



## NOTICE REGARDING SICK LEAVE FOR PRIVATE EMPLOYEES

The Ordinance entitled “Sick Leave for Private Employees” was enacted by the City of Paterson Municipal Council in 2014, and went into effect on January 9, 2015. Giving workers time off to care for their own health and that of family members helps ensure a healthier and more productive workforce.

WHO IS ELIGIBLE AND WHEN AND HOW TIME CAN BE USED?

- An employee who works in the City of Paterson for more than eighty (80) hours in a year must be provided with paid sick time by his or her employer. See Paterson Code §§ 412-2, 412-4
- An employee can use earned sick time starting on the 90<sup>th</sup> calendar day of his or her employment. See Paterson Code § 412-4.
- Employees may take sick time for any of the following reasons:
  - Medical diagnosis, treatment, care or preventative care of employee or family member for mental or physical illness, injury, or health condition. See Paterson Code § 412-5.
  - Various instances of closure or quarantine by Public Health Authorities, as described in detail in Paterson Code § 412-5.

HOW IS TIME ACCRUED AND HOW MUCH CAN BE USED IN A YEAR?

- Sick leave is accrued based on the employer’s calendar year. See Paterson Code § 412-2.
- An employee begins to accrue paid sick time on the effective date of the Ordinance (January 9, 2015) or on his or her first day of employment, whichever is later. See Paterson Code § 412-4.

**Exception:** If you are covered by a collective bargaining agreement that is in effect on the effective date of the Ordinance (January 9, 2015), you begin to accrue paid sick time under this law beginning on the date that the agreement ends, unless the collective bargaining agreement expressly and clearly waives the protections of the Paid Sick Time Law, in which case all or any portion of this law will not apply to you. See Paterson Code § 412-3.

- Amount of Paid Sick Time and Rate of Accrual:

If your employer has . . .	You Accrue	Not to Exceed
10 or more employees	1 hour of paid sick time for every 30 hours worked	40 hours a year
Fewer than 10 employees	1 hour of paid sick time for every 30 hours worked	24 hours a year
<b>Exception:</b> Regardless of the number of people employed by your employer, if you are a child care worker, home health care worker, or food service worker	1 hour of paid sick time for every 30 hours worked	40 hours a year

See Paterson Code § 412-4.

- Up to 40 hours of unused paid sick time can be carried over to the next calendar year. Your employer is only required to let you use up to 40 hours of paid sick time per calendar year. However, if your employer has fewer than 10 employees, they are not required to provide more than 24 hours of paid sick time in a calendar year (with the exception of child, home health care, and food service workers). See Paterson Code § 412-4.

WHAT NOTICE IS REQUIRED?

- All employers must give a written notice to each new employee regarding their rights under the Ordinance, as soon as practicable if the employee is already employed at the effective date of this law. Such a notice must describe the employees’ rights under the paid sick time ordinance. See Paterson Code § 412-7.
- If the need is foreseeable, your employer can require up to seven days advance notice of your intention to use paid sick time. If the need is not foreseeable, your employer may require you to give notice before the beginning of your work shift or work day, or as soon as practicable in an emergency where advanced notice is not possible. See Paterson Code § 412-5.
- If you use three or more consecutive workdays for instances of paid sick time, your employer can require reasonable documentation (signed by a health care professional) that the time has been used for acceptable purpose. Such documentation may not be required to explain the nature of the illness. See Paterson Code § 412-5.

**(Please refer back to the Ordinance for additional information on any of the above sections, which can be found on the City’s website at [www.patersonnj.gov](http://www.patersonnj.gov) )**