

Business Policy Compliance Checklist for Healthy Workplaces Act

Use the list below to ensure your current and future policies comply with the Healthy Workplaces Act.

- Includes all types of workers (e.g., part-time, exempt, seasonal, and temporary workers).
- Applies to all relevant types of family members and properly defines “domestic partner.”
- Defines the accrual rate, when employees accrue the leave, and the carryover policy.
- States employees will begin to accrue and can immediately use accrued sick leave upon hire.
- States how the employer determines the “one year” time period (e.g., calendar year, fiscal year).
- Clarifies employee obligations to notify employer of anticipated and unanticipated absences.
- States when employees do and do not need to provide documentation, what are acceptable forms of documentation, and what the documentation should say or show.
- Does not require employees to find a replacement worker as a condition of being permitted to use leave.
- Does not require use of other PTO before using sick leave.
- Informs employees of the way(s) they should request leave, noting that it can be oral or written.
- Specifies the minimum increment for leave use, which should be the smallest increment the payroll system uses to account for other types of absences.
- Lists all reasons and permissible purposes for which employees can use paid sick leave.
- States policy on payout of accrued but unused leave upon separation, and that leave is reinstated if the employee is re-hired within twelve months of separation.
- States leave is retained upon transfer or succession of company ownership/operation.
- Outlines policy on confidentiality as it relates to sick leave.
- Does not conflict with a relevant Collective Bargaining Agreement (CBA) and states that the Act does not override the terms of a valid CBA.
- Clarifies that employee benefits and protections under the Act are not waivable.

DISCLAIMER: *The information in this document does not, and is not intended to, constitute legal advice; all information contained herein is only for informational purposes. This information may not constitute the most up-to-date legal or other information. Individuals wanting legal advice about the Healthy Workplaces Act should consult a qualified attorney.*