

Montgomery County, Maryland

EARNED SICK AND SAFE LEAVE LAW

Montgomery County Code
Chapter 27 Human Rights and Civil Liberties, Article XIII

———— EFFECTIVE OCTOBER 1, 2016 ————

Revised November 9, 2016

How is Earned Sick and Safe Leave Accrued?

An employee must accrue paid leave before accruing unpaid leave in a calendar year. Paid earned sick and safe leave must accrue at a rate of at least 1 hour for every 30 hours an employee works in the County.

An employer with FEWER THAN 5 EMPLOYEES:

- ✓ Must provide each employee with both paid and unpaid sick and safe leave for work performed in the County.
- ✓ Must not be required to allow an employee to:
- ✓ Earn more than 32 hours of paid earned sick and safe leave and 24 hours of unpaid earned sick and safe leave in a calendar year; or
- ✓ Use more than 80 hours of earned sick and safe leave in a calendar year.

An employer with 5 OR MORE EMPLOYEES must not be required to allow an employee to:

- ✓ Earn more than 56 hours of earned sick and safe leave in a calendar year; or
- ✓ Use more than 80 hours of earned sick and safe leave in a calendar year.

Permitted Uses of Earned Sick and Safe Leave:

- ✓ To care for or treat the employee's own illness (mental or physical), injury, or health condition.
- ✓ To obtain preventative medical care for the employee or their family member.
- ✓ To take care of a family member with an illness (physical or mental), injury, or health condition.
- ✓ When the employee's place of business or when the employee's family member's school or child care center has been closed by order of a public official due to a public health emergency.
- ✓ To care for a family member if a health official or health care provider determined the family member's presence in the community, due to exposure to a communicable disease, would jeopardize the health of others.
- ✓ Due to domestic violence, sexual assault, or stalking against the employee or the employee's family member. Leave must be used for medical attention, services from a victim services organization, legal services, or during the time that the employee has temporarily relocated.
- ✓ For the birth of a child or for the placement of a child with the employee for adoption or foster care.
- ✓ To care for a newborn, newly adopted, or newly placed child within one year for a newborn or adoption or placement.

An employer may not retaliate against an employee for exercising the rights granted by the Sick and Safe Leave Article.

If you think you have been subjected to a violation of any rights granted by the Earned Sick and Safe Leave Article, please contact:

Montgomery County Office of Human Rights
21 Maryland Avenue, Suite 330, Rockville, Maryland, 20850
240-777-8450, www.montgomerycountymd.gov/humanrights

Montgomery County, Maryland
Office
of
HUMAN RIGHTS
Creating a culture of service and a
climate of fairness and inclusion