

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](http://www.montgomerycountymd.gov/humanrights)

