

Sick Leave Comparison Chart

Paid Leave Law	Maryland HWFA	Emergency Paid Sick Leave Act	Emergency FMLA Expansion
State or Federal Law	State	Federal	Federal
Employees Required	1	Fewer than 500	Fewer than 500
Type of Illness Required	Any illness	Coronavirus-Related Inability to Work	Coronavirus-Related Inability to Work
Compensation Required	Regular rate of pay if employer has 15 or more employees. <i>Unpaid</i> if 14 or fewer employees	Max \$511 per day (\$5,110 in aggregate) to care for oneself. Max \$200 per day (\$2,000 in aggregate) to care for another.	Max \$200 per day (\$10,000 aggregate)
When Available	<ul style="list-style-type: none"> • After the first 106 days of employment • Employee can accrue 1 hour of leave for every 30 hours worked up to 40 hours per year (5 days) • Employers can cap use at 80 hours (8 days) 	Immediately, regardless of length of time employed by employer	<ul style="list-style-type: none"> • Employee has worked there for 30 calendar days and • Employee is unable to work or telework due to a need for leave to care for a son or daughter who is under 18 if the school or place of care was closed or care provider is unavailable due to public health emergency related to the coronavirus
Benefit Period	Duration of employment	Max 3 months beginning January 19, 2020 through 1 year after bill's enactment	Effective until December 31, 2020

<p>Who's Not Covered</p>	<p>Agricultural workers; realtors; workers under the age of 18; workers employed by a temp agency to provide temporary staffing services to another; workers directly employed by an employment agency to provide part-time or temporary services to another; workers who <i>regularly work fewer than 12</i> hours week; workers in the construction industry covered by a collective bargaining agreement waiving sick and safe leave in clear and unambiguous terms; workers on-call in the health or human services industry that can reject or accept a shift, are not guaranteed to be called for work, and are not employed by a temporary staffing agency.</p>	<p>Secretary of Department of Labor may exempt:</p> <ul style="list-style-type: none"> • healthcare providers • emergency responders • small business with <i>fewer than 50</i> employees when paid sick leave taken to care for a child whose school/place of care has been closed due to coronavirus precautions when imposing those requirements would jeopardize the viability of the business as a going concern 	<p>Secretary of Department of Labor may exempt:</p> <ul style="list-style-type: none"> • healthcare providers • emergency responders • small business with <i>fewer than 50</i> employees when paid sick leave taken to care for a child whose school/place of care has been closed due to coronavirus precautions when imposing those requirements would jeopardize the viability of the business as a going concern
<p>Employee Rights</p>	<p>Employees can file a complaint for violations of their rights under the HWFA.</p> <p>See the link here to access the complaint form.</p>	<p>Employer CANNOT require an employee to exhaust existing or other paid leave (such as under the MHWFA) before using emergency leave.</p> <p>Also, it is unlawful for any employer to discharge, discipline, or in any other manner discriminate against any employee who takes leave in accordance with this Act or has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act (including a proceeding that seeks enforcement of this Act), or has testified or is about to testify in any such proceeding.</p>	<p>Employee has job protection to return to their restored position or equivalent job (explained in depth above).</p>
<p>How to Apply</p>	<p>Submit a request to employer</p>	<p>Phone, Online, or by Mail</p>	

