



## Employment Law Note

March 2025

### Washington's Expanded Paid Sick Leave Law



By **Julian Cano** ([jcano@sbj.law](mailto:jcano@sbj.law)) and  
**Jennifer Parada-Aldrich**  
([jparada@sbj.law](mailto:jparada@sbj.law))

Since January 1, 2018, employers in Washington State have been required to provide non-exempt employees with paid sick leave under Washington's Paid Sick Leave law. Legislation passed in 2024 expands leave protections under the law, including the definition of "family members" for whom employees may use paid sick leave hours to provide care. With the newly expanded law now in effect as of January 1, 2025, employers should take the opportunity to review and update their existing sick leave policies and practices to ensure compliance.

#### Washington's Paid Sick Leave Law – A Refresher

Under Washington's paid sick leave law, private, public, and state employers must provide non-exempt employees with the accrual of at least one hour of paid sick leave for every 40 hours the employee has worked. Leave accrual begins on the employee's first day of employment, although employers may restrict usage of the leave until the completion of 90 days of employment. Leave accrual is not capped, meaning there is no limit on the amount of paid sick leave hours an employee may accrue in one year; however, employers are only required to allow employees to carry over 40 unused hours each year.

Employees may use accrued paid sick leave for certain legally protected reasons, including for: (1) the employee's personal medical care; (2) to care for a family member with a mental or physical illness, injury, or health condition; (3) to care for a child when their school or place of care is closed for a health-related reason; (4) closure of the employee's place of business for a health-related reason; or (5) for reasons under Washington's Domestic Violence Leave Act.

If an employer requires its employees to provide reasonable notice for the use of paid sick leave, it must have a written policy or a collective bargaining agreement in place that outlines such requirements. There is otherwise no requirement that employers implement a written policy with regard to employee rights and benefits under Washington's Paid Sick Leave law, though it is best practice for employers to maintain a clearly written policy in this regard.

Employers are prohibited from requiring an employee to find a replacement worker to cover the hours during which the employee is on paid sick leave. If an employee is absent for more than three days, the employer may require the employee to provide verification that the leave was used for legally protected purposes. With limited exception applicable only in the construction industry (for individuals who have been employed by their construction employer for fewer than 90 days), employers are not required to pay out an employee's accrued unused sick leave balance at the time the employment ends.

## Expanded Protections Effective January 1, 2025

Effective January 1, 2025, the definitions of who is considered an employee's family member or child for purposes of using paid sick leave, as well as when paid sick leave can be used for closure of a child's school or place of care, has been expanded as follows:

- The definition of "family" is revised to include any individual who regularly resides in the employee's home and "who has a relationship with them that creates an expectation that they would take care of them during an illness."
- "Child" will now also include the spouse of the employee's child.
- Washington Paid Sick Leave law already allows employees to use paid sick leave when an employee's child's school or place of care has been closed by order of a public official for any health-related reason. With the law's expansion, employees are now allowed to use paid sick leave when an employee's child's school or place of care has been

closed if there is a declaration of an emergency by a local, state, or federal government or agency.

In addition to these expanded definitions and protections, the amendments further define: (1) "grandchild" as "a child of the employee's child"; (2) "grandparent" as "a parent of the employee's parent"; and (3) "spouse" as a husband, wife, or state-registered domestic partner.

## Implications for Employers

Washington State employers must ensure that their sick leave policies and practices are up to date to comply with the expanded protections and definitions under the Paid Sick Leave law. Employers with written policies should revise their policies to reflect these changes. Those without written policies are encouraged to use the recent amendments as an opportunity to implement a clearly stated policy. Employers in need of assistance in updating or implementing written sick leave policies, or with questions about Washington's Paid Sick Leave law and its expanded protections, are encouraged to contact Sebris Busto James.

For more information about this month's Employment Law Note  
contact us at [425-454-4233](tel:425-454-4233)



We publish the Employment Law Note to inform clients and friends of developments in labor and employment relations law. This Note is not intended, nor should it be used, as a substitute for specific legal advice or opinions. Legal counsel can be given only in response to inquiries regarding particular factual situations. © 2025 Sebris Busto James. All rights reserved.