

Greater Waterbury Chamber HR Council

Connecticut Paid Sick Leave

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Disclaimer

This information is for educational purposes only to provide general information and a general understanding of the law. It does not constitute legal advice and does not establish any attorney-client relationship

Covered Employers

Number of employee is based on employer's payroll for the week containing January 1st, annually.

Gradual expansion of coverage:

Effective
January 1, 2025:
Employers with 25 or
more employees

Effective
January 1, 2026:
Employers with 11 or
more employees

Effective
January 1, 2027:
Employers with 1
or more
employees

Threshold is
determined by a
company's payroll
for the week
containing
January 1

Excluded Employers

Covers all employers except:

- Employers that participate in a multiemployer health plan that is maintained pursuant to a collective bargaining agreement between a construction-related union and employer
- Self-employed individuals

Eligible Employees

Covered Employees

- **ALL** employees of a covered employer, except for “seasonal employees,” defined as those working 120 or fewer days during a year
- Individuals who are members of construction-related tradesperson employee organizations that are part of a multiemployer health plan maintained pursuant to one or more collective bargaining agreements between a construction-related tradesperson employee organization(s) and employer.

Seasonal Employee

An employee who works 120 days or less in any year

Work-days and not calendar days

Be Aware of Days Seasonal Employees Work



Once an employee works more than 120 days, they are entitled to accrued sick leave based on hours worked from the first day of employment and be able to begin using paid sick leave.

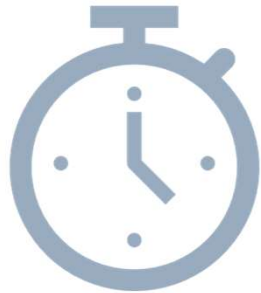


Employers who hire an employee with the intent that they be a “seasonal” employee must be mindful of the number of days the employee actually works. Also, any day the employee works, regardless of the number of hours, is considered a work day.

Accrual

Over time	Frontloading option
<ul style="list-style-type: none">• Eligible employees accrue 1 hour of paid sick time for every 30 hours worked, capped at 40 hours per year• Presumption is that exempt employees work 40 hours per week for purposes of accrual	<ul style="list-style-type: none">• Current and new law allow for frontloading of paid sick leave in lieu of accrual method• Frontloaded time must meet or exceed what employee would have earned using accrual method

Accrual



Accrual is for time actually worked by the employee



“Year” means any 365-day period used by the employer to calculate employee benefits

Eligibility to Use Accrued Sick Time

When can new hires use sick time:

- Covered employee may use accrued paid sick time on and after 120 calendar days of employment
- This is a one-time requirement

Break in Service

- A voluntary or involuntary termination of an employee's employment is considered a break in service.
- If worker is rehired by the employer following a break in service, the employee:
 - Loses all paid sick leave accrued prior to the break;
 - Begins to accrue sick leave upon rehire; and
 - Retains the calendar days worked towards the 120 calendar days requirement

Usage

Employee may use
paid sick time in
one-hour increments

Employees are not
entitled to use paid
sick leave in lesser
increments, unless
the employer agrees

Carryover


Covered employees entitled to carry over up to 40 hours of sick time from one year to next

Employers can limit use of sick time to maximum of 40 hours per year

Exception:
Employers who frontload sick time that meets requirements of the law are not required to permit carryover

Payout

Employers may provide option for any time that the employee accrued but did not use during the year to be paid out at the end of the year (in lieu of carryover).



Employers are not required to pay out unused, accrued paid sick leave at termination from employment, unless the employer's policy, employment contract, or collective bargaining agreement provides that it will be paid out.

Reasons for Leave



The employee's or family member's:

- Illness, injury, or health condition
- Medical diagnosis, care or treatment for mental or physical illness, injury, or health condition
- Preventative medical care for the service worker or the service worker's spouse or child



For certain circumstances where the employee or a family is a victim of family violence or sexual assault, provided that the employee is not the alleged perpetrator.

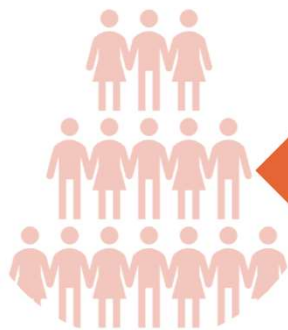


A mental health wellness day for the employee

Reasons for Leave



May use sick time to care for “family members” using same definitions as Connecticut’s Family and Medical Leave Act



Includes: spouses, siblings, children, grandparents, grandchildren, and parents, as well as individuals who are “related to the employee by blood or affinity whose close association the employee shows to be equivalent to those family relationships”

Reasons for Leave

Closure by order of a public official, due to a public health emergency, of either (a) an employer's place of business or (b) a **family member's** school or place of care;

A determination by a health authority, employer of the employee, employer of a family member, or a healthcare provider that an employee or employee's family member poses a risk to the health of others due to an exposure to a communicable illness, whether or not the employee or family member contracted the communicable illness

Paid Time Off Policies

- Employers may comply with the paid sick leave law by offering any “paid time off” (e.g., PTO, personal time, vacation) that:
 - May be used for the reasons defined in the paid sick leave law,
 - Is accrued in total at a rate equal to or greater than the rate of 1 hour per every 30 hours worked, for a total of 40 hours per year, and
 - Allows the employee to use up to 40 hours of paid time off in one-hour increments for the reasons defined in the paid sick leave law

Employee Notice and Documentation

New law

- Eliminates employer's right to require 7 days' notice when need for leave is foreseeable
- Eliminates employer's right to require an employee to provide documentation that covered paid sick leave is being taken for a permitted purpose

Records Retention



Covered employers must retain sick time records for a period of three years, including:

- Number of hours of paid sick time accrued or provided to the employee
- Number of hours used by the employee during the calendar year



CTDOL may inspect the sick time records and assess penalties for failure to keep required records

Miscellaneous



Finding replacements to cover shifts:

- An employer may not require an employee to find coverage for his or shift when using sick time



Employer Notice obligations

- Display a poster in a conspicuous place accessible to employees (CT DOL to create a model poster for covered employers)
- Provide written notice to employees by January 1, 2025, or at the time or hire, whichever is later
- See https://portal.ct.gov/dol/knowledge-base/articles/wage-and-workplace-standards/paid-sick-leave?language=en_US

What Should Employers Do?



Review coverage



Review current paid time off policies



Evaluate whether current policies comply with law



Revise leave policies and practices



Educate managers



Provide and post relevant notices

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