

## Q&A and Survey Questions

The following document is intended to serve as guidance for employers and employees in answering questions concerning the Paid Sick Leave law, Connecticut General Statutes §§ 31-57r, *et seq.*, effective 1/1/25. It does not constitute legal advice. Although the Department of Labor makes every effort to provide quality information, it makes no claims, promises or guarantees about the accuracy or completeness of the information contained herein.

### [Paid Sick Leave FAQ](#)

Where it is indicated in response to a question to see the FAQ on our website, please refer to the FAQ document as the question has already been answered there.

**For current employees:** Individuals currently employed by a covered employer or newly covered employer on 1/1/25, who meet the definition of “employee” under the law, will not be required to satisfy the 120-calendar day requirement in order to use paid sick leave if those employees have been employed with the employer longer than that time period. They will begin accruing paid sick leave on 1/1/25, but will not have to wait an additional 120 days to use the time. Any current employee who has not yet reached the 120-day requirement on 1/1/25 will not be able to use the paid sick leave until they have worked 120 calendar days with the employer.

**For previously covered employers:** Employers that have a benefit year that is different from a calendar year must allow employees to begin accruing 1 hour for every 30 hours worked on 1/1/25, even if the employer front loaded the 40 hours at the beginning of the most recent benefit year. This is due to the fact that the amended law provides significantly different benefits from the previous version. The employer can then switch to front loading of time at the beginning of the next benefit year.

1. Does this still apply to workers who are seasonally laid off? We have laborers that will be laid off for up to 12 weeks during the winter.

See FAQ.

2. For seasonal employees, do we use the calendar year as a lookback period to determine # of days worked?

The 120-day period for seasonal employees should begin being counted on 1/1/25. The employer then may continue to use the calendar year or the 365-day benefit period that is used by the employer for purposes of this law.

**3.** Is a day equal to 8 hours?

A day for purposes of this law is any day in which the employee works regardless of the number of hours worked.

**4.** If that employee did not pay into leave, do we need a catch-up deduction/payment for employee and employer?

This is for CT Paid Leave, not paid sick leave which is an employer provided paid benefit.

**5.** Are consultants included; they are not employees?

Only individuals that meet the definition of “employee” are covered by the law.

**6.** For seasonal employees- is there any guidance on how many hours constitutes a "day" of work?

A day for purposes of this law is any day in which the employee works regardless of the number of hours.

**7.** Can we use a fiscal year for the day count on seasonal employees?

Yes, if that is the benefit year the employer uses.

**8.** This overrides what a company policy is on sick time correct? If our company policy states that a summer intern is not eligible but they work over 120 days?

Yes, all employer policies must comply with the law.

**9.** What about per diem employees?

Any individual that meets the definition of “employee” is covered by the law. See FAQ.

**10.** And does an intern count as seasonal?

A “seasonal employee” is any employee who works less than 120 days in the benefit year.

**11.** If we hire a part time seasonal employee, and they are active in our system for over 120 days but, out of those 120 days, they only actually physically worked for 25 days - do we need to offer them this sick time? Or do they have to physically work at least 120 days?

When determining whether an employee is considered a “seasonal employee” under the law, the employer would only count days the employee actually worked.

**12.** Can you quickly cover definition of an employee?

See FAQ.

**13.** This is for paid interns not unpaid interns?

Yes.

**14.** What about those paid stipend for on-call waiting hours?

If these are considered hours worked, then they should be counted.

**15.** Would international expats be excluded because their benefits are covered by their home country?

If the employee is reported to CTDOL for the purposes of unemployment insurance compensation, they would be covered.

**16.** If you start the year off with less than 25, but mid-year you go up to 25, do you start counting from then? Or wait till the new year?

See FAQ.

**17.** Do temporary employees count also?

Yes.

**18.** Is an employer with less than 25 employees subject just to CT FMLA and not CTPDLV?

The CT Family and Medical Leave Act (CTFMLA) and CT Paid Leave (CTPL), which are different laws, apply to most employers with one or more employees.

See FAQ regarding phase-in for employers subject to the CT Paid Sick Leave law.

**19.** Would you also be able to later discuss the extent when a seasonal employee continues employment beyond the season, even if they are not converted to a regular permanent employee status?

See FAQ.

**20.** If an intern is placed here by their bachelor's or master's program (not paid by us) do we need to cover them under this law?

No, unless they would be considered an employee under the law.

**21.** What about (paid) high school co-op's, are they eligible for paid sick leave?

If they are considered employees under the law, they would be covered.

**22.** Does it have to be called sick leave? We call our paid sick time health & wellness. This is in addition to they're paid vacation time.

It does not matter what the employer calls their paid time off hours, as long as it complies with all aspects of the Paid Sick Leave law.

**23.** If you are a school, can you have the accrual year on a school year basis and not on a calendar year basis?

The employer can use the 365-day period it chooses as the benefit year for purposes of this law.

**24.** Temporary employees that are paid by an agency not your organization are not covered by this law by the employer. They should be covered by their temporary agency correct?

The employees should be covered by whichever employer is considered the individuals' employer under the law.

**25.** Is elective/cosmetic surgery covered as a health condition?

Any absence covered by one of the reasons for leave in the law is covered. See FAQ.

**26.** The total amount of CT paid sick leave is 40 days or 40 hours?

40 hours per benefit year.

**27.** Can an employer require a doctor's note in order to use sick leave?

No, see FAQ.

**28.** If the employee takes a mental health day but they choose to spend it somewhere other than their home, what prevents the employer from calling that a "vacation" day?

See FAQ.

**29.** Can a licensed counselor/therapist fill out CTPL paperwork for an employee?

This is not CT Paid Leave, no documentation is required for the Paid Sick Leave law.

**30.** Can you combine the FMLA with CT Paid Sick leave? Two "different" leaves?

If the absence qualifies for both the Paid Sick Leave law and CTFMLA, then the employer can require an employee to use paid sick leave while the employee is on CTFMLA.

**31.** If an employee calls out to use a mental health wellness day. Is this day covered by their earned leave or sick time or is this something the business covers?

See FAQ.

**32.** Is there a max amount of sick leave an employee can take per year?

See FAQ.

**33.** How should an employer handle sick days if only PTO is offered? For example, if the company provides three weeks of PTO annually, excluding sick days, are sick days required by law? Or would employees need to use their PTO for sick leave?

If the employer provides up to 40 hours of paid time off per year that is in full compliance with the Paid Sick Leave law, no additional time needs to be offered to the employee.

**34.** For the mental wellness days, essentially this permits them to take a day off to do anything they deem as attending to their emotional and psychological well-being? There is nothing we can do to verify, we just have to take their word that this is a mental health day and there is no notice required?

See FAQ.

**35.** With regard to the mental health / wellness day - are the employees capped to so many days a year? Also, do they have to get a doctor's note / documentation that they are taking a mental health day?

No, they can use the 40 hours for any reason provided in the law.

**36.** Does the accrual have to be shown somewhere. I ask because we have an undefined sick/personal leave policy. So do we have to "literally" show an accrual for sick time?

Employers must track and keep records of hours worked and paid sick leave accrued and used for every employee as part of its normal record-keeping obligations required by Connecticut General Statutes Section 31-13a. However, they do not need to be posted, such as on a pay stub. If the accrual balances are requested by the employee, then the employer must provide that information.

**37.** Is paid sick leave something the employer must give employee's separate from their annual amount of earned PTO? Or can it be included?

It can be included as part of PTO, as long as it complies with all provisions of the law.

**38.** Does common law marriage fall under the definition of spouse under the law?

Yes, if the state where they previously resided recognized their relationship as a common law marriage the employer must honor that.

**39.** How will this law work in conjunction with the time permitted by the employer? I.e., our employees receive 18 PTO days per year; if they exhaust the 18 days, can they then use the additional 40 hrs. provided by Connecticut's new paid sick leave law?

No, as long as the employee can use up to the 40 hours of PTO per benefit year that complies with all provisions of the law.

**40.** How does an employer judge a family matter equivalent or loco parentis?

Based on the employee's statement attesting to this fact.

**41.** What proof can an employer ask an employee to provide to show proof the sick day is actually for their care or a family member?

See FAQ.

**42.** Would this "paid" sick leave be in addition to CTPFML? So the employee would have 40 hours here and an additional 12 weeks?

CT Paid Leave does not allow an employee to be paid if they are receiving paid time off from their employer. In addition, the eligibility requirements are not the same and as a result the employee may not qualify for both for the same absence. For additional questions regarding CT Paid Leave, please contact the CT Paid Leave Authority ([CT Paid Leave](#)).

**43.** How does the state regulate multiple employees taking paid sick leave for the same person?

There is no limit on this. The employees can each use all of their accrued paid sick leave for the same person.

**44.** What is stopping an employee from using a mental health sick day for anything? Including vacation, taking care of a non-family member, etc.

See FAQ.

**45.** CTFMLA law requires us to allow employees to retain at least two weeks of their paid time off - does this include the CT paid sick leave time? Are we able to force them to use this time when they are on CTFMLA and have substantial paid time off. Is this the CT paid sick included in that definition of paid time off?

Typically, if the absence qualifies for both paid sick leave and CTFMLA, then the employer can require an employee to use it while the employee is on CTFMLA. However, the CTFMLA law also allows employees to retain up to two weeks of paid time off if they choose to, so if an employee has less than that the employee can request to keep their paid sick leave.

**46.** Does the accrual begin again in the following year? Or they automatically get the 40 hours?

See FAQ.

**47.** Would the employee be paid through CT state or through the employer?

The employer pays for paid sick leave accrued under this law. This is not CT Paid Leave.

**48.** Are there legal notices or disclosures that must be given to employees? Or posted?

Yes, please see the FAQ and Paid Sick Leave webpage: [Paid Sick Leave \(ct.gov\)](#)

**49.** How does this apply to temporary staffing agencies that has an ebb and flow of employees and days/hours worked?

The same as any other employer with part-time or temporary workers over the course of the employer's benefit year.

**50.** Is the employee count just the number of employees in the state of CT or is it total headcount across USA?

Just in the state of CT.

**51.** So if we have employees who have been employed with us for years, they still need to accrue starting beginning of the year? Versus just getting the full 40.

The employer can either front load the 40 hours at the beginning of the year or have the employee accrue.

**52.** When did the number of hours change from 40 hours to 30 hours to accrue 1 hour of paid sick leave?

See FAQ.

**53.** What if i purposely reduce my workforce on Jan 1 to fall below the law and rehire shortly thereafter?

That would be a violation of the law. It is strictly prohibited in the statute as follows:

“No employer shall (1) terminate any employee, (2) dismiss any employee, or (3) transfer any employee from one worksite to another solely in order to not qualify as an employer...”

**54.** Accrual, do they roll over or does it begin again on 1/1

If you are referencing employees that were covered by the previous version of the law, you must carry over any unused time from the previous year and then allow the employees to begin accruing at the rate of 1 hour for every 30 hours worked on 1/1/25.

**55.** Are we able to leave our sick leave policy for full time staff (exempt & non-exempt) 35 and 40 hrs per weeks as is? It is more generous than the proposed law.

Yes, the employer can always be more generous than the law requires.

**56.** If part-time salaried exempt work more than their scheduled hours, do we calculate the hours they work or just calculate their standard part-time hours?

See FAQ.

**57.** If we allow employees to use paid sick leave prior to 120 days, is that okay?

**Yes, the employer can always be more generous than the law requires.**

**58.** What if we bring people back from layoff. We don't usually give them a "rehire" date, but would they accrue all over again?

**See FAQ regarding break in service.**

**59.** So the employee only has to be employed for 120 calendar days, not worked 120 working days, in order to qualify. Is that right?

**Yes.**

**60.** I'm confused, 1 hour for every 30 hours, so if you work 30 hours a week then you earn roughly 4 hours a month?

**Yes.**

**61.** Just to be clear, employees that have already worked 120 days before 1/1/25 still have to wait the 120 days starting 1/1/25?

**No, see answer at the top of this Q&A for current employees.**

**62.** If PTO balances reset on the employee's anniversary date, would the company need to allow carryover of time accrued until the anniversary date after 1/1/25? If they earn more than the max 40hrs at the anniversary each year, would carryover still apply?

**See answer at the top of this Q&A for current employees.**

**63.** Can you combine sick and vacation and call it PTO?

**Yes, it does not matter what the employer calls their paid time off hours, as long as it complies with all aspects of the law.**

**64.** Is there a maximum cap for the rollover accrual of paid sick leave hours, or will they be continuous year after year?

**Carry over only applies to the 40 hours accrued in the current benefit year. Carry over hours from previous years would drop off.**

**65.** Carry over- so someone that doesn't use any sick time in 2025, can carry over 40 hours to 2026 and still accrue 40 hours in 2026 that can be used? So person will have 80 hours to use in 2026?

**Employees are only entitled to use 40 hours per benefit year, but the employer can always be more generous.**



**66.** If we have a PTO/sick plan that accrues the 40 hours each year do i need to rename my policy to just paid sick leave vs PTO/sick plan?

**No, as long as it complies with all requirements of the Paid Sick Leave law.**

**67.** If we offer 40 hours of PTO that we can use it in 0.5 hr increments, it's front loaded on Jan 1st and it's use-it-or-lose-it. Does that make us compliant?

**Yes, as long as time complies with all requirements of the Paid Sick Leave law and they receive 40 hours at the beginning of every benefit year.**

**68.** So the maximum amount of accrued paid sick leave that an employee can have in any given year is 80 hours, 40 carryover hours from the previous year, and 40 hours for the current year?

**Yes.**

**69.** Is the employer required to pay out unused PSL if the employee leaves for any reason?

**See FAQ.**

**70.** Who tracks hours used by temp agency folks?

**Whomever is considered the employer under the law.**

**71.** Is this sick accrued for use of employee carry over given through employee's PTO? Vacation sick emergency or is this just for paid sick leave?

**See FAQ regarding compliance.**

**72.** Can you explain the option to front load instead of carry over? Does this mean that if you front load the 40 hours for the new year you do not have to provide the option to carry over? Additionally, can you stipulate the payout option instead of offering the carry over?

**See FAQ.**

**73.** Regarding the number of employees at the beginning of the year (2025). We employee roughly 47 employees for most of the year. We layoff employees during the winter months so our number of employees might go down to under 25 for 3 months (jan feb march) how does the paid sick leave work for those months? Do we start accruing again when we go back up to over 25 say in April?

**The law prohibits layoffs to avoid coverage under the statute. If the number of employees is below the threshold on January 1, 2025, for a legitimate business reason, then the company would not be covered under the law for that year.**

**74.** If an employee carries over 10 hrs from 2025 into 2026, and accrues 40 in 2026, can they use the 10 from 2025, and 30 from 2026, then carry 10 into 2027?

**Yes.** Employers are required to allow employees to accrue 40 hours of paid sick leave every year, regardless of how much time has been carried over. However, because the law limits employees to the use of 40 hours per year, the employee will have 10 hours remaining at the end of 2026 to carry over into 2027.

**75.** Similarly, if they use the 10 from 2025 in 2026 are they capped at earning a total of 40 or, can they use essentially 50hrs (10 from 2025 and the 40 earned in 2026) in 2026?

**The employee will still accrue 40 hours in 2026 and will be able to use up to 40 hours in 2026.**

**76.** As the employer, we offer all of our full-time employees 1-2 weeks of paid vacation time so does that make us exempt from having to offer paid sick time? Also we hire high school students as part of a technical school work based learning program but because they only work 16-24 hours a week they are considered part time and don't receive any benefits. How would paid sick time come into play for them?

**As long as the paid vacation time provides for use of 40 of those vacation hours that comply with all the requirements of the Paid Sick Leave law, that is permissible.**

**Part-time employees are eligible for paid sick leave under the law. The issue would be whether they are employed for 120 days or more in a calendar year.**

**77.** If an employee does not use any of their accrued sick time, the full 40 hours carries over into the following year?

**Yes, if they have accrued 40 hours of paid sick leave.**

**78.** If the company policy for paid sick leave provides more time than what is required in the law, would the employee then be allowed to use more than 40 hours of sick time?

**The Paid Sick Leave law would only apply to the first 40 hours of paid sick leave. Company policy would apply to any additional time over the first 40 hours.**

**79.** Can we have a policy that states the carry over must be used within 60 days?

**No.** Carried over time, up to a maximum of 40 hours, does not expire until the end of the benefit year.

**80.** If our employees have PTO accrued hours does this law apply to them? Would this be extra hours. For example, our benefited employees accrue 4 hours per pay period. Do we need to offer them 40 hours?

The law applies to all covered employers and employees. Employers may adopt more generous policies than the law provides. However, 40 hours of the paid time off that is offered must comply with all requirements of the Paid Sick Leave law.

**81.** We front load 40 hours of PTO at the beginning of the year and do not allow carryover. Is this ok?

Yes, as long as the PTO complies with all requirements of the law.

**82.** So, why carry over, if you can't use more than 40?

If a worker accrued 40 hours and used 30 hours by the end of the benefit year, they would still have 10 hours remaining at the beginning of the next calendar year. This would mean that they would not start the new benefit year with zero hours of paid sick leave.

**83.** If we decide to pay out the unused at the end of the 2025, that's ok to do and not carry anything over. Can we make that decision and not have any carry over? If they can only use 40 in any given year, it's almost if they don't use it they lose it, so why not pay out, if we want to.

The law requires carry over unless all 40 hours are front loaded. The decision to pay out is at the discretion of the employer and if the employee agrees.

**84.** What if we allow for more than 40 hours of carry over? We do not have a short-term disability plan -- accruals of time that we give our employees are used for this. We have a 120 hour max accumulation.

Employers may be more generous than the law.

**85.** If i earn 20 hours in 2025 and earn 20 hours in 2026. Can i carry over 40 hours?

No, only hours accrued in the current benefit year can be carried over to the next benefit year.

**86.** Why carry over if they drop off?

It would not drop off until the end of the benefit year that the hours were carried over into, which limits the number of hours being carried over.

**87.** So then how does the carryover get used? Does the employer have to pay it out?

Carry over means that the leave balance carries over into the next year to be available for use. The employer does not have to pay anything out unless it chooses to do so with the employee's agreement.

**88.** So no more CTFMLA forms to be filled out by a doctor?

This is not CTFMLA. However, if the employee qualifies for CTFMLA, the employer would still follow the procedures for CTFMLA.

**89.** What if our bargained union contract says you need a note after 3 days out?

If the collective bargaining agreement was renegotiated after the dates set forth in the law and explained in the FAQ, then the employer would not be able to request a note.

**90.** If an employer has a policy for providing a doctor's note after three days, could you ask them for one.

No, see FAQ.

**91.** Can paid sick leave be accumulated by payroll system under a new name/category to be distinguished from already existing PTO balance?

Yes, it can be separated out.

**92.** If we already offer over 40 hours of sick time does this law apply only to that first 40 hours? Or does this law not apply to employees that already earn sick time, through company policy?

The law applies to the first 40 hours of sick time used, but you may offer leave subject to company policy beyond the 40 hours.

**93.** Can you request a return to work note? What happens if they used this time for surgery and have restrictions and they don't tell the employer then get hurt?

If paid sick is running concurrently with a law that permits or requires return-to-work or fitness-for-duty documentation, it may be requested. However, it cannot be used to deny an employee's use of paid sick leave for a permitted purpose under the paid sick leave law.

**94.** What if an employer's policy is that employees get paid out their unused sick time at the end of the year? Every employee receives 48 hours of sick time on 1/1 of every year. Does the employer now have to carry over the unused sick time instead of paying out the employee?

If the sick time complies with all requirements of the Paid Sick Leave law, then this policy is in compliance with the law. Front loading 40 or more hours of paid sick leave removes the need to carry over.

**95.** What happens if they run out of sick time?

Then the employer's policy regarding absences controls.

**96.** Does an employer have to pay out any unused PTO upon termination or resignation.

See FAQ.

**97.** If an employee calls out for any reason, other than vacation time, can the employer automatically enter paid sick leave?

Time accrued pursuant to the Paid Sick Leave law can only be used for the reasons covered under the law. However, if the paid sick leave is combined with the employer's paid time off program, the employer may count the absence as PTO. For example, Employer X offers two weeks of PTO every year, which includes paid sick leave. If an employee at Employer X takes a day off to work on a political campaign, that day off may be counted as PTO.

**98.** Does the employer have to post notices 1/1/25 if the leave law doesn't apply until 2026?

The notices are only required once the employer becomes a covered employer pursuant the law.

**99.** Employer notice - does it have to go to all on your payroll/HRIS, even if they are not actively working? Like voting helpers or seasonals.

It must go to all employees.

**100.** If an employer provides more than the 40 hrs/yr paid sick leave, is the CT paid leave in addition to what the employer provides?

CT Paid Leave is a different law that generally applies to longer or different absences than what is covered by the Paid Sick Leave law. Please refer to [ctpaidleave.org](http://ctpaidleave.org) for more information about that program.

**101.** Is there a notice that would cover all the details in the new paid sick leave?

The prototype notice is found here: <https://portal.ct.gov/dol/-/media/dol/2022-new-design-system/divisions/wage-and-workplace-standards/psl-prototype-notice.pdf>

**102.** Please explain if this new law applies to employees that belong to a union.

The law applies to employees that belong to a union in accordance with the provision on collective bargaining agreements in the law. See FAQ.

**103.** Can an employee work 34 hours Monday-Thursday, then take 8-hour sick day Friday because they usually work an 8-hour day. This will give overtime of 2 hours and 40 regular hours that week?

Paid sick leave hours will not contribute towards the overtime calculation. Only hours actually worked during a week are counted toward the overtime calculation.

**104.** Pay rate- does sick time count toward overtime or is it only straight time?

Each employer must pay either the normal hourly wage for the employee or the minimum fair wage rate under Connecticut General Statutes Sec. 31-58, whichever is greater.

**105.** For the hourly wage average: if an employee is working on a prevailing wage project intermittently throughout the month, and happens to have been on that particular project the week prior to them taking a paid leave day; are those prevailing wage rates considered "normal hourly wages"?

It is calculated by the hourly rate of the pay period prior to the one where leave is taken. If they were paid at a higher rate than other weeks, that hourly rate would be used. Verify that this employee is covered by the Paid Sick Leave law, as members of construction-related tradesperson employee organizations that are a party to a multiemployer health plan in which more than one employer is required to contribute to such plan and such plan is maintained pursuant to one or more collective bargaining agreements between a construction-related tradesperson employee organization or organizations and employers are not covered by the law.

**106.** Does this also apply to public schools?

Yes, it applies to municipalities and schools. See FAQ regarding "employers."

**107.** What about summer seasonal employees? Those that have a large break, say greater than 6 months but are re-hired each summer? Does that also apply for the 120 days in order to qualify for the sick time?

An employee is considered seasonal if they work 120 days or less in any benefit year. Regardless of the length of a break in service, if the employee works more than 120 days in any benefit year, they must be permitted to accrue and use paid sick leave. If they are eligible for paid sick leave, when they return from a break in service, they would begin accruing paid sick leave on the date they return and would not be required to wait 120 calendar days to be able to use accrued paid sick leave if they have already met that requirement.

**108.** If we hire seasonal workers- college students working for the summer, and they come and go during school breaks, is this considered a break in service or is this considered their normal work schedule?

A break in service occurs when an employee separates from their employment, voluntarily or involuntarily. If the employee is kept on the company's payroll but simply not being scheduled for any hours, it would not be considered a break in service. If they are being separated and rehired each summer, that would qualify as a break in service.

**109.** If we offer more than enough sick time to be in compliance, however we are not in compliance with other aspects of the law such as the "mental health days" or we require doctors notes is that allowed?

No. Employers must offer paid sick leave that is compliant with all requirements of the Paid Sick Leave law, not just the accrual rate and amount.

**110.** Can you share the link with the notice samples for employees starting 1/1/25?

Please see our Paid Sick Leave webpage: [Paid Sick Leave \(ct.gov\)](#)

**111.** Can payout upon termination be different for part-time employees as it is for full-time employees?

Employers are not required to pay out unused, accrued paid sick leave at termination from employment. Therefore, whether it is paid out and to which employees (full-time or part-time) depends on the employer's policy and may be treated differently.

**112.** Does the employee have to use their PTO before the CT paid sick leave?

There is no requirement regarding the order in which paid time off is taken, however, the employee must be able to use any accrued paid sick leave when needed in accordance with the law.

**113.** If you give three weeks of PTO to be used for anything and they use it all for vacation, does it mean they don't have any sick time for remainder of year?

Yes, so long as the PTO is compliant with all requirements of the Paid Sick Leave law, and the employee would have been permitted to use it for those purposes. If the employee chooses to use their PTO as vacation time, the employer is not required to provide the employee with an additional 40 hours of paid sick leave.

**114.** We have a generous PTO policy - employees receive anywhere from 4 to 6 weeks of PTO annually that can be used for anything - sick, vacation, mental health / wellness, etc. We allow employees to carry over one week into the following year, to be used by the end of the first quarter. Are employees now able to use their carry over time through the end of the year, per the law?

If the employer front loads the employees' entire PTO allotment at the beginning of the benefit year, this would be allowed. However, if the employees have to accrue the PTO, then the employer would need to allow employees to use carry over time until the end of the benefit year and not just the first quarter.

**115.** Does this apply to truck drivers that travel outside of CT but employer is based in CT?

Yes, if the employee is reported as a CT employee for unemployment insurance purposes.

**116.** What is meant by an employer being in CT? Does this mean their headquarters is in CT? Does this law apply if the employer is based in MA and the employee is working remotely in CT? Or, what if the employer is incorporated in Delaware but has a branch or store in CT?

The law applies if the employer meets the definition of “employer” in the law and if the employer reports the employee to CT for purposes of unemployment insurance compensation.

**117.** If they make up the sick time they took in the pay period, and that puts them over 40 hours the following week, would they then be paid overtime?

Overtime is only paid if the employee actually works over 40 hours in a work week, and would not include any hours of paid time off in the work week. If the employee does not actually work 40 hours in a work week, they are not entitled to overtime.

**118.** Do we have to put sick leave accrual and balances on employees’ paystubs?

No. Employers are not required to put paid sick leave accruals and balances on employee paystubs. However, employers must track and keep records of hours worked and paid sick leave accrued and used for every employee as part of its normal record-keeping obligations pursuant to Connecticut General Statutes Section 31-13a. This can be done electronically only with each employee's consent, and the records must be conveniently, securely, and privately accessible to and printable by the employee.

**119.** Can an employer take sick time from someone who is not meeting their full-time hours and apply it their hours so that they meet their full-time hours?

No. An employer cannot apply an employee’s paid sick leave balance solely for the purpose of bringing the employee up to meet full-time hours. Paid sick time should be used only to cover an employee’s absence when they are taking time away from work due to a paid sick leave qualifying reason.

**120.** To clarify - employers cannot issue corrective actions for the first 40 hours of an employee using their paid sick leave?

Correct. Employers may not discipline employees for using paid sick leave. This would include issuing corrective actions. If the employer offers more than the 40 hours of paid sick leave required under the law, they could take corrective action for absences after the first 40 hours of paid sick leave is used.

**121.** What if there is a company policy for excessive use of sick leave? I.e. More than 6 sick leave occurrences in a year may lead to discipline

Employees cannot be disciplined for using their accrued paid sick leave, meaning days taken as paid sick leave should not be treated as “occurrences” for purposes of a company’s attendance policy. However, an employer may put into practice their own policy for the use of any sick time used, above the 40 hours accrued under the law.



**122.** If we use ADP for our payroll/time & attendance needs where staff have electronic access to their PTO at all times, how do we then get consent for electronic records? Is that enough or we need to then provide some other format for them to print from?

Employers may use third-party payroll providers to track employee accruals and use of paid sick leave as long as employees have private access to the system and can securely view and print their records. However, employees must provide consent for electronic recordkeeping. Employers should work with their payroll providers on options to secure such consent (whether that can be done within the system, or whether it must be done outside the system).

**123.** If you have an attendance policy that states the employee is required to call in within an hour of their start time (regardless of whether they use vacation time or paid sick leave) and the employee violates this repeatedly, willfully, 3 or more times - can they can be terminated and not be in violation of these policies?

The Paid Sick Leave law does not require employees to provide their employer advance notice of their need to use paid sick leave, so employees should not be disciplined for failing to follow the employer's requirement regarding the timing of notice. However, when calling out, employees should do their best to provide notice as soon as practicable.

**124.** If CTDOL finds that an employer committed a violation and if an employee should have been entitled to paid sick leave, will the employee be given retroactive paid leave benefits?

Employers who violate the Paid Sick Leave law may be subject to civil penalties. In addition, the employer may be required to provide the employee with payment for used sick leave, reinstatement to the employee's previous position, and payment of back wages. Employers may also be required to reestablish any employee benefits that the employee would have received if a violation had not occurred.

**125.** Will CTDOL consider including written warnings as retaliatory actions against the employee?

It is likely that CTDOL would consider written warnings as retaliation. Employees cannot be disciplined or subjected to any adverse action for using paid sick leave.

**126.** What about salaried employees

See FAQ.

**127.** If you do not use your 40 accrued hours in a calendar year, then there is no reason to keep track of a carryover because you can only use 40 hours in a calendar year

This is only correct where an employer chooses to front load the amount of paid sick leave that their employees receive at the beginning of the new benefit year. Otherwise, an employer would need to track the carryover. For example, if an employer uses a calendar year for the 365-day benefit period and an employee had 20 hours of paid sick leave at the end of 2024, the employee would start 2025 with the ability to use the 20 hours of carried-over paid sick leave immediately while also accruing 40 hours of paid sick leave they are entitled to in the new benefit year. Even with that carryover, an employee still only accrues 40 hours of sick leave and may only use up to 40 hours per year.

**128.** Can you have a blackout period for taking PTO time? For example, the last day of the month in sales.

No.

**129.** How about the CTFMLA forms for doctor's sign off...are they going away in the new year?

CTFMLA is a separate law and the employer and employee still have rights and obligations under that law. Both CTFMLA and Paid Sick Leave may apply to an employee's absence, and the employer must comply with both laws where applicable. Where both laws apply, the employer would still provide the employee with the requisite CTFMLA notices and documents.

**130.** If we have an accrual policy for paid time off, which includes, sick time, vacation and holidays. We allow employees to use for anything. If an employee has already used 40 hours for sick time this year, and then calls out without prior notice, can we apply our attendance policy and impose a penalty?

Once the employee exhausts the 40 hours of paid sick leave for the year for a reason under the law, the employer could issue discipline for any subsequent absences in accordance with its attendance policy, subject to any other laws protecting that absence (such as CT FMLA or state/federal disability laws, ADA, etc.). Additionally, an employer cannot retaliate against an employee for using paid sick leave under the law.

**131.** So your contract cannot bargain to include the sick note for 3 days, even if union agrees?

Not for absences covered by the Paid Sick Leave law. When a new collective bargaining agreement is negotiated it must comply with the provisions of the law.

**132.** What if you only use federal FMLA? (municipality)

Federal FMLA is separate from the Paid Sick Leave law, so a municipality would want to comply with both laws to the extent applicable. Municipalities are a covered employer under the Paid Sick Leave law.

**133.** If your policy requires a doctor's note after 3 days - since there is no documentation required, do they have to specify its paid sick leave under the law?

The employee should indicate that their absence is for a reason covered under the Paid Sick Leave law, or, if the employer intends to require documentation and does not know the reason for the employee's absence, the employer should inquire.

**134.** We are in healthcare and when staff are out sick with flu or covid symptoms we require a test and test result given to us so we can determine how much time is required out of the office - is this ok documentation to ask for? We don't want them working sick (they have a bucket of PTO to pull from) - is this different than a doctor's note?

Yes, so long as the result of the test is not used to determine whether the employee's leave is being taken for a permitted purpose under the Paid Sick Leave law or to deny their usage of paid sick leave for a permitted purpose.

**135.** We are in home care, caring for the elderly, we have to be able to hold our employees to a standard of not calling out last minute and if sick, a doctor's note to allow them to return to work. Since we need to be able to provide consistent care.

If you are a covered employer, you must comply with the requirements of the Paid Sick Leave law for all covered employees.

**136.** If you can't ask for a doctor's note but instead a note releasing the employee to return to work without accommodations as long as no medical information is requested

If paid sick is running concurrently with a law that permits or requires return-to-work or fitness-for-duty documentation, it may be requested. However, it cannot be used to deny an employee's use of paid sick leave for a permitted purpose under the Paid Sick Leave law.

**137.** How would we know if paid sick leave is running concurrently with CTFMLA if they're not required to give advance notice or documentation? We wouldn't necessarily know what their leave is for?

Both the employee and the employer are obligated to comply with the requirements of both Paid Sick Leave law and the CTFMLA if they both apply to an employee's absence. In such case, if the employee needs CTFMLA leave, both the employee and the employer would follow the notice requirements of the CTFMLA law.

For more information on an employee's and employer's notice obligations under the CT FMLA, refer to CT FMLA FAQ 51 (<https://portal.ct.gov/dolui/fmla-faqs>).

**138.** The union contracts that we have state a doctor's note is required after 3 days of absence. Can we still require a note after 3 days of sick leave? Note that we give 15 days per year for sick leave.

No. The prohibition on requiring employees to provide any documentation that their leave is being taken for a permitted purpose applies to any paid sick leave hours up to the maximum of 40 hours.

**139.** So all of these additional rules, like no documentation, no blackout days, no advanced notice, etc. All of that. Does that apply to employees that currently get sick time from the company?

Yes, if the employer and employee are covered by the Paid Sick Leave law, all of the provisions of the law apply up to 40 hours of paid sick time.

**140.** If company provides 2 wks vacation and employee exhausts all - then they take a mental health day...no doc will be req and it will be paid??

Once the employee has exhausted their 40 hours of paid sick leave, the restrictions on asking for documentation under this law would no longer apply until the following year. However, where an employer gives an employee general PTO (a combination of different types of leave), the first 40 hours of paid leave may not qualify as paid sick leave. In the scenario presented, if the employee has exhausted all of their PTO by taking a 2-week vacation, the employee would be deemed to have exhausted their 40 hours of paid sick leave, and the employer could apply their normal attendance, time off and documentation requirements to the mental-health-day absence since it's over 40 hours. However, if the employee still has PTO remaining after taking the 2-week vacation, the employee could still use up to 40 hours of the remaining PTO for a permitted purpose under the Paid Sick Leave law (including a mental health day) and no documentation could be required.

**141.** But what if they normally work 10 hours a day? Do we have to let them use 10, or can we limit it to a maximum of 8?

If they have 10 hours of accrued paid sick leave, they must be permitted to use the 10 hours for the period of time the employee was scheduled to work.

**142.** Does paid sick leave have to be requested or any absence would now apply paid sick leave first before other PTO buckets?

The employee must indicate, or the employer should ask, whether the absence is for a reason under the Paid Sick Leave law.

**143.** If an employee is out sick or hurt we can't allow them to return to work unless cleared by the doctor. We do that to protect the client (we are in home care for the elderly) we can't send a sick or hurt caregiver into a client's home. Why can't we ask for a note?

If paid sick is running concurrently with a law that permits or requires return-to-work or fitness-for-duty documentation, it may be requested. However, it cannot be used to deny an employee's use of paid sick leave for a permitted purpose under the Paid Sick Leave law.

**144.** So an employee cannot choose to take unpaid sick if they have leave available?

The leave may be designated as paid sick leave and paid if the employer knows it is being taken for a reason covered under the Paid Sick Leave law, even if the employee wants to take the leave without pay.

**145.** Our paid holiday policy requires working your full scheduled work day prior to and after the paid holiday to receive holiday pay. If someone uses 8 hours of paid sick time under the new law and calls out sick the day after a holiday, are we obligated to pay them holiday pay under the new law?

An employee's entitlement to holiday pay would be determined by the employer's established policy for providing such pay when the employee is on other forms of paid leave. So, if all employees taking a paid absence prior to or after the holiday do not receive holiday pay under the employer's policy, an employer would not have to give holiday pay to an employee using paid sick leave prior to or after the holiday.

**146.** If an employer has a policy that their sick leave can only be used for their own sickness, under the new law that policy will no longer apply, correct? They will be able to use up to 40 hours of their sick leave for any of the reasons under the law, like caring for a family member, correct?

Correct; however, the employer may apply its normal attendance and time off policy to those hours not covered under the Paid Sick Leave law.

**147.** If an employee just calls and says i can't come in today i have a personal problem. Can we ask or just pay them sick by assuming it is covered?

The employer may ask the employee if they are taking the day off pursuant to the Paid Sick Law but cannot ask for specific details or documentation to support the request.

**148.** Our CBA employees earn 8+ hours per month. Some are eligible to use sick after 30 days and other after a year. Would this need to change?

For the accrual rate, as long as it complies with or is more generous than the requirements of the Paid Sick Leave law, such a policy would be permitted.

For the waiting period of eligibility to use accrued time, any policy or collective bargaining agreement that requires employees to be employed more than 120 calendar days would need to be changed.

**149.** Our PTO is given to the employee 30 days after they start. Can we require documentation for absences over 3 days? Or do the same rules for accrued PTO apply to given PTO?

If the time taken is within their accrued time under the law, even if it is front loaded, the provisions of the Paid Sick Leave law must be followed including the prohibition against requiring documentation. Any time taken beyond or not within their paid sick leave entitlement can be administered in accordance with the employer's policy.

**150.** Can you have your short-term disability plan take priority over taking paid sick leave?

You can follow your disability plan for disability leave if paid sick leave and disability leave run concurrently. but still must comply with the requirements of the Paid Sick Leave law. The employer should look to its disability plan to determine its contractual obligations.

**151.** Can an employee receive paid leave during a worker's compensation claim, while they are still an employed employee though not accruing 'working days' from the date of the injury?

If the employee is absent due to a workers' compensation claim and not otherwise being paid, absences could be covered by paid sick leave.

**152.** Is it permissible for HR to request confirmation of hospital appointments from the healthcare provider during an employee's CTFMLA leave? If the employee fails to provide such documentation, can HR threaten termination or the cessation of paid leave? Additionally, is it within HR's rights to request biweekly proof of appointments during CTFMLA leave?

Please refer to the CTFMLA webpage here: [THE CONNECTICUT FAMILY & MEDICAL LEAVE ACT and CT PAID LEAVE APPEALS](#)

**153.** We employ college students we hire seasonal, who return to work over their summer and holiday breaks. When they come and go is this considered a break in service or is this their normal work schedule?

It depends on if they are separated from employment or are expected to return. If they are expected to return, it is not a break in service.

**154.** Are workers used thru temp agencies included in this? And if so, is this handled thru/by the temp agencies?

Yes, it applies and would be handled by whichever company is considered the employer.

**155.** How does a municipality with salaried elected officials and salaried employees with no written policies figure the sick leave?

See FAQ.

**156.** If we decide to pay out the unused at the end of the 2025, is that ok to do and not carry anything over? Can we make that decision and not have any carry over? If they can only use 40 in any given year, it's almost if they don't use it they lose it, so why not pay out, if we want to.

The employer can choose to offer pay out at the end of the benefit year in lieu of carry over, but cannot require pay out unless the employer is front loading 40 hours of paid sick leave at the beginning of the benefit year.

**157.** Does this replace the look back period? 120 hours in the last quarter?

There is no longer a provision limiting an employee's use of paid sick leave based on whether they worked 10 hours or more per week in the most recently completed quarter.

**158.** Effective 1/1/2025 do all our employees have to work 120 days before they can start using their accrued sick time even if they have been with us for a long period of time? And, can we carry over the balance they have available on 12/31/2024?

See answer at top of this Q&A for current employees. And yes, you should carry over any unused time from 2024.

**159.** Why is there a limit on how much can be used? Why not use 50?

This is what is provided for in the statute, but this is the minimum that the employer must provide. The employer can always be more generous.

**160.** Is there a suggested software or file template to assist with the accrual?

We are sorry, we cannot recommend any outside software tools.

**161.** This is confusing for employers. I can see employees thinking they have 50 or 60 hours and not understanding the process. How do you suggest this can easily be informed/explained to the employees?

We have an FAQ, template posters and written notices on our website that can be used to provide your employees with information about the law.

**162.** What if someone refuses to give a reason when they call out? Can we still apply PSL?  
The employer may ask the employee if they are taking the day off pursuant to the Paid Sick Law but cannot ask for specific details or documentation to support the request. If the employee refuses to provide enough information to know that the absence is covered under the law, then the employer should not apply paid sick leave to the absence.

**163.** Can you mandate an employee to write a comment in requesting the use of paid sick leave in an employer's attendance electronic tracking system?  
Yes, the employer can require employees to indicate they are using paid sick leave in the tracking system. However, the employer cannot require additional information regarding the absence.

**164.** If our policy allows employees to begin using sick time at 90 days, is this permissible for the use of the CT paid sick leave?  
Yes, your policy can be more generous than the provisions in the law.

**165.** Can you treat part-time vs full-time employees as far as the accrual? Can we continue to front load the full-time employees but have the part-time employees accrue as they go since we don't know what they will work?  
Yes, you can front load the 40 hours of paid sick leave at the beginning of the benefit year for full-time employees and have part-time employees accrue as they work.

**166.** How does this affect the employees who were under the 2012 law. Would their time reset to be in compliance with this new law?  
See answer at top of this Q&A for current employees.

**167.** The law applies to the "live in" - "work in" reference. So as long as you "work in" CT the law applies even though your company is based in another state.  
Yes, if the employer reports that employee to CT for unemployment insurance compensation purposes.

**168.** Is the employer required to apply the sick leave days to CT paid sick leave first, and then apply the remaining sick leave to the employer's own internal sick leave policy, or vice versa?  
The first 40 hours are subject to the conditions of the Paid Sick Leave law. Employers may apply their normal attendance and time off policies to those hours used over 40.

**169.** If we have contracts for full-time employees this law doesn't even apply, correct?  
The Paid Sick Leave law applies to all employees.



**170.** Are you required to hold 40 hours for sick leave if you offer more 4 weeks of PTO?  
If you offer paid leave in one bucket, then the employee must be able to use 40 hours of leave in accordance with the Paid Sick Leave law until all of their PTO time is exhausted.

**171.** Can an employee use 40 one-hour sick time? We currently let them use time off in 4-hour blocks.

An employee must be allowed to use their paid sick leave in 1-hour increments.

**172.** When will the DOL posters be available?

We currently have posters available in [English](#) and [Spanish](#).

**173.** Are employees allowed to leave shift early and use the remainder of shift in paid sick leave?

Yes, as employees can use their paid sick leave in 1-hour increments.

**174.** I would like to know if rehires have a time limit to keep the accrued paid sick time.

See FAQ regarding breaks in service.

**175.** Where can i get copies of the power point? And what is the website address for FAQs?

The website for the FAQ's and other information is accessible here [Paid Sick Leave \(ct.gov\)](#)

**176.** Are we currently accruing (as of today) Paid Sick Leave hours for employees to use this year (2024)?

For employers that have not been previously covered by the law, accruals begin on 1/1/25 or later depending on the number of employees.

**177.** If an employer preloads their employee's sick/personal time on their anniversary date, are the entitled to provide additional leave on the 1/1/25 date or would the anniversary date be a sufficient start to the year? Balances will be in place based on what the employee earned/used on their 2024 anniversary date.

See answer at top of this Q&A for current employees.

**178.** I think I understand it in how it was explained. Would you recommend that we front load sick time for Per Diem Staff?

We cannot make a specific recommendation; it is up to the employer whether to provide accrual or front load the time.

**179.** Whether the CT paid leave takes precedent before any employer's own provided sick leave? Will the max still be 40 hours, even if the employee's regular full-time weekly hours worked are below 40 hours? Can an employee be entitled to paid leave while awaiting to collect worker's compensation benefits? Can an employee still accrue the 40 hours paid leave while on worker's compensation leave?

An employee earns 1 hour of paid sick leave for every 30 hours of time actually worked to a maximum of 40 hours per benefit year, regardless of the number of hours worked per week. Paid sick leave would not accrue while the employee is out of work on workers' comp because they are not actually working.

For any questions regarding the interaction between employer paid leave and the Connecticut Paid Leave program (CTPL), please contact the Connecticut Paid Leave Authority at [www.ctpaidleave.org](http://www.ctpaidleave.org).

**180.** Why are municipal employees exempt now when they are required to pay the tax? There is no tax associated with the Paid Sick Leave law, and the law has always applied to municipalities. Municipal employees are not exempt.

**181.** If someone is out due to Covid for a week, that should fall under the CT Paid leave 40 hours correct?

It would likely be a qualifying illness under the Paid Sick Leave law. Connecticut Paid Leave (CTPL) is a different program. Any questions regarding eligibility under the CTPL should be directed to the Connecticut Paid Leave Authority at [www.ctpaidleave.org](http://www.ctpaidleave.org).

**182.** Just the question regarding remote employees who work outside of CT?

The employee would be covered if the employer reports that employee to CT for unemployment insurance purposes.

**183.** PTO sick leave vs CT paid sick leave first 40 hours. Does the employee have to submit to CT Paid Leave for these hours, and does the employer has to fill out a form/s?

Any questions regarding the interaction between employer paid leave and Connecticut Paid Leave (CTPL) should be directed to the Connecticut Paid Leave Authority at [www.ctpaidleave.org](http://www.ctpaidleave.org).

**184.** If you currently offer leave accrual and use in day/half-day increments, do you need to switch to hours to be compliant?

Yes. Employers are required to allow employees to use accrued paid sick leave in 1-hour increments, regardless of the employer's timekeeping system. Employers may apply their normal policies to additional hours over 40.

**185.** Is this in addition to accruals already provided?

An employer is in compliance with the law if they offer paid time off that is in compliance with all requirements of the Paid Sick Leave law. An employer may offer more than 40 hours of paid leave per year, but any time which exceeds the 40 hours required by the Paid Sick Leave law is subject to the employer's normal attendance and time off policies.

**186.** I just want to confirm we are exempt as we are a small business of 3 employees.

As of 1/1/25, the law will cover employers with 25+ employees; however, as of 1/1/27, the law will cover employers with 1+ employees.

**187.** If we have a current PTO policy of over 40 hours that renews on the employee's anniversary, do we have to change to 1/1 each year? Or can we continue?

See answer at the top of this Q&A for current employees.

**188.** Keeping it simple, we offer PTO that exceeds 40 hours but do not allow any carry over. How will this new sick leave policy affect this?

It depends on whether the employer front loads the PTO at the beginning of the benefit year or requires the employee to accrue the time. If the time is front loaded, the employer is not required to provide carry over. If the time is accrued, then any hours accrued and not used out of 40 paid sick leave hours would have to be carried over into the following year.

**189.** When/if will CT Public Schools be required?

Educational institutions have always been covered and will continue to be covered as of 1/1/25.

**190.** With our undefined sick and personal leave policy we don't have to break out CT PSL since we are allowing them to take at least 40 if not more hours of PSL. We don't have to show anything as long as we can show our policy is undefined and we don't limit anyone to less than 40.

Employers must track and keep records of hours worked as well as paid sick leave accrued and used as part of its normal recordkeeping obligations.

**191.** Does this law apply to companies that already offer 40+ hours of sick time? For example, my offers 40+ hours of sick time. NOT PTO, Sick Time.

The law applies to any employer who meets the definition of covered employer under the law and the sick time it offers must be in compliance with all requirements of the Paid Sick Leave law.

**192.** In terms of the accrual for the sick leave if our current process does not accrue as quickly as the law requires but we allow employees to pre-take their “leave” before earning it would that still satisfy the requirements? Or do we need to prove they are accruing at the rate required by the law being the 1 hour for every 30 hours worked starting in January.

The employee must be allowed to accrue 1 hour of paid sick leave for every 30 hours of work.

**193.** Are municipalities exempt

Municipalities have always been covered by the law and will continue to be covered.

**194.** Does this replace "sick family leave"?

If you are referring to the Connecticut Paid Leave (CTPL) program, no, this does not replace it.

**195.** What number of employees a municipality have to have for this to begin?

If the municipality was not already covered under the previous law (50 or more employees), then as of 1/1/25 the law covers employers with 25+ employees; 1/1/26, 11+ employees; and 1/1/27, 1+ employees.

**196.** Are Boards of Education exempt?

No, they have always been covered if they have the requisite number of employees.