

October 1, 2015

www.msek.com

Executive Order Grants Paid Sick Leave to Employees of Federal Contractors

Over the Labor Day weekend, President Obama signed Executive Order #13658 which requires federal contractors to grant their workers the ability to earn at least seven days (56 hours) of paid sick leave each year. Workers can use the paid sick leave to care for themselves, a family member, such as a child, parent, spouse, or domestic partner, as well as for absences resulting from domestic violence, sexual assault, or stalking. Under the new rules, which will go into effect on January 1, 2017, employees of companies that do work for the federal government will earn one hour of paid sick leave for every 30 hours of work. Workers can carry over their unused leave from year to year. However, payment of unused leave upon job separation is not required by the Executive Order.

Under the new Executive Order, employees are required to give notice of an upcoming sick day at least seven days in advance where the need for the leave is foreseeable, and in other cases as soon as practicable. If an employee uses more than three consecutive paid sick days, the contractor can require the worker to produce verifying documentation from a health care provider.

The Executive Order states that a contractor's existing paid leave policy will be sufficient if it satisfies all the paid leave requirements set forth in the Executive Order. Moreover, the Executive Order does not supersede any applicable federal or state law, or any collective bargaining agreements requiring greater paid sick leave or leave rights than those established by the Order.

Employers must comply with the Executive Order as a condition of payment on their federal contracts. Contractors should review their existing leave policies, or draft new policies, to ensure compliance with Executive Order #13658 and all applicable federal and state laws and regulations.

For more information on Meyer Suozzi's Employment Law practice, [click here](#).