

KNOW YOUR RIGHTS: Duluth, MN Paid Sick Time

1) What does the Duluth Paid Sick Time law do?

It gives workers paid sick time that can be used to recover from physical/mental illness or injury; to seek medical diagnosis, treatment, or preventative care; to care for a family member who is ill or needs medical diagnosis, treatment, or preventative care; to address needs that may arise if the worker or a family member is a victim of domestic abuse, sexual assault, or stalking; or to cover lost work hours due to the closure of a worker's place of employment for public health reasons.

Additionally, the City released [administrative guidance](#) clarifying that sick time can also be used for certain COVID-19 related reasons, including:

- Coronavirus screening;
- Providing or receiving care due to coronavirus symptoms or infection; or
- Quarantine following close personal contact with a coronavirus-infected or symptomatic person.

2) Am I covered?

If you perform work in the City of Duluth for more than **50 percent of your working time** in a 12-month period, or if you are based in the City of Duluth and spend a substantial part of your time working in the city and do not spend more than **50 percent of your working time** in a 12-month period in any other particular place, you are probably covered, whether you are a **full-time or part-time** worker. However, the law does not cover **employees of employers with fewer than 5 employees (counting employees outside of Duluth)**, government employees other than employees of the City of Duluth, independent contractors, student interns, seasonal employees, and certain railroad workers. Note that there are also special provisions for how employers can satisfy the law's requirements for construction employees.

3) How much paid sick time can I earn?

You earn **1 hour** of paid sick time for **every 50 hours worked**, up to a maximum of **64 hours** per year. However, your employer may limit your *use* of paid sick time at **40 hours** in a year.

All covered employees are protected against being fired or punished for using or requesting their sick time (including threats, discipline, demotion, reduction in hours, termination, etc.).

4) What if my work or my child's school or daycare is closed for a health emergency?

You cannot use your paid sick time because your work or your child's school or day care is closed unless you would otherwise be able to use your sick time (for example, if you are sick or caring for a sick family member).

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5) Which of my family members are covered by the law?

Under the law, you can take sick time to care for yourself or a child, spouse, domestic partner, parent, parent-in-law, grandchild, grandparent, sibling, or for any other individual related by blood (such as an aunt, cousin, etc.) or whose close association with you is the equivalent of a family relationship (such as a close friend who is like family, a significant other, etc.).

6) What if I already have paid leave or paid time off?

If you already get any paid leave (vacation, paid time off, etc.) that you can use as paid sick time for the same purposes and under the same conditions of this law **and** it's **at least** the same amount you would earn under this law, the law does **not** give you any additional paid time off.

7) When can I begin using my paid sick time?

You start earning paid sick time immediately but cannot use it until 90 days after the start of your employment.

8) Do I need a doctor's note?

An employer may require reasonable documentation that the sick time is covered by one of the law's purposes, but only after more than 3 consecutive days of absence.

*The **Duluth City Clerk's Office** is in charge of enforcing this law.*

All covered workers are protected against being fired or punished for using or requesting sick or safe time. If you have a problem—or want more information—call A Better Balance's free legal clinic at **1-833-NEED-ABB**.

Please note that this fact sheet does not represent an exhaustive overview of the paid sick time law described, and it does not constitute legal advice. It is possible that additional provisions not described in this fact sheet may apply to a worker's specific circumstances or category of employment.