

CITY OF DETROIT

EARNED SICK TIME ACT (ESTA) POLICY



1. Purpose

- 1.1 This policy outlines the City of Detroit’s compliance with Michigan’s Earned Sick Time Act (ESTA), effective February 21, 2025. It ensures eligible employees use accrued Paid Sick leave for qualifying reasons without fear of discipline or retaliation. This policy clarifies usage, protection, and the relationship between ESTA and existing City benefits.

2. Scope

- 2.1 This policy applies to all eligible City of Detroit employees, including full-time and part-time employees, as defined under the Michigan Earned Sick Time Act (ESTA).
- 2.2 This policy does not apply to:
 - a. Independent contractors
 - b. Volunteers
 - c. Unpaid interns
 - d. Employees who are solely compensated by task, service, or meeting such as crossing guards, board members, etc.
 - e. Employees hired under the Michigan Youth Employment Standards Act (YESA), MCL 409.101

3. ESTA and Collective Bargaining Agreements

- 3.1 Employees currently covered by current collective bargaining agreements (CBA) that contain sick leave provisions are exempt from ESTA and shall be governed by the terms of their contract. Upon expiration, all provisions of ESTA apply, and this policy shall be incorporated into all future CBA’s.
- 3.2 Attached to this policy, as **Appendix A**, is the complete list of unions that have either adopted ESTA requirements in their respective collective bargaining agreements, or unions that have expired contracts which make them subject to ESTA, by law.

4. Accrual of Paid Sick Leave

- 4.1 **Full-time City employees** currently earn Paid Sick time¹ in greater increments than ESTA requires. No additions or changes will be made to how Paid Sick time is accrued.
- 4.2 **Part-time City employees**, including those who previously did not accrue sick time, will now earn Paid Sick time pursuant to ESTA as follows: Accrue (1) hour of Paid Sick time for every (30) hours worked on a cumulative basis,² capped at (24) hours from February 21, 2025 - through June 30, 2025. Beginning July 1, 2025, the accrual and use of ESTA Paid Sick Time will be capped at (72) work hours per fiscal year.

5. ESTA Cap

- 5.1 The maximum pro-rated amount of Paid Sick time that can be used for an ESTA qualifying reason between February 21, 2025 through June 30, 2025, is capped at (24) work hours.
- 5.2 Every fiscal year thereafter (July 1st – June 30th), the maximum amount of Paid Sick time that can be used for an ESTA qualifying reason is capped at (72) work hours.
- 5.3 Any Paid Sick time that is not used in the prior fiscal year will carry over to the next fiscal year and can be used up to 72-hours each year for ESTA purposes.

6. Paid Sick Leave Usage

- 6.1 Employees may begin using accrued Paid Sick time for ESTA-related reasons on February 21, 2025, or (90) calendar days after the date of hire; whichever is greater.
- 6.2 Paid Sick Time shall be used in 4-hour or 8-hour increments, consistent with City payroll practices for the use of sick time.
- 6.3 Employees may use earned Paid Sick time for any of the following reasons:
- a. The employee's or the employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee's mental or physical illness, injury, or health condition; or preventative medical care for the employee.

¹ This includes SICK, Casual Leave Days (CLD), Sickness & Accident, and any other kinds of time (KOT) employees are permitted to use for sick time.

² Part-time employees will generate Paid Sick time that will increase by (1) hour for every (30) hours worked and carry over every July 1st.

- b. If the employee or the employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- c. For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child.
- d. For closure of the employee's place of business by order of a public official due to a public health emergency; for an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to a communicable disease.

7. Definition of Family Member

- 7.1 For purposes of ESTA, a "family member" includes:
- a. A child (biological, adopted, foster, step, legal ward, or for whom the employee stands in loco parentis);
 - b. A parent, stepparent, foster/adoptive parent, or legal guardian of the employee or their spouse/domestic partner;
 - c. A spouse or domestic partner;
 - d. A grandparent, grandchild, or sibling (biological, foster, or adopted);
 - e. An individual whose relationship to the employee is the equivalent of a family relationship.

8. Call-In Procedures & Notice Requirements

- 8.1 Employees must provide notice in accordance with the following:
- a. **Foreseeable leave:** At least seven (7) calendar days' notice, or as early as practicable.
 - b. **Unforeseeable leave:** Notification must occur at least two (2) hours before the scheduled shift, following normal departmental call-in procedures.

9. Documentation Requirements

- 9.1 Documentation is required when the employee is absent for more than three (3) consecutive workdays³.
- 9.2 When documentation is required for ESTA protection, it must be submitted immediately, but no later than fifteen (15) calendar days from the first day of leave.
- 9.3 If documentation is not received by the end of the pay period, compensation may be delayed until the following pay cycle.
- 9.4 All documentation will be treated as confidential in accordance with applicable law.
- 9.5 Acceptable documentation includes:
 - a. A provider's note confirming the need for leave (no diagnosis is required);
 - b. For domestic violence-related leave, a police report, court order, or written statement from a victim services organization.

10. Concurrent Leave

- 10.1 If an employee's use of ESTA-protected leave also qualifies under the Family and Medical Leave Act (FMLA), Americans with Disabilities Act (ADA), or any other applicable federal or state law, the leaves shall run concurrently.

11. Reinstatement of Leave

- 11.1 If an employee separates from the City and is rehired within two (2) months, any previously accrued and unused ESTA-covered Paid Sick time shall be reinstated.

³ NOTE: If documentation is required, the City Department must reimburse the employee for the cost to obtain the documentation. The employee must request reimbursement when the document is submitted or waive their right to reimbursement.

12. Supervisory Review

12.1 Supervisors must verify the following before considering any corrective action:

The time used is for an ESTA-covered purpose;

- The time is designated as paid time off, and
- The usage does not exceed the applicable fiscal year 72-hour cap.

13. Supervisor Reference Guide

The following quick reference should be used by supervisors:

- ✓ Paid Sick time for an ESTA qualifying reason (up to 24 hours until June 30, 2025, or up to 72 hours every June 30th) = **Protected**
- ✗ Paid Sick time taken for a non-ESTA qualifying reason = **Not Protected**
- ✗ Unpaid time/non-Paid Sick time for any reason, including ESTA = **Not protected**
- ✗ Paid Sick time taken beyond the 72-hour cap in a fiscal year = **Not Protected**
- ✓ Confirm the leave reason, whether the time code is paid or unpaid, and annual remaining ESTA balance¹ before taking action

14. Training and Communication

- 14.1 Supervisors and managers will be trained to ensure consistent application.
- 14.2 Policy updates will be communicated through the City's UKG system and official employee communications.
- 14.3 Legal notifications will be posted electronically on the UKG landing page, throughout legal posting work locations.

15. ESTA Protection & Prohibited Retaliation

- 15.1 Employees who use Paid Sick time for ESTA eligible reasons, up to the annual 72-hour limit, are protected from corrective action.
- 15.2 Retaliation against any employee who requests or uses ESTA leave is strictly prohibited.

- 15.3 Prohibited conduct includes but is not limited to denial of benefits, reduction in hours, adverse schedule changes, demotion, or termination in connection with ESTA use.

16. Additional Questions & Future Communications

- 16.1 Questions regarding ESTA should be directed to the HR Office of Policy or your Employee Services Consultant or Manager.
- 16.2 Questions can also be submitted here:
<https://app.smartsheet.com/b/form/ae2846bbcfdc480c8209b16a2498924f>

EARNED SICK TIME ACT (ESTA) POLICY

Frequently Asked Questions (FAQs)

Employee FAQ – Earned Sick Time Act (ESTA)

What is the Earned Sick Time Act (ESTA)?

ESTA is a Michigan law that allows eligible employees to use accrued paid sick time for qualifying personal or family health needs, public health emergencies, and certain legal or safety-related reasons.

Who is covered under ESTA?

Most City of Detroit full-time and part-time employees are covered. Exceptions include: Independent contractors, Volunteers, Unpaid interns, Task-based employees (e.g., crossing guards, board members), and employees who require a work permit under the Michigan Youth Employment Standards Act (YESA).

Do full-time employees receive additional leave under ESTA?

No. Full-time employees already receive paid leave that exceeds ESTA requirements. ESTA protections apply to how paid time off can be used—not additional time off.

How does ESTA affect part-time employees?

Part-time employees will now accrue 1 hour of paid sick time for every 30 hours worked, up to: 24 hours between Feb 21 - June 30, 2025; 72 hours per fiscal year starting July 1, 2025.

When can I start using ESTA-protected leave?

Employees may use accrued ESTA leave beginning Feb 21, 2025, or 90 calendar days after hire, whichever is later.

What are the approved reasons to use ESTA leave?

You may use ESTA-paid sick time for: personal/family illness or preventative care; domestic violence/sexual assault-related services; school meetings related to a child's health or abuse; or during public health emergencies.

Who qualifies as a "family member"?

Family includes children, parents, spouses/domestic partners, siblings, grandparents, grandchildren, or others with a family-equivalent relationship.

How do I request ESTA leave?

If foreseeable: give at least 7 days' notice. If not foreseeable: notify at least 2 hours before your shift and by following your department's call-in procedures.

Do I need documentation to use ESTA leave?

Only if you're absent more than 3 consecutive workdays. Documentation must be submitted within 15 calendar days of the first day of leave. Note: If documentation is required, you must submit it prior to the end of the payroll to ensure payment for any sick day beyond 3 days.

Can I receive reimbursement for obtaining the documentation?

Yes, employees can request to be reimbursed for the cost of obtaining supporting documentation required by the City. The reimbursement request must be in writing and have proof of payment attached showing the amount paid by the employee, including a paid receipt, paid invoice, or other documentation reflecting the employee's payment is acceptable.

The reimbursement must be requested when the employee submits the ESTA supporting documentation to the supervisor.

How can Paid Sick time covered by ESTA be used?

ESTA eligible Paid Sick leave must be used in 4- or 8-hour increments.

Is unused ESTA time lost?

No. Unused ESTA-paid time carries over into the next fiscal year, but usage is capped at 72 hours per year.

What if I'm rehired?

If you are rehired within 2 months, any previously accrued ESTA leave will be reinstated.

What protections do I have under ESTA?

You cannot be disciplined or retaliated against for using paid sick time within the policy limits.

Supervisor/Manager FAQ – Earned Sick Time Act (ESTA)

What should I do when an employee requests ESTA leave?

Confirm the leave reason qualifies under ESTA, ensure it is paid time, and track hours to confirm it doesn't exceed the cap.

Is all sick time protected under ESTA?

No. Only paid time used for ESTA-qualifying reasons and within the cap is protected.

Can I discipline an employee who calls out sick frequently?

Only if the absence is not for an ESTA-qualifying reason, the employee has exceeded the cap, or the time is unpaid.

What if I suspect abuse of ESTA leave?

You may request documentation for absences over 3 consecutive days. Consult Human Resources.

How does ESTA interact with FMLA or ADA?

If the leave qualifies under another law (FMLA, ADA), it runs concurrently with ESTA.

Do I need to keep records of ESTA leave?

Yes, supervisors should know what type of time an employee is using. However, all ESTA balances are maintained and tracked in UKG.

What if an employee claims retaliation?

Retaliation is strictly prohibited. Refer all complaints to HR immediately. Employees may also contact the State of Michigan Department of Labor to file a formal complaint (See Appendix B)

Understanding UKG ESTA Time Banks & Counters

UKG tracks different types of ESTA-related time to help employees and supervisors manage accrual and usage. Each time bank has a specific function, especially for determining protection under the Earned Sick Time Act:

UKG Time Bank	What It Means	Who It Applies To	Reset or Carryover?
ESTA COUNTER	Tracks the number of hours used under ESTA each fiscal year (max 72 hours). Supervisors use this to determine if the time is still protected. Once this counter reaches zero, the employee has no more ESTA protection	All employees	Resets to 0 every July 1
ESTA PRIOR	Holds any unused ESTA hours from the previous fiscal year. These hours roll over but use is still subject to the 72-hour annual cap.	All employees with rollover	Carries over from previous fiscal year
ESTA FISCAL	Tracks the hours newly accrued through work this fiscal year (1 per 30 hours worked).	Part-time employees	Ongoing throughout the fiscal year
ESTA ACCRUED	A reporting-only figure to show what would have been accrued under ESTA.	Part-time employees	Ongoing (informational only)
ESTA PRORATION	Used if employee did not qualify for normal sick time accrual, because they did not work enough hours in the prior month to generate Sick time.	Full-time employees	Employee will earn 1 hour of sick time for every 30 hours worked

APPENDIX A

The Earned Sick Time Act (ESTA) applies to the following unions.

Note: ESTA acknowledges that the sick leave provisions in all current/active labor contracts are final and binding. Once a labor contract expires, the City's ESTA policy will govern.

The following unions have either expired contracts or have adopted the City's ESTA policy in their new labor agreements.

Union/Association *as of 7/1/2025
Supv. Chapter of the DOT Foremen's Assoc.
AFSCME - Forestry, Landscape, and Paving Foremen
AFSCME - Motor City Seasonals
AFSCME - Non-Supervisory
AFSCME (formerly Association of Prof. & Techn. Employees (APTE))
AFSCME - Supervisory
Amalgamated Transit Union (ATU) Local 26
Assistant Supv. of Streets Mtn. & Const.
Association of City of Detroit Supv. (ACODS)
Bldg. Construction Trades
DDOT Foremen's Association - Chapter 337 (Non-Supervisory)
IUOE - Operating Engineers, Local 324
SEIU Non-Supervisory
Senior Accountants, Analysts and Appraisers (SAAA)
Teamsters
Teamsters - Supervisory (formerly IUOE - Park Management Assoc)
Teamsters (formerly IUOE - Principal Clerks Assoc)



APPENDIX B - English
Michigan Department of Labor & Economic Opportunity

Wage and Hour Division
PO Box 30476
Lansing, MI 48909-7976
REQUIRED POSTER



GRETCHEN WHITMER
GOVERNOR

SUSAN CORBIN
DIRECTOR

GENERAL REQUIREMENTS – EARNED SICK TIME ACT*

Your employer's 'year' for the purposes of the Earned Sick Time Act is: July 1

Earned Sick Time Accrual

Number of Employees	Minimum Accrual Rate	Employer May Limit Use To:
10 or fewer employees	1 hour for every 30 hours	40 hours in a year
11 or more employees	1 hour for every 30 hours	72 hours in a year

- Determined by Employer written policy earned sick time may be carried over from year to year or paid out. A business with 10 or fewer employees is not required to permit an employee to use more than 40 hours of paid earned sick time in a single year, employers with 11 or more employees are not required to permit an employee to use more than 72 hours of paid earned sick time in a single year.
- Earned sick time shall begin to accrue on the effective date of this law, or upon commencement of the employee's employment, whichever is later.
- An employee may use accrued earned sick time as it is accrued. Newly hired employees may be subject to a 120 day wait period for use.
- An employer is in compliance with the act if it provides any paid leave in at least the same amounts as that provided under this act that may be used for the same purposes and under the same conditions provided in this act and that is accrued at a rate equal to or greater than the rate described in subsections (1) and (2) of Section 3 of the act. Paid leave includes, but is not limited to, paid vacation days, personal days, and paid time off.

Earned Sick Time Uses

An employer shall permit an employee to use the earned sick time accrued for any of the following:

- The employee's or the employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee's mental or physical illness, injury, or health condition; or preventative medical care for the employee.
- If the employee or the employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child; or
- For closure of the employee's place of business by order of a public official due to a public health emergency; for an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to a communicable disease.
- An employer shall not require an employee to search for or secure a replacement worker as a condition for using earned sick time.

Exercise of Rights

- An employer or any other person shall not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this act.
- An employer shall not take retaliatory personnel action or discriminate against an employee because the employee has exercised a right protected under this act. "Retaliatory personnel action" means any of the following:
 - Denial of any right guaranteed under this act.
 - A threat, discharge, suspension, demotion, reduction of hours, or other adverse action against an employee or former employee for exercise of a right guaranteed under this act.
 - Sanctions against an employee who is a recipient of public benefits for exercise of a right guaranteed under this act.
 - Interference with, or punishment for, an individual's participation in any manner in an investigation, proceeding, or hearing under this act.
- An employer's absence control policy must not treat earned sick time taken under this act as an absence that may lead to or result in retaliatory personnel action.

Complaint Filing

An employee affected by an alleged violation, at any time within 3 years after the alleged violation or the date when the employee knew of the alleged violation may file a complaint with the Wage & Hour Division.

*For precise language of the statute, see Public Act 338 of 2018, as amended
Auxiliary aids, services and other reasonable accommodations are available, upon request, to individuals with disabilities.
www.michigan.gov/wagehour • Toll Free 1-855-4MI-WAGE (1-855-464-9243)
WHD 9911 (Revised 2/27/2025)

APPENDIX B - Arabic



غريشن ويتمر
الحاكمة

إدارة العمل والفرص الاقتصادية في ميشيغان
قسم الساعات والأجور
PO Box 30476
Lansing, MI 48909-7976
الملصق المطلوب



سوزان كوربين
المديرة

المتطلبات العامة – قانون الوقت الإجازات المرضية المستحقة*

إن "سنة" صاحب العمل الخاصة بك لأغراض قانون الإجازات المرضية المستحقة هي:

استحقاق الإجازة المرضية المتراكمة

عدد الموظفين	الحد الأدنى لمعدل الاستحقاق	يجوز لصاحب العمل أن يحد من الاستخدام:
10 موظفين أو أقل	ساعة واحدة لكل 30 ساعة	40 ساعة في السنة
11 موظفاً أو أكثر	ساعة واحدة لكل 30 ساعة	72 ساعة في السنة

- يتم تحديد الإجازة المرضية المستحقة بموجب سياسة مكتوبة لدى صاحب العمل، ويمكن نقلها من سنة إلى أخرى أو الدفع مقابلها. لا يُطلب من الشركات التي تضم 10 موظفين أو أقل السماح للموظف باستخدام أكثر من 40 ساعة من الإجازة المرضية المستحقة المدفوعة في عام واحد، ولا يُطلب من أصحاب العمل الذين لديهم 11 موظفاً أو أكثر السماح للموظف باستخدام أكثر من 72 ساعة من الإجازة المرضية المستحقة المدفوعة في عام واحد.
- يبدأ استحقاق الإجازة المرضية المستحقة اعتباراً من تاريخ نفاذ هذا القانون، أو عند بدء عمل الموظف، أيهما كان لاحقاً.
- يجوز للموظف استخدام الإجازة المرضية المستحقة عند استحقاقها. قد يخضع الموظفون الجدد لفترة انتظار مدتها 120 يوماً للاستخدام.
- يكون صاحب العمل ملتزماً بالقانون إذا قدم أي إجازة مدفوعة على الأقل بنفس المبالغ المنصوص عليها بموجب هذا القانون والتي يمكن استخدامها لنفس الأغراض وبنفس الشروط المنصوص عليها في القانون والتي يتم استحقاقها بمعدل يساوي أو أكبر من المعدل الموصوف في الفقرتين الفرعيتين (1) و(2) من القسم 3 من القانون. تشمل الإجازة المدفوعة، على سبيل المثال لا الحصر، أيام العطل المدفوعة، وأيام الإجازات الشخصية، والإجازة المدفوعة.

استخدامات الإجازة المرضية المستحقة

- يجب على صاحب العمل أن يسمح للموظف باستخدام الإجازة المرضية المستحقة المتراكمة لأي مما يلي:
 - المرض النفسي أو الجسدي أو الإصابة أو الحالة الصحية للموظف؛ أو الرعاية الطبية الوقائية للموظف.
 - إذا كان الموظف أو أحد أفراد أسرته ضحية للعنف الأسري أو الاعتداء الجنسي، للحصول على رعاية طبية أو استشارات نفسية أو غيرها من الاستشارات للإصابة الجسدية أو النفسية أو الإعاقة؛ للحصول على خدمات من منظمة خدمات الضحايا؛ للانتقال بسبب العنف الأسري أو الاعتداء الجنسي؛ للحصول على خدمات قانونية؛ أو للمشاركة في أي إجراءات مدنية أو جنائية تتعلق بالعنف الأسري أو الاعتداء الجنسي أو الناتجة عنه.
 - للاجتماعات في مدرسة الطفل أو مكان الرعاية المتعلقة بصحة الطفل أو إعاقته، أو آثار العنف المنزلي أو الاعتداء الجنسي على الطفل؛ أو لإغلاق مكان عمل الموظف بأمر من مسؤول عام بسبب حالة طوارئ صحية عامة؛ أو لحاجة الموظف لرعاية طفل تم إغلاق مدرسته أو مكان رعايته بأمر من مسؤول عام بحالة طوارئ صحية عامة؛ أو عندما تقرر السلطات الصحية المختصة أو مقدم الرعاية الصحية أن وجود الموظف أو أحد أفراد أسرته في المجتمع سيعرض صحة الآخرين للخطر بسبب تعرض الموظف أو أحد أفراد أسرته لمرض معد.
 - لا يجوز لصاحب العمل أن يطلب من الموظف البحث عن أو تأمين عامل بديل كشرط لاستخدام الإجازة المرضية المستحقة.

ممارسة الحقوق

- لا يجوز لصاحب العمل أو أي شخص آخر التدخل في ممارسة أو محاولة ممارسة لأي حق محمي بموجب هذا القانون أو تقييدها أو منعها.
- لا يجوز لصاحب العمل اتخاذ أي إجراءات انتقامية ضد الموظف أو التمييز ضده بسبب ممارسته لحق محمي بموجب هذا القانون. تعني "إجراءات الموظفين الانتقامية" أيًا من الإجراءات التالية:
 - إنكار أو تجاهل أو مضنون بموجب هذا القانون.
 - التهديد أو الفصل أو الإيقاع من العمل أو خفض الدرجة أو تخفيض ساعات العمل أو أي إجراء سلبي آخر يرضد موظف أو موظف سابق لممارسة حق مضمون بموجب هذا القانون.
 - العقوبات التي تقام على الموظف الذي يتلقى إعانة تعامة بسبب ممارسته لحق يكفله هذا القانون.
 - التدخل في مشاركة أو إفرد بأي شك لمن الأشكاك لفني تحقيق أو إجراء أو جلسة استماع بموجب هذا القانون، أو معاقبته على ذلك.
- لا يجوز لسياسة التحكم في الغياب لدى صاحب العمل أن تعامل الإجازة المرضية المكتسبة بموجب هذا القانون على أنها غياب قد يؤدي إلى أو ينتج عنه إجراءات انتقامية من جانب الموظفين.

تقديم الشكوى

يجوز للموظف المتأثر بانتهاك مزعوم، في أي وقت خلال 3 سنوات بعد الانتهاك المزعوم أو التاريخ الذي علم فيه الموظف بالانتهاك المزعوم، تقديم شكوى إلى قسم الساعات والأجور.

*للحصول على لغة دقيقة للقانون، راجع القانون العام رقم 338 من العام 2018، بصيغته المعدلة

تتوفر المساعدة من الخدمات الإضافية والتسهيلات المعقولة الأخرى، عند الطلب، للأفراد ذوي الإعاقة.

www.michigan.gov/wagehour • الرقم المجاني (1-855-464-9243) (1-855-4MI-WAGE)

WHD 9911 (تمت المراجعة في 2/27/2025)

APPENDIX B - Spanish



GRETCHEN WHITMER
GOBERNADORA

Departamento de Trabajo y Oportunidad Económica de Michigan
División de Horas y Salarios
PO Box 30476
Lansing, MI 48909-7976
CARTEL OBLIGATORIO
REQUISITOS GENERALES- LEY DE LICENCIAS POR ENFERMEDAD
ACUMULADAS*



SUSAN CORBIN
DIRECTORA

El "año" de su empleador a los fines de la Ley de Licencias por Enfermedad Acumuladas es: **01-Jul**

Acumulación de licencia por enfermedad acumulada

Cantidad de empleados	Tasa de acumulación mínima	El empleador puede limitar su uso a:
10 o menos empleados	1 hora por cada 30 horas	40 horas al año
11 empleados o más	1 hora por cada 30 horas	72 horas al año

- Según la política escrita de la empresa, las licencias por enfermedad acumuladas pueden transferirse de un año a otro o abocharse. Las empresas con 10 empleados o menos no están obligadas a permitir que un empleado utilice más de 40 horas de licencia por enfermedad acumulada en un solo año; las empresas con 11 empleados o menos no están obligadas a permitir que un empleado utilice más de 72 horas de licencia por enfermedad acumulada en un solo año.
- La licencia por enfermedad acumulada deberá comenzar a acumularse a partir de la fecha de entrada en vigor de esta ley, o al inicio del empleo del empleado, lo que suceda después.
- Un empleado puede utilizar la licencia por enfermedad acumulada según se la acumule. Los empleados recién contratados pueden estar sujetos a un período de espera de 120 días para su utilización.
- Un empleador cumple la ley si proporciona cualquier licencia remunerada por al menos al misma cantidad provista por esta ley que pueda utilizarse a los mismos fines y en las mismas condiciones dispuestas en esta ley y que se acumulen a una tarifa equivalente o mayor que la tarifa descrita en los incisos (1) y (2) del artículo 3 de la ley. La licencia remunerada incluye, entre otras cosas, vacaciones remuneradas, días personales y licencias remuneradas.

Usos de la licencia por enfermedad acumulada

Un empleador permitirá que un empleado utilice la licencia por enfermedad acumulada para cualquiera de los siguientes:

- La enfermedad o lesión física o condición de salud del empleado o de uno de sus familiares; el diagnóstico médico, atención o tratamiento de la enfermedad o lesión física o condición de salud del empleado; o la atención médica preventiva para el empleado;
- Si el empleado o un miembro de su familia es víctima de violencia doméstica o agresión sexual, para recibir atención médica o asesoramiento psicológico o de otro tipo por lesiones o discapacidades físicas o psicológicas; para obtener servicios de una organización de servicios a las víctimas; para trasladarse debido a la violencia doméstica o agresión sexual; para obtener servicios legales; o para participar en cualquier procedimiento civil o penal relacionado con la violencia doméstica o agresión sexual o derivado de ella.
- Para reuniones en la escuela o centro de atención del niño relacionadas con su salud o discapacidad, o con los efectos de la violencia doméstica o la agresión sexual en el niño; o
- Por cierre del lugar de trabajo del empleado por orden de un funcionario público debido a una emergencia de salud pública; por la necesidad del empleado de cuidar a un niño cuya escuela o lugar de atención haya sido cerrado por orden de un funcionario público debido a una emergencia de salud pública; o cuando las autoridades de salud competentes o un proveedor de salud hayan determinado que la presencia del empleado o de un familiar suyo en la comunidad podría poner en peligro la salud de otras personas debido a la exposición del empleado o de un familiar suyo a una enfermedad transmisible.
- Un empleador no podrá solicitar que un empleado busque o asegure un reemplazo como condición para utilizar la licencia por enfermedad acumulada.

Ejercicio de derechos

- Un empleador o cualquier otra persona no podrá interferir, restringir ni denegar el ejercicio o intento de ejercicio de cualquier derecho protegido según esta ley.
- Un empleador no tomará represalias contra el personal ni discriminará a un empleado porque el empleado haya ejercido un derecho protegido según esta ley. "Represalia contra el personal" significa lo siguiente:
 - Denegación de cualquier derecho garantizado según esta ley.
 - Una amenaza, cese, suspensión, degradación, reducción de horas u otras medidas adversas contra un empleado o ex-empleado por ejercer un derecho garantizado por esta ley.
 - Sanciones contra un empleado que recibe beneficios públicos por ejercer un derecho garantizado según esta ley.
 - Interferencia o castigo por la participación de una persona de cualquier manera en una investigación, procedimiento o audiencia en virtud de esta ley.
- La política de control de ausencias de una empresa no debe considerar la licencia por enfermedad acumulada en virtud de esta ley como una ausencia que pueda dar lugar a represalias personales.

Presentar un reclamo

Un empleado afectado por una supuesta violación, en cualquier momento en los 3 años posteriores a la supuesta violación o en la fecha en el empleado tuvo conocimiento de la supuesta violación, lo que sea posterior, puede hacer presentar un reclamo a la División de Horas y Salarios.

*Para ver la redacción precisa del estatuto, vea la Ley Pública 338 de 2018, con sus enmiendas.
Las personas con discapacidad pueden solicitar ayudas, servicios y otras adaptaciones razonables.
www.michigan.gov/wagehour • Llamada gratuita al 1-855-4MI-WAGE (1-855-464-9243)

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