness, or injury, including pregnancy or a childbirth-related condition. The program is funded through employee payroll deductions. The maximum benefit period is 30 weeks.

### State Employees

Rhode Island provides 104 hours (13 days) of sick leave and four days of personal leave to state employees. Sick leave begins to accrue immediately and can be used immediately. Employees can accrue up to 125 days of sick leave. State employees can use their sick leave to care for family members. Rhode Island has a sick leave pool for workers who have exhausted all of their paid leave. Rhode Island provides short-term disability for state employees.

- 13 days of sick leave (104 hours)
- 4 personal days
- Can use for family members
- Sick leave pool
- Short-term disability for state employees

## **SOUTH CAROLINA (D)**

### Private Sector Employees

South Carolina has no laws governing access to or use of sick leave for private sector employees.

### State Employees

South Carolina provides 15 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. Employees can accrue up to 195 days of sick leave. State employees can use their sick leave to care for family members. South Carolina has a sick leave pool for workers who have exhausted all of their paid leave.

- 15 days of sick leave
- Can use for family members
- Sick leave pool

## **SOUTH DAKOTA (D-)**

### Private Sector Employees

South Dakota has no laws governing access to or use of sick leave for private sector employees.

### State Employees

South Dakota provides 14 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members.

- 14 days of sick leave
- Can use for family members

## TENNESSEE (D+)

### Private Sector Employees

Tennessee has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Tennessee provides 12 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Tennessee has a sick leave pool for employees suffering from catastrophic illness. In addition, an employee can receive direct donations of additional paid leave from co-workers if they have used up their allotment from the sick leave pool.

- 12 days of sick leave
- Can use for family members
- Sick leave pool
- Direct donation

## TEXAS (D+)

### Private Sector Employees

Texas has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Texas provides 12 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Texas has a sick leave pool for employees suffering from catastrophic illness. Texas has a program that makes short-term disability insurance available to employees at their own expense.

- 12 days of sick leave
- Can use for family members
- Sick leave pool
- Short-term disability for state employees

## **UTAH (D+)**

### Private Sector Employees

Utah has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Utah provides 13 days of sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Utah agencies can create sick leave pools for employees suffering from catastrophic illness. Utah has a program that makes short-term disability insurance available to employees at their own expense.

- 13 days of sick leave
- Can use for family members
- Sick leave pools at agency discretion
- Short-term disability for state employees

## **VERMONT (D)**

### Private Sector Employees

Vermont has no laws governing access to or use of sick leave for private sector employees.

### State Employees

New employees are advanced six days of sick leave. After that employees receive 12 days of sick leave for the first five years. After ten years of service employees receive 15 days of sick leave a year. After 15 years of service employees receive 18 days of sick leave a year. And, after 20 years employees receive 21 days of sick leave a year. Management employees are also entitled to three days of personal leave; after five years management employees are entitled to four days of personal leave, and after ten years they receive five days of personal leave. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Vermont has a sick leave pool for employees suffering from catastrophic illness.

- 12 days of sick leave
- 3 days of personal leave for management employees
- Can use for family members
- Sick leave pool

## **VIRGINIA (D+)**

### Private Sector Employees

Virginia has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Virginia provides 15 days of sick leave to employees hired prior to 1999; employees hired after 1999 receive eight to ten days of sick leave and four to five days of personal leave based on length of service. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees hired before 1999 can use their sick leave for family members. Employees hired after 1999 can only use their personal leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers. Short-term disability is provided to employees hired after January 1, 1999 and to others who opt into the program.

- 8-10 days of sick leave – hired 1/1/1999 or later (varies by length of service)
- 15 days of sick leave – hired before 1/1/1999
- 4-5 personal days – hired after 1/1/1999 (those hired before 1999 receive no personal leave)
- Can use sick leave for family members if hired before 1/1/1999; can use only personal leave for family members if hired after 1999
- Direct donation
- Short-term disability for state employees hired after 1/1/1999 and for others who opt into the program

## WASHINGTON (C+)

### Private Sector Employees

#### *Flexible Sick Leave*

Employers must allow employees to use their paid sick leave or paid time off to care for a child with a health condition that needs treatment or supervision, or to care for a spouse, parent, parent-in-law, or grandparent with a serious health condition or an emergency condition.

### State Employees

Washington provides 12 days of paid sick leave and one day of personal leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers.

- 12 days of sick leave
- 1 personal day
- Can use for family members
- Direct donation

## WEST VIRGINIA (C-)

### Private Sector Employees

West Virginia has no laws governing access to or use of sick leave for private sector employees.

### State Employees

West Virginia provides 18 days of paid sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Short-term disability is provided as a benefit option under a flexible benefits plan to state employees.

- 18 days of sick leave
- Can use for family members
- Short-term disability for state employees

## **WISCONSIN (C)**

### Private Sector Employees

Wisconsin has no laws governing access to or use of sick leave for private sector employees. The federal Family and Medical Leave law permits employees to elect and allows employers to require the use of accrued paid vacation, personal or family leave while an employee is on family leave and the use of sick, vacation, personal or medical leave while an employee is on medical leave. However, Wisconsin's statute allows employees to substitute any type of paid leave for unpaid leave if they are eligible under Wisconsin's Family and Medical Leave Act, and does not permit employers to require such substitution.

### State Employees

Wisconsin provides 16.25 days of paid sick leave and 3.5 days of personal leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. Short-term disability is provided as an optional benefit to state employees.

- 16.25 days of sick leave
- 3.5 personal days
- Can use for family members
- Short-term disability for state employees

## **WYOMING (D-)**

### Private Sector Employees

Wyoming has no laws governing access to or use of sick leave for private sector employees.

### State Employees

Wyoming provides 12 days of paid sick leave to state employees. Sick leave begins to accrue immediately and can be used immediately. There is no limit on how many sick leave days an employee can accrue. State employees can use their sick leave to care for family members. An employee can receive direct donations of additional paid leave from co-workers.

- 12 days of sick leave
- Can use for family members
- Direct donation

## **DISTRICT OF COLUMBIA (C-)**

### Private Sector Employees

The District of Columbia has no laws governing access to or use of sick leave for private sector employees.

### City Employees

The District of Columbia provides 13 days of sick leave to employees during their first three years of service. Executive service employees receive 26 days of paid time off rather than sick, annual, and/or personal leave. Leave begins to accrue immediately and can be used immediately. There is no limit on the amount of sick leave city employees can accrue. District employees can use their sick leave to care for family members. Washington D.C. has a sick leave pool for district workers who have exhausted all of their paid leave. Short-term disability is provided as an optional benefit to district employees.

- 13 days of sick leave
- Can use for family members
- Sick leave pool
- Short-term disability for district employees

## **FEDERAL GOVERNMENT (C-)**

### Private Sector Employees

There are no federal laws governing access to or use of sick leave for private sector employees.

### Federal Employees

Federal government employees receive 13 days of sick leave during their first three years of service. The leave begins to accrue and can be used immediately. Federal employees can use their sick leave to care for family members. The federal government allows workers to donate additional leave to co-workers in need and also has a sick leave pool.

- 13 days of sick leave
- Can use for family members
- Direct donation
- Sick leave pool



## **Disclaimer**

While text, citations, and data for this report were, to the best of the authors' knowledge, current as *Get Well Soon: Americans Can't Afford to Be Sick* was prepared, there may be subsequent developments, including recent legislative actions, which could alter the information provided herein. This report does not constitute legal advice; individuals and organizations considering legal action should consult with their own counsel before deciding on a course of action.