

KNOW YOUR RIGHTS: Washington, D.C. Paid Sick Time

1) What does the Washington, D.C. Paid Sick Time law do?

Washington, D.C.'s permanent paid sick time law gives workers sick time that can be used to recover from physical/mental illness or injury; to seek medical diagnosis, treatment, or preventative care; to care for a family member who is ill or needs medical diagnosis, treatment, or preventative care; or to address needs that may arise if the worker or a family member is a victim of domestic violence, sexual abuse, or stalking.

Additionally, pursuant to the COVID-19 Vaccination Leave Emergency Amendment Act of 2021, covered workers have the right to paid time off to receive and recover from the COVID-19 vaccine and to help children receive and recover from the vaccine. Booster shots are also covered. This law is effective beginning November 18, 2021 and will remain in effect until May 4, 2022.

Between April 10, 2020 and February 4, 2022, certain workers may have had additional sick time rights in relation to COVID-19 under a now expired measure. For more information, see [here](#).

2) Am I covered?

Under Washington, D.C.'s permanent paid sick time law: if you work as an employee in Washington, D.C., you are probably covered, whether you are a **full-time, part-time, or temporary** worker. However, the law does not cover federal employees, independent contractors, students, health care workers choosing to participate in a premium pay program, casual babysitters, and a few other narrow groups.

Under the COVID-19 vaccination leave law: if you are covered under the permanent paid sick time law, you are probably covered under the vaccination leave law. However, the law does not cover workers noted as being not covered by the permanent sick time law, employees of the District of Columbia, or employees of certain public charter schools.

3) How much paid sick time can I earn under Washington, D.C.'s permanent paid sick time law and receive under the COVID-19 vaccination leave law?

Under Washington, D.C.'s permanent paid sick time law:

- If your workplace has **24 or fewer workers**, you earn **1 hour** of paid sick time for **every 87 hours worked**, up to a maximum of **3 days** per year.
- If your workplace has **25-99 workers**, or if you work in a restaurant or bar and regularly receive tips to supplement a base wage that is below the minimum wage, you earn **1 hour** of paid sick time for **every 43 hours worked**, up to a maximum of **5 days** per year.
- If your workplace has **100 or more workers**, you earn **1 hour** of paid sick time for **every 37 hours worked**, up to a maximum of **7 days** per year.

A "day" is considered the length of your customary work day or shift.

Under the COVID-19 vaccination leave law: unlike paid sick time under Washington, D.C.’s permanent paid sick time law, workers do not have to earn—based on hours worked—COVID-19 vaccination leave. Workers can take up to 2 hours of vaccination leave per vaccine injection to receive the vaccine and to help a child receive the vaccine, and up to 8 hours of vaccination leave per injection to recover from related side effects and to care for a child recovering from related side effects. However, total vaccination leave cannot exceed 48 hours of leave in a year.

4) What if my work or my child’s school or daycare is closed for a health emergency?

You cannot use your sick time under Washington, D.C.’s permanent paid sick time law or the vaccination leave law because your work or your child’s school or day care is closed unless you would otherwise be able to use your sick time (for example, if you are sick or caring for a sick family member).

5) Which of my family members are covered by the law?

Under Washington, D.C.’s permanent paid sick time law: you can take sick time to care for yourself or a child, spouse, registered domestic partner, parent, parent of a spouse or registered domestic partner, grandchild, sibling, spouse or registered domestic partner of a child, grandchild, or sibling, or for a person with whom you have a committed relationship and have shared a mutual residence for at least the preceding 12 months.

Under the COVID-19 vaccination leave law: you can take vaccination leave to help your child receive the vaccine and recover from relate side effects. Under this law, a “child” is a child under the age of 18 who lives with you and for whom you permanently assume and discharge parental responsibility, or a foster child under the age of 18.

6) What if I already have paid leave or paid time off?

Under Washington, D.C.’s permanent paid sick time law: if you already get any paid leave (vacation, paid time off, etc.) that you can use as sick time **and** it’s **at least** the same amount you would earn under this law, the law does **not** give you any additional paid time off.

Under the COVID-19 vaccination leave law: depending on your employer’s policies, if you already get paid COVID-19 vaccination and recovery leave that can be used for the purposes covered under the vaccination leave law, your paid vaccination leave does not reduce your other available paid leave, **and** it’s **at least** the same amount you would receive under this law, you may not be entitled to additional paid vaccination leave.

7) When can I begin using my sick time?

Under Washington, D.C.’s permanent paid sick time law: you start earning sick time immediately but cannot use it until 90 days after the start of your employment.

Under the COVID-19 vaccination leave law: you may take vaccination leave 15 days after the start of your employment.



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8) Do I need a doctor's note?

Under Washington, D.C.'s permanent paid sick time law: only after 3 or more consecutive days of absence (and the note does not have to specify your illness).

Under the COVID-19 vaccination leave law: your employer may request reasonable documentation, such as a vaccination record or other documentation with the date and time of the vaccine injection.

The Washington, D.C. Department of Employment Services is in charge of enforcing the permanent paid sick time law and the Mayor is in charge of enforcing the COVID-19 vaccination leave law.

All covered workers are protected against being fired or punished for using or requesting sick or safe time or vaccination leave. If you have a problem—or want more information—call A Better Balance's **free** legal clinic at **1-833-NEED-ABB**.

Please note that this fact sheet does not represent an exhaustive overview of the laws described, and it does not constitute legal advice. It is possible that additional provisions not described in this fact sheet may apply to a worker's specific circumstances or category of employment.