



GRETCHEN WHITMER  
GOBERNADORA

## Departamento de Trabajo y Oportunidad Económica de Michigan

División de Horas y Salarios

PO Box 30476

Lansing, MI 48909-7976

CARTEL OBLIGATORIO

### REQUISITOS GENERALES- LEY DE LICENCIAS POR ENFERMEDAD ACUMULADAS\*



MICHIGAN DEPARTMENT OF  
LABOR & ECONOMIC  
OPPORTUNITY

SUSAN CORBIN  
DIRECTORA

El "año" de su empleador a los fines de la Ley de Licencias por Enfermedad Acumuladas es:

#### Acumulación de licencia por enfermedad acumulada

Cantidad de empleados	Tasa de acumulación mínima	El empleador puede limitar su uso a:
10 o menos empleados	1 hora por cada 30 horas	40 horas al año
11 empleados o más	1 hora por cada 30 horas	72 horas al año

- Según la política escrita de la empresa, las licencias por enfermedad acumuladas pueden transferirse de un año a otro o abonarse. Las empresas con 10 empleados o menos no están obligadas a permitir que un empleado utilice más de 40 horas de licencia por enfermedad acumulada en un solo año; las empresas con 11 empleados o menos no están obligadas a permitir que un empleado utilice más de 72 horas de licencia por enfermedad acumulada en un solo año.
- La licencia por enfermedad acumulada deberá comenzar a acumularse a partir de la fecha de entrada en vigor de esta ley, o al inicio del empleo del empleado, lo que suceda después.
- Un empleado puede utilizar la licencia por enfermedad acumulada según se la acumule. Los empleados recién contratados pueden estar sujetos a un periodo de espera de 120 días para su utilización.
- Un empleador cumple la ley si proporciona cualquier licencia remunerada por al menos al misma cantidad provista por esta ley que pueda utilizarse a los mismos fines y en las mismas condiciones dispuestas en esta ley y que se acumulen a una tarifa equivalente o mayor que la tarifa descrita en los incisos (1) y (2) del artículo 3 de la ley. La licencia remunerada incluye, entre otras cosas, vacaciones remuneradas, días personales y licencias remuneradas.

#### Usos de la licencia por enfermedad acumulada

Un empleador permitirá que un empleado utilice la licencia por enfermedad acumulada para cualquiera de los siguientes:

- La enfermedad o lesión física o condición de salud del empleado o de uno de sus familiares; el diagnóstico médico, atención o tratamiento de la enfermedad o lesión física o condición de salud del empleado; o la atención médica preventiva para el empleado;
- Si el empleado o un miembro de su familia es víctima de violencia doméstica o agresión sexual, para recibir atención médica o asesoramiento psicológico o de otro tipo por lesiones o discapacidades físicas o psicológicas; para obtener servicios de una organización de servicios a las víctimas; para trasladarse debido a la violencia doméstica o agresión sexual; para obtener servicios legales; o para participar en cualquier procedimiento civil o penal relacionado con la violencia doméstica o agresión sexual o derivado de ella.
- Para reuniones en la escuela o centro de atención del niño relacionadas con su salud o discapacidad, o con los efectos de la violencia doméstica o la agresión sexual en el niño; o
- Por cierre del lugar de trabajo del empleado por orden de un funcionario público debido a una emergencia de salud pública; por la necesidad del empleado de cuidar a un niño cuya escuela o lugar de atención haya sido cerrado por orden de un funcionario público debido a una emergencia de salud pública; o cuando las autoridades de salud competentes o un proveedor de salud hayan determinado que la presencia del empleado o de un familiar suyo en la comunidad podría poner en peligro la salud de otras personas debido a la exposición del empleado o de un familiar suyo a una enfermedad transmisible.
- Un empleador no podrá solicitar que un empleado busque o asegure un reemplazo como condición para utilizar la licencia por enfermedad acumulada.

#### Ejercicio de derechos

- Un empleador o cualquier otra persona no podrá interferir, restringir ni denegar el ejercicio o intento de ejercicio de cualquier derecho protegido según esta ley.
- Un empleador no tomará represalias contra el personal ni discriminará a un empleado porque el empleado haya ejercido un derecho protegido según esta ley. "Represalia contra el personal" significa lo siguiente:
  - Denegación de cualquier derecho garantizado según esta ley.
  - Una amenaza, cese, suspensión, degradación, reducción de horas u otras medidas adversas contra un empleado o ex-empleado por ejercer un derecho garantizado por esta ley.
  - Sanciones contra un empleado que recibe beneficios públicos por ejercer un derecho garantizado según esta ley.
  - Interferencia o castigo por la participación de una persona de cualquier manera en una investigación, procedimiento o audiencia en virtud de esta ley.
- La política de control de ausencias de una empresa no debe considerar la licencia por enfermedad acumulada en virtud de esta ley como una ausencia que pueda dar lugar a represalias personales.

#### Presentar un reclamo

Un empleado afectado por una supuesta violación, en cualquier momento en los 3 años posteriores a la supuesta violación o en la fecha en el empleado tuvo conocimiento de la supuesta violación, lo que sea posterior, puede hacer presentar un reclamo a la División de Horas y Salarios.

\*Para ver la redacción precisa del estatuto, vea la Ley Pública 338 de 2018, con sus enmiendas.  
Las personas con discapacidad pueden solicitar ayudas, servicios y otras adaptaciones razonables.  
[www.michigan.gov/wagehour](http://www.michigan.gov/wagehour) • Llamada gratuita al 1-855-4MI-WAGE (1-855-464-9243)

# Your Employee Rights Under the Family and Medical Leave Act

## What is FMLA leave?

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with **job-protected leave** for qualifying family and medical reasons. The U.S. Department of Labor's Wage and Hour Division (WHD) enforces the FMLA for most employees.

Eligible employees can take **up to 12 workweeks** of FMLA leave in a 12-month period for:

- The birth, adoption or foster placement of a child with you,
- Your serious mental or physical health condition that makes you unable to work,
- To care for your spouse, child or parent with a serious mental or physical health condition, and
- Certain qualifying reasons related to the foreign deployment of your spouse, child or parent who is a military servicemember.

An eligible employee who is the spouse, child, parent or next of kin of a covered servicemember with a serious injury or illness **may take up to 26 workweeks** of FMLA leave in a single 12-month period to care for the servicemember.

You have the right to use FMLA leave in **one block of time**. When it is medically necessary or otherwise permitted, you may take FMLA leave **intermittently in separate blocks of time, or on a reduced schedule** by working less hours each day or week. Read Fact Sheet #28M(c) for more information.

FMLA leave is **not paid leave**, but you may choose, or be required by your employer, to use any employer-provided paid leave if your employer's paid leave policy covers the reason for which you need FMLA leave.

## Am I eligible to take FMLA leave?

You are an **eligible employee** if **all** of the following apply:

- You work for a covered employer,
- You have worked for your employer at least 12 months,
- You have at least 1,250 hours of service for your employer during the 12 months before your leave, and
- Your employer has at least 50 employees within 75 miles of your work location.

Airline flight crew employees have different "hours of service" requirements.

You work for a **covered employer** if **one** of the following applies:

- You work for a private employer that had at least 50 employees during at least 20 workweeks in the current or previous calendar year,
- You work for an elementary or public or private secondary school, or
- You work for a public agency, such as a local, state or federal government agency. Most federal employees are covered by Title II of the FMLA, administered by the Office of Personnel Management.

## How do I request FMLA leave?

Generally, to request FMLA leave you **must**:

- Follow your employer's normal policies for requesting leave,
- Give notice at least 30 days before your need for FMLA leave, or
- If advance notice is not possible, give notice as soon as possible.

You **do not have to share a medical diagnosis** but must provide enough information to your employer so they can determine whether the leave qualifies for FMLA protection. You **must also inform your employer if FMLA leave was previously taken** or approved for the same reason when requesting additional leave.

Your **employer may request certification** from a health care provider to verify medical leave and may request certification of a qualifying exigency.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

State employees may be subject to certain limitations in pursuit of direct lawsuits regarding leave for their own serious health conditions. Most federal and certain congressional employees are also covered by the law but are subject to the jurisdiction of the U.S. Office of Personnel Management or Congress.

## What does my employer need to do?

If you are eligible for FMLA leave, your **employer must**:

- Allow you to take job-protected time off work for a qualifying reason,
- Continue your group health plan coverage while you are on leave on the same basis as if you had not taken leave, and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the end of your leave.

Your **employer cannot interfere with your FMLA rights** or threaten or punish you for exercising your rights under the law. For example, your employer cannot retaliate against you for requesting FMLA leave or cooperating with a WHD investigation.

After becoming aware that your need for leave is for a reason that may qualify under the FMLA, your **employer must confirm whether you are eligible** or not eligible for FMLA leave. If your employer determines that you are eligible, your **employer must notify you in writing**:

- About your FMLA rights and responsibilities, and
- How much of your requested leave, if any, will be FMLA-protected leave.

## Where can I find more information?

Call **1-866-487-9243** or visit **doL.gov/fmla** to learn more.

If you believe your rights under the FMLA have been violated, you may file a complaint with WHD or file a private lawsuit against your employer in court. **Scan the QR code to learn about our WHD complaint process.**



**WAGE AND HOUR DIVISION**  
UNITED STATES DEPARTMENT OF LABOR

SCAN ME



# MICHIGAN SAFETY AND HEALTH PROTECTION ON THE JOB

THE MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ACT, 1974 P.A. 154, AS AMENDED, REQUIRES POSTING OF THIS DOCUMENT IN A CENTRAL AND CONSPICUOUS LOCATION. FAILURE TO DO SO MAY RESULT IN A PENALTY.

The Michigan Occupational Safety and Health Act (MIOSH Act), Act No. 154 of the Public Acts of 1974, as amended, provides job safety and health protection for Michigan employees through the maintenance of safe and healthful working conditions. Under the MIOSH Act and a state plan approved in September 1973 by the U.S. Department of Labor, the Michigan Department of Labor and Economic Opportunity is responsible for administering the Act. Department representatives conduct job site inspections and investigations to ensure compliance with the Act and with safety and health standards.

The contents of this poster describe many important provisions of the Act. These provisions apply equally to employers and employees in either private industry or the public sector.

## EMPLOYER REQUIREMENTS: MIOSHA requires that each employer:

1. Furnish to each employee employment and a place of employment which is free from recognized hazards that are causing or are likely to cause death or serious physical harm to the employee.
2. Comply with promulgated rules and standards and with orders issued pursuant to the Act.
3. Post this and other notices and use other appropriate measures to keep his or her employees informed of their protection and obligations under the Act, including the provisions of applicable rules and standards.
4. Notify the Michigan Department of Labor and Economic Opportunity within 8 hours of any work-related fatality. Notification may be accomplished by calling 1-800-858-0397.
5. Notify the Michigan Department of Labor and Economic Opportunity within 24 hours of all work-related inpatient hospitalizations, amputations and losses of an eye. Notification may be accomplished by calling 844-464-6742 (MIOSHHA).
6. Make available to employees, for inspection and copying, all medical records and health data in the employer's possession pertaining to that employee.
7. Afford an employee an opportunity with or without compensation to attend all meetings between the Department of Labor and Economic Opportunity and the employer relative to any appeal of a citation by the employer.

**COMPLAINTS:** Employees and employee representatives who believe that an unsafe or unhealthful condition exists in their workplace have the right to request an inspection by giving written notice to the Department of Labor and Economic Opportunity. If a condition exists which may present an immediate danger, the Department should be notified in the most expedient manner without regard to a written notice. The names of complainants will be kept confidential and not revealed upon the request of the employee. Employees also have the right to bring unsafe or unhealthful conditions to the attention of the department representative during the conduct of an inspection or investigation.

The Act provides that employees may not be discharged or in any manner discriminated against for filing a complaint or exercising any of their rights under the Act. An employee who believes he or she has been discriminated against may file a complaint with the Michigan Department of Labor and Economic Opportunity within 30 days of the alleged discrimination.

The U.S. Department of Labor is monitoring the operation of the Michigan Occupational Safety and Health Administration (MIOSHA) to assure the effective administration of the state act. Any person may make a written complaint regarding the state administration of the state act directly to the Regional Office of OSHA, 230 South Dearborn, Chicago, Illinois 60604.

**CITATIONS:** If upon inspection or investigation the Department of Labor and Economic Opportunity believes that a requirement of the Act has been violated, a citation alleging such violation and setting a time period for correction will be issued to the employer. The citation must be prominently posted at or near the place of the alleged violation for three days or until the violation is corrected, whichever is later.

The Act provides for first instance penalties of up to \$7,000 for a violation. Penalties of up to \$7,000 per day may be assessed for failure to correct a violation within a proposed abatement period. Any employer who willfully or repeatedly violates the Act may be assessed penalties of up to \$70,000 for each such violation. Employers may appeal the alleged citation, the proposed penalties or the abatement periods to the Department and to the Board of Health and Safety Compliance and Appeals. Employees may appeal the abatement period in a similar manner. Employees also may appeal to the Board of Health and Safety Compliance and Appeals any decision issued by the Department in response to an employer appeal.

8. Give the representative of employees the opportunity to accompany the department during the inspection or investigation of a place of employment and to prohibit the suffering of any loss of wages or fringe benefits or discriminate against the representative of employees for time spent participating in the inspection, investigation, or opening and closing conferences.
9. Provide personal protective equipment, at the employer's expense, when it is specifically required by a MIOSHA standard.
10. Not permit an employee, other than an employee whose presence is necessary to avoid, correct or remove an imminent danger, to operate equipment or engage in a process which has been tagged by the Department and which is the subject of an order issued by the Department identifying that an imminent danger exists.
11. To promptly notify an employee who was or is being exposed to toxic materials or harmful physical agents in concentrations or at levels which exceed those prescribed by a MIOSHA standard.

## EMPLOYEE REQUIREMENTS: MIOSHA requires that each employee:

1. Comply with promulgated rules and standards and with orders issued pursuant to the Act.
2. Not remove, displace, destroy, or carry off a safeguard furnished or provided for use in a place of employment, or interfere in any way with the use thereof by any other person.

**INSPECTIONS/INVESTIGATIONS:** Inspections and investigations are conducted by trained personnel. The Act requires that an employer representative and a representative of employees be given an opportunity to accompany the department representative for the purpose of aiding in the inspection or investigation.

If a representative of employees does not participate, the department representative will consult with a number of employees concerning matters of safety or health in the place of employment.

Criminal penalties also are provided for in the Act. A person who knowingly makes a false statement or report pursuant to the Act upon conviction is punishable by a fine of up to \$10,000 or may be imprisoned for not more than 6 months or both. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of up to \$10,000 or by imprisonment for not more than one year or both. A second conviction doubles the maximum monetary penalty and is punishable by imprisonment for up to three years.

**VOLUNTARY ACTIVITY AND COMPLIANCE ASSISTANCE:** The act encourages employers and employees to reduce workplace hazards voluntarily.

The Michigan Department of Labor and Economic Opportunity offers limited on-site consultation assistance to employers to assist them in achieving compliance with occupational safety and health standards. Training specialists are available and can give advice on the correction of hazardous conditions and on the development of safety and health systems. Department staff are available to conduct seminars and training relative to occupational safety and health for both employer and employee groups. Requests for service should be addressed to the department at the address shown below.

The U.S. Department of Labor will continue to enforce federal standards governing maritime operations of long shoring, shipbuilding, ship breaking and ship repairing. These issues are not covered by the Michigan Plan for Occupational Safety and Health.

## MORE INFORMATION:

Department of Labor and Economic Opportunity  
Michigan Occupational Safety and Health Administration  
530 W. Allegan Street, P.O. Box 30643  
Lansing, Michigan 48909-8143  
[www.michigan.gov/miosha](http://www.michigan.gov/miosha)

THIS IS AN IMPORTANT DOCUMENT - DO NOT COVER!



MIOSHA Complaint Hotline ..... 1-800-866-4674  
Fatality Hotline ..... 1-800-858-0397  
MIOSHA Injuries/Illnesses Reporting ..... 1-844-464-6742  
Consultation and Training Assistance ..... 1-517-284-7720

The Department of Labor and Economic Opportunity is an equal opportunity employers/program.



MIOSHA/CET 2010 (09/20)





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## Departamento de Trabajo y Oportunidad Económica de Michigan

División de Horas y Salarios PO Box 30476  
Lansing, MI 48909-7976

### CARTEL OBLIGATORIO

### REQUISITOS GENERALES - SALARIO MÍNIMO y HORAS EXTRAS



SUSAN CORBIN  
DIRECTORA

#### Cobertura

La Ley Mejorada de Salarios de Oportunidad de Fuerzas Laborales (IWOWA, por sus siglas en inglés), Ley pública 337 de 2018, cubre a los empleadores que emplean 2 o más empleados mayores de 16 años.

#### Tarifa de salario mínimo por hora

Fecha de entrada en vigor	Tarifa de salario mínimo por hora	Empleados con propinas		Tasa de 85%**
		Tarifa mínima por hora	Propinas por hora reportadas en promedio	
21 de febrero de 2025	\$12.48	\$4.74	\$7.74	\$10.61
1 de enero de 2026	\$13.73	\$5.49	\$8.24	\$11.67
1 de enero de 2027	\$15.00	\$6.30	\$8.70	\$12.75

A partir del 21 de febrero de 2025, el salario mínimo por hora de un empleado con derecho a propina será del 38% del salario mínimo por hora; a partir del 1 de enero de 2026, será del 40% del salario mínimo por hora; a partir del 1 de enero de 2027, será del 42% del salario mínimo por hora; a partir del 1 de enero de 2028, el 44% del salario mínimo por hora; a partir del 1 de enero de 2029, el 46% del salario mínimo por hora; a partir del 1 de enero de 2030, el 48% del salario mínimo por hora; y a partir del 1 de enero de 2031, el 50% del salario mínimo por hora.

#### Tasa de 85%

Los menores de 18 años pueden recibir un 85% de la tarifa de salario mínimo por hora.

#### Salario de capacitación

Puede pagarse un salario de capacitación de \$4,25 por hora a los empleados menores de 20 años de edad durante los primeros 90 días corridos de empleo.

#### Horas extras

Los empleados cubiertos por IWOWA deben recibir pagos a 1-1/2 veces de su tarifa de pago regular por las horas trabajada por sobre las 40 en una semana de trabajo. Los siguientes están exentos de los requisitos de horas extras: los empleados exentos de las disposiciones de salarios mínimos de la Ley de Normas de Trabajo Justo de 1938, 29 USC 201 a 219 (excepto ciertos empleados de servicio doméstico); empleados profesionales, administrativos o ejecutivos; los funcionarios electos y designados políticos; los empleados de establecimientos de diversión y recreativos que funcionen menos de 7 meses al año; los empleados agrícolas y cualquier empleado que no esté sujeto a las disposiciones de salario mínimo de la ley. Es posible que los empleadores del sector pública y ciertos sectores privados que no estén cubiertos por FLSA puedan usar tiempo compensatorio en vez de las horas extra según disposiciones específicas.

#### Pago equitativo

Un empleador no puede discriminar por motivos de sexo pagando a los empleados una tarifa menor de la tarifa pagada a los empleados del sexo opuesto por el mismo trabajo en empleos que requieran habilidades, esfuerzo y responsabilidad equitativa en condiciones laborales similares; excepto cuando los pagos respeten el sistema de antigüedad, el sistema de méritos o sistema de ganancias por motivos de cantidad o calidad de producción de un diferencial diferente del sexo.

#### Aplicación

Un empleado puede presentar una demanda civil para recuperar los salarios mínimos u horas extras sin pagar, o puede presentar una queja ante el Departamento de Trabajo y Oportunidad Económica. El departamento puede investigar una queja y presentar una demanda civil para cobrar salarios u horas extras adeudadas al empleado, y a todos los empleados de un establecimiento. La recuperación según esta ley puede incluir salarios mínimos u horas extras sin pagar, más un importe adicional igual en concepto de daños y perjuicios, gastos y tarifas razonables de abogados. Puede imponerse una multa civil de \$1000 a un empleador que no pague el salario mínimo o las horas extras. Se puede imponer una multa civil de \$2.500 al empleador que no pague el salario mínimo a los empleados que reciban propinas.

LEO es un empleador/programa que brinda igualdad de oportunidades.

Las personas con discapacidad pueden solicitar ayudas, servicios y otras adaptaciones razonables.

[www.michigan.gov/wagehour](http://www.michigan.gov/wagehour) ☎Llamada gratuita 1-855-4MI-WAGE (1-855-464-9243)

WHD 9904 (Revisado 2/2025)

## REQUIRED WORKPLACE POSTERS

The following is a list of posters that are required to be displayed in the workplace. These posters can be obtained through the Michigan Department of Licensing and Regulatory Affairs (LARA) or from the U.S. Department of Labor (USDOL) as follows:

### ANNUAL SUMMARY OF INJURIES AND ILLNESSES FORM 300

LARA, MIOSHA

tel 517.284.7788

Employees are required to record information about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid.

- Online click on "MIOSHA," then click on "Publications, Posters, Forms & Media" for more information

### MICHIGAN EMPLOYMENT SECURITY ACT NOTICE TO EMPLOYEES

LARA, Unemployment Insurance Agency (UIA)

tel 855.484.2636

This poster informs employees that unemployment benefits are payable to eligible workers through UIA.

- Online click on "Forms," select "Form UIA 1710"

### MICHIGAN LAW PROHIBITS DISCRIMINATION

Michigan Department of Civil Rights

tel 517.335.3165

- Online click on "New and Publications," then click on "Brochures and Posters"

### MICHIGAN SAFETY AND HEALTH PROTECTION ON THE JOB—MICHIGAN RIGHT TO KNOW LAWS

LARA, Michigan Occupational Safety and Health Administration (MIOSHA), Consultation Education and Training Division

tel 517.322.1809

Employers must make this poster available for employees in a readily accessible manner for those hazardous chemicals in their workplace.

- Online click on "MIOSHA," then click on "Publications, Posters, Forms & Media," see "MIOSHA Workplace Posters"

### MICHIGAN WAGE LAW OF 1964 PA 154

LARA, MIOSHA, Wage and Hour Division

tel 517.284.7800

The following Michigan Minimum Wage Law posters are required by law to be posted in the workplace if you are not covered by the Federal Fair Labor Standards Act of 1938, as amended (FLSA) or federal minimum wage provisions would result in a lower minimum wage

than provided in the Michigan Minimum Wage Law: See "Wage and Hour Posting Requirements for Employers" at [www.michigan.gov/lara/0,4601,7-154-59886-152535--,00.html](http://www.michigan.gov/lara/0,4601,7-154-59886-152535--,00.html)

General Rules and Overtime Compensation Rules.

- For more information on the federal minimum wage law requirements, visit [www.michigan.gov/lara/0,4601,7-154-59886---,00.html](http://www.michigan.gov/lara/0,4601,7-154-59886---,00.html)

### MICHIGAN WHISTLEBLOWERS PROTECTION ACT 469 OF 1980

Section 15.368 states that posting notices of protections and obligations are required as follows: An employer shall post notices and use other appropriate means to keep his or her employees informed of their protections and obligations under the Act.

- For information on the Act, contact the Michigan Law Library at 517.373.0630 or visit [www.michiganlegislature.org](http://www.michiganlegislature.org), click on "Public Acts" to search and read the entire act.

### AMERICANS WITH DISABILITIES ACT USDOL

tel 866.487.2365

Employers of workers with disabilities under special minimum wage certificates authorized by the Fair Labor Standards Act, the McNamara-O'Hara Service Contract Act, and/or the Walsh-Healey Public Contracts Act shall display a poster explaining the conditions under which special minimum wages may be paid.

### EMPLOYEE POLYGRAPH PROTECTION ACT USDOL

tel 866.487.2365

This act prohibits most private employers from using lie detector tests, either for pre-employment screening or during the course of employment.

### EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT

tel 202.273.0064

National Labor Relations Board, tel 866.667.6572

As of April 30, 2012, most private sector employers will be required to post a notice advising employees of their rights under the National Labor Relations Act.

### UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA) USDOL

tel 866.487.2365

Veterans' Employment and Training Service This poster is required by each employer and is designed to provide information on the rights and benefits under USERRA, Chapter 43 of Title 38 of the U.S. Code.



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GOVERNOR

## Michigan Department of Labor & Economic Opportunity

Wage and Hour Division  
PO Box 30476

Lansing, MI 48909-7976

### REQUIRED POSTER

### GENERAL REQUIREMENTS – EARNED SICK TIME ACT\*



SUSAN CORBIN  
DIRECTOR

Your employer's 'year' for the purposes of the Earned Sick Time Act is: \_\_\_\_\_

#### Earned Sick Time Accrual

Number of Employees	Minimum Accrual Rate	Employer May Limit Use To:
10 or fewer employees	1 hour for every 30 hours	40 hours in a year
11 or more employees	1 hour for every 30 hours	72 hours in a year

- Determined by Employer written policy earned sick time may be carried over from year to year or paid out. A business with 10 or fewer employees is not required to permit an employee to use more than 40 hours of paid earned sick time in a single year, employers with 11 or more employees are not required to permit an employee to use more than 72 hours of paid earned sick time in a single year.
- Earned sick time shall begin to accrue on the effective date of this law, or upon commencement of the employee's employment, whichever is later.
- An employee may use accrued earned sick time as it is accrued. Newly hired employees may be subject to a 120 day wait period for use.
- An employer is in compliance with the act if it provides any paid leave in at least the same amounts as that provided under this act that may be used for the same purposes and under the same conditions provided in this act and that is accrued at a rate equal to or greater than the rate described in subsections (1) and (2) of Section 3 of the act. Paid leave includes, but is not limited to, paid vacation days, personal days, and paid time off.

#### Earned Sick Time Uses

An employer shall permit an employee to use the earned sick time accrued for any of the following:

- The employee's or the employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the employee's mental or physical illness, injury, or health condition; or preventative medical care for the employee.
- If the employee or the employee's family member is a victim of domestic violence or sexual assault, for medical care or psychological or other counseling for physical or psychological injury or disability; to obtain services from a victim services organization; to relocate due to domestic violence or sexual assault; to obtain legal services; or to participate in any civil or criminal proceedings related to or resulting from the domestic violence or sexual assault.
- For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child; or
- For closure of the employee's place of business by order of a public official due to a public health emergency; for an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to a communicable disease.
- An employer shall not require an employee to search for or secure a replacement worker as a condition for using earned sick time.

#### Exercise of Rights

- An employer or any other person shall not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this act.
- An employer shall not take retaliatory personnel action or discriminate against an employee because the employee has exercised a right protected under this act. "Retaliatory personnel action" means any of the following:
  - Denial of any right guaranteed under this act.
  - A threat, discharge, suspension, demotion, reduction of hours, or other adverse action against an employee or former employee for exercise of a right guaranteed under this act.
  - Sanctions against an employee who is a recipient of public benefits for exercise of a right guaranteed under this act.
  - Interference with, or punishment for, an individual's participation in any manner in an investigation, proceeding, or hearing under this act.
- An employer's absence control policy must not treat earned sick time taken under this act as an absence that may lead to or result in retaliatory personnel action.

#### Complaint Filing

An employee affected by an alleged violation, at any time within 3 years after the alleged violation or the date when the employee knew of the alleged violation may file a complaint with the Wage & Hour Division.

\*For precise language of the statute, see Public Act 338 of 2018, as amended

Auxiliary aids, services and other reasonable accommodations are available, upon request, to individuals with disabilities.

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