



Michigan Earned Sick Time Act

Sample Policies

Michigan requires covered employers to provide employees with paid sick leave. Included below are two policies. The policy that is applicable to your business will depend on the number of employees you have. These sample policies are written in accordance with the Michigan Earned Sick Time Act (ESTA).

Note: *The ESTA applies to all Michigan employers that have one or more employee(s), including any person, firm, business, educational institutions, corporations, limited liability company, government entities, excluding the United States Government. The policies below cover the basic requirements of the law. Employers may also provide carry-over or payout unused leave in addition to the requirements below.*

Select the policy below that pertains to your business:

- Michigan Earned Sick Time Act Policy (10 or fewer employees)
- Michigan Earned Sick Time Act Policy (11 or more employees)

Michigan Earned Sick Time Act Policy

(10 or fewer employees)

Company provides paid sick leave in accordance with the Michigan Earned Sick Time Act.

Eligibility

All employees in the company are eligible to accrue and use sick leave.

Access & Usage

At the commencement of employment, employees will begin accruing one hour of paid sick leave for every 30 hours worked.*

Employees will be entitled to use up to 40 hours of paid sick leave per calendar year.**

New hires may begin using paid sick leave for eligible uses after the 120th day of employment by the company.***

Employees are NOT required to search for or secure a replacement worker as a condition for using earned sick leave.

Eligible Uses

Paid sick leave may be used for the following purposes or reasons:

- 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
- 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.

Compensation

Employees will receive their normal rate of pay for any paid leave time under this law, or the applicable minimum wage rate, whichever is greater.

**Employers may alternatively front-load 40 hours of paid sick leave to the employee.*

***Employers may allow employees to use more than 40 hours of sick leave in a calendar year.*

****This is optional. Employers may allow new hires to begin using sick leave immediately as it accrues, or after a period of less than 120 days.*

Michigan Earned Sick Time Act Policy

(11 or more employees)

Company provides paid sick leave in accordance with the Michigan Earned Sick Time Act.

Eligibility

All employees in the company are eligible to accrue and use sick leave.

Access & Usage

At the commencement of employment, employees will begin accruing one hour of paid sick leave for every 30 hours worked.*

Employees will be entitled to use up to 72 hours of paid sick leave per calendar year.**

New hires may begin using paid sick leave for eligible uses after the 120th day of employment by the company.***

Employees are NOT required to search for or secure a replacement worker as a condition for using earned sick leave.

Eligible Uses

Paid sick leave may be used for the following purposes or reasons:

- 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
- 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.

Compensation

Employees will receive their normal rate of pay for any paid leave time under this law, or the applicable minimum wage rate, whichever is greater.

**Employers may alternatively front-load 72 hours of paid sick leave to the employee.*

***Employers may allow employees to use more than 72 hours of sick leave in a calendar year.*

****This is optional. Employers may allow new hires to begin using sick leave immediately as it accrues, or after a period of less than 120 days.*

Employers who have a current policy that they would like reviewed or need assistance with creating a policy that aligns with paid sick leave requirements should contact us for help.



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