

**Guidance from the Connecticut Department of Labor Regarding
Public Act 11-52: An Act Mandating Employers Provide Paid Sick Leave to Employees**

The following document is intended to serve as guidance for employers and employees in answering questions concerning public act 11-52 – an act mandating employers provide paid sick leave to employees. The Connecticut Department of Labor is providing this guidance in order to assist human resources professionals in Connecticut in their efforts to comply with this new law.

This guidance is subject to change as questions arise and interpretations develop. If this guidance is updated at any point, the Connecticut Department of Labor will indicate the substance and date of any change.

STATUTE/LAW	GUIDANCE
<p><i>Sec. 1(1) "Child" means a biological, adopted or foster child, stepchild, legal ward of a service worker, or a child of a service worker standing in loco parentis, who is</i></p> <p><i>(A) under eighteen years of age; or</i></p> <p><i>(B) eighteen years of age or older and incapable of self-care because of a mental or physical disability</i></p>	<p><u>Same as the FMLA definition.</u> If the child is 18 years of age or older, the child must have a disability within the meaning of the American with Disabilities Act that prevents him or her from performing activities of daily living.</p>
<p><i>Sec. 1(2) "Day or temporary worker" means an individual who performs work for another on</i></p> <p><i>(A) a per diem basis, or</i></p> <p><i>(B) an occasional or irregular basis for only the time required to complete such work, whether such individual is paid by the person for whom such work is performed or by an employment agency or temporary help service</i></p>	<p><u>Per diem</u> - The statute does not provide any definition of "per diem," nor does any other statute that DOL administers have such a definition. As a result, DOL would be looking at how businesses have traditionally defined per diem employees. Questions to ask: is the individual being treated and acting like a per diem, can s/he accept or refuse work at will, what is the structure of the assignment, what is the employee's relationship to the employer? We recognize that per diem assignments may be more than one day and in fact be longer term; however, if the employment has the characteristics of traditional per diem relationship, then DOL would find that the employee is per diem and thus exempt.</p> <p><u>Temporary worker</u> – Because this term is defined in the law, DOL has more guidance in making this determination. DOL will analyze employment based on the exact language provided in accordance with the facts and circumstances of each case. Questions to ask: what is the assignment, length, duties, etc?</p>

<p><i>Sec. 1(3) "Employee" means an individual engaged in service to an employer in the business of the employer.</i></p>	<p>This definition refers to <u>any employee</u>, not only service workers.</p>
<p><i>Sec. 1(4) "Employer" means any person, firm, business, educational institution, nonprofit agency, corporation, limited liability company or other entity that employs <u>50 or more</u> individuals in the state in any one quarter in the previous year, which shall be determined on January first, annually. Such determination shall be made based upon the wage information submitted to the Labor Commissioner by the employer pursuant to subsection (j) of section 31-225a of the general statutes.</i></p>	<p><u>50 or more employees</u> – In order to be subject to the law, an employer must have 50 or more employees in any 1 quarter in the previous calendar year. DOL will make this determination based on the Quarterly Earnings Report (QER) filed by the employer with DOL. The QER is filed by the employer according to its unemployment registration number. An employer with multiple operations may file its QER under separate and distinct registration numbers. If this is the case, the number of employees will not be combined to meet the 50 threshold. Rather, as the law makes clear, each operation will be considered a separate entity for purposes of this act. Unlike the FMLA, there is no provision for combining employees for this act under the theories of joint or integrated employment.</p>
<p><i>"Employer" does NOT include:</i> <i>(A) Any business establishment classified in sector 31, 32 or 33 in the North American Industrial Classification System, or</i> <i>(B) any nationally chartered organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as from time to time amended, that provides all of the following services: Recreation, child care and education</i></p>	<p><u>Manufacturers</u> – Generally manufacturers are exempt employers under the statute and thus do not have to provide paid sick leave to its employees. The statute requires that a business “establishment” be classified as a manufacturer under the North American Industrial Classification System (NAICS - www.census.gov/naics). NAICS refers to one facility as an “establishment” (generally a single physical location) and an entire company as an “enterprise.” As such, each “establishment” should be assessed separately to determine if the primary business activity falls within sector 31, 32 or 33. That means that an employer may have one facility subject to the law and other facilities that are not. (For example, a manufacturing establishment in Town A is not subject to the law, while its distribution center in Town B may be subject to the law.)</p> <p>If a manufacturer has a two or more buildings in a “campus” type setting (typically at one address), such campus shall be considered one physical location. If the primary activity of that campus is</p>

	<p>manufacturing, then all of the campus will be exempt from this law.</p> <p><u>Non-profits</u> – In order to qualify under this exemption, the employer must meet all of the criteria provided for in the statute. Specifically, it must be (1) nationally chartered, AND (2) provide: (i) recreation, (ii) child care, AND (iii) education If the employer does not meet ALL of these qualifications, it is not exempt from this law.</p>
<p><i>Sec. 1(7) "Service worker" means an employee primarily engaged in an occupation with one of the broad or detailed occupation code numbers and titles, listed in the law, as defined by the federal Bureau of Labor Statistics Standard Occupational Classification system or any successor system ...and is paid on an hourly basis, or not exempt from minimum wage and overtime requirements of the Fair Labor Standards Act of 1938 and the regulations promulgated thereunder, as amended from time to time. "Service worker" does not include day or temporary workers.</i></p>	<p><u>Service worker</u> – The statute provides a complete list of classifications that qualify as service workers. If a job title is not listed specifically, it does not mean that the job is not included in one of the prescribed classifications. The employer must read the broad and detailed occupations and descriptions provided on the Bureau of Labor Statistics website: www.bls.gov/soc. (SEE ATTACHMENT)</p> <p>In addition, if an employee performs more than one job, the employer must use the classification in which the employee is primarily engaged to determine his/her status as a service worker.</p>
<p><i>Sec. 2(a) Each employer shall provide paid sick leave annually to each of such employer's service workers in the state. Such paid sick leave shall accrue</i></p> <ul style="list-style-type: none"> <i>(1) beginning January 1, 2012, or for a service worker hired after said date, beginning on the service worker's date of employment,</i> <i>(2) at a rate of one hour of paid sick leave for each forty hours worked by a service worker, and</i> <i>(3) in one-hour increments up to a maximum of 40 hours per calendar year</i> <p><i>Each service worker shall be entitled to</i></p>	<p><u>Accrual</u> – Employers shall provide the accrual of paid sick leave on a calendar year basis (<i>i.e.</i>, January through December). The act sets forth two dates for service workers to begin to accrue paid sick leave hours. Service worker that are currently employed, begin to accrue paid sick leave hours on January 1, 2012. Services workers hired after that date, begin to accrue paid sick leave hours upon their date of hire.</p> <p>Employers must provide accrual at a rate of 1 hour per every 40 hours worked. The 40 hours worked means hours <u>actually</u> worked and does not include any time off (<i>e.g.</i>, vacation, paid time off...) taken by the service worker. The accrual is not based on full-time status; rather, any service worker employed by an employer subject to the act must be allowed to</p>

<p><i>carry over up to 40 unused accrued hours of paid sick leave from the current calendar year to the following calendar year but no service worker shall be entitled to use more than the maximum number of accrued hours, as described in subdivision (3) of this subsection, in any year</i></p>	<p>accrue paid sick leave hours based on his or her hours worked.</p> <p>Paid sick leave is to be accrued in a minimum of one hour increments. Service workers must also be allowed to use the accrued paid sick leave in one hour increments regardless of the employer’s time-keeping system. Service workers are not entitled to use the paid sick leave in lesser increments, unless allowed by the employer.</p> <p>Service workers are entitled to accrue leave up to 40 hours per calendar year, but employers do not have to provide more than that unless they choose to do so.</p>
	<p><u>Carry over</u> – Service workers shall be entitled to carryover up to 40 hours of any unused accrued paid sick leave at the end of each calendar year. Service workers are limited to carry over 40 hours each year, regardless of how many hours they have accumulated. Some employers either require or provide their employees with the option of being paid out at the end of the year for any unused paid leave. Because the law provides that service workers “shall be entitled” to carry over any unused paid sick leave, employers cannot require service workers to take the pay out. However, employers may offer the option of pay out in lieu of carry over to service workers as long it is voluntary.</p>
<p><i>Sec. 2(b) A service worker shall be entitled to the use of accrued paid sick leave upon the completion of the service worker's 680th hour of employment from 1/1/12, if the service worker was hired prior to 1/1/12, or if hired after 1/1/12, upon the completion of the service worker's 680th hour of employment from the date of hire, unless the employer agrees to an earlier date.</i></p> <p><i>A service worker shall not be entitled to the use of accrued paid sick leave if such service worker did not work an average of 10 or more hours a week for the employer</i></p>	<p><u>Usage</u> – Service workers cannot use accrued paid sick leave until they have worked 680 hours of employment. The 680 hours must be hours <u>actually</u> worked and does not include any time off (e.g. vacation, paid time off...) taken by the service worker. The act sets forth two dates for employers to commence the counting of the 680 hours worked. Service worker that are currently employed begin to count the 680 hours on January 1, 2012. Service workers hired after that date begin to count the 680 hours upon their date of hire. Employers may waive this requirement or agree to an earlier date to begin counting.</p> <p>The 680 hour requirement is a one-time requirement. Once service workers meet the 680</p>

<p><i>in the most recent complete calendar quarter.</i></p>	<p>hours, they never have to meet it again for the same employer.</p> <p>After the service workers meet the 680 hours requirement and seek to use accrued paid seek leave, they can use accrued time only if the service workers have worked an <u>AVERAGE of 10 hours per week</u> in the most recent completed calendar quarter.</p>
<p><i>Sec. 2(c) An employer shall be deemed to be in compliance with this section if the employer offers any other paid leave, or combination of other paid leave that:</i></p> <p><i>(1) may be used for the purposes of section 3 of this act, and</i></p> <p><i>(2) is accrued in total at a rate equal to or greater than the rate described in subsections (a) and (b) of this section.</i></p> <p><i>For the purposes of this subsection, "<u>other paid leave</u>" may include, but not be limited to, paid vacation, personal days or paid time off.</i></p>	<p><u>Deemed to be in compliance</u> - Employers will be deemed to be in compliance with this law if they offer paid time off that either meets or exceeds the requirements of the act, meaning accrual and use rates, and reasons for the need for leave, etc.</p>
<p><i>Sec. 2(d) Each employer shall pay each service worker for paid sick leave at a pay rate equal to the greater of either (1) the normal hourly wage for that service worker, or (2) the minimum fair wage rate under section 31-58 of the general statutes in effect for the pay period during which the employee used paid sick leave.</i></p> <p><i>For any service worker whose hourly wage varies depending on the work performed by the service worker, the "normal hourly wage" shall mean the average hourly wage of the service worker in the pay period prior to the one in which the service worker used paid sick leave.</i></p>	<p><u>Pay rate</u> – For service workers whose normal hourly wage is lower than minimum wage, such as service workers who earn a tip credit, they should be paid minimum wage for any paid sick leave hours that they use. In addition, overtime and commissions are not to be calculated and included in the determination of a service workers “normal hourly wage.”</p>
<p><i>Sec. 2(e) Notwithstanding the provisions</i></p>	<p><u>Shift change</u> – any decision to allow service workers</p>

<p><i>of this section and sections 3 to 6, inclusive, of this act and upon the mutual consent of the service worker and employer, a service worker who chooses to work additional hours or shifts during the same or following pay period, in lieu of hours or shifts missed, shall <u>not</u> use accrued paid sick leave.</i></p>	<p>to exchange shifts in lieu of using paid sick leave must be agreed upon mutually by the service worker and employer. Employers cannot require service workers to work extra shifts to cover missed work in lieu of being paid sick leave. A service worker, who is permitted this shift change and works the alternate shift, shall not use accrued paid sick leave for the time missed.</p>
<p><i>Sec. 3(a) An employer shall permit a service worker to use the paid sick leave accrued pursuant to section 2 of this act:</i></p> <p><i>(1) For (A) a service worker's illness, injury or health condition, (B) the medical diagnosis, care or treatment of a service worker's mental illness or physical illness, injury or health condition, or (C) preventative medical care for a service worker;</i></p> <p><i>(2) For (A) a service worker's child's or spouse's illness, injury or health condition, (B) the medical diagnosis, care or treatment of a service worker's child's or spouse's mental or physical illness, injury or health condition, or (C) preventative medical care for a child or spouse of a service worker; and</i></p> <p><i>(3) Where a service worker is a victim of family violence or sexual assault (A) for medical care or psychological or other counseling for physical or psychological injury or disability, (B) to obtain services from a victim services organization, (C) to relocate due to such family violence or sexual assault, or (D) to participate in any civil or criminal proceedings related to or resulting from such family violence or sexual assault.</i></p>	<p>Reasons for leave - The reasons for the need for leave are broad and include not only the service worker's need for leave, but the service worker's children and spouse as well. However, the section that provides leave for family violence or sexual assault applies only to the service worker that is the victim of such acts, and not the service worker's children or spouse. The need for leave due to family violence is similar to the leave provided in Connecticut General Statutes § 31-51ss, which provides 12 days of unpaid leave for victims of family violence. However, § 31-51ss mandates that the 12 unpaid days are in addition to any other leave, so the employer could not require the service worker to use those days concurrently with the paid sick leave.</p>
<p><i>Sec. 3(b) If a service worker's need to use</i></p>	<p>Notice – Employers may require a maximum of 7</p>

<p><i>paid sick leave is foreseeable, an employer may require advance notice, not to exceed 7 days prior to the date such leave is to begin, of the intention to use such leave.</i></p> <p><i>If a service worker's need for such leave is not foreseeable, an employer may require a service worker to give notice of such intention as soon as practicable.</i></p> <p><i>For paid sick leave of 3 or more consecutive days, an employer may require reasonable documentation that such leave is being taken for the purpose permitted under subsection (a) of this section.</i></p> <p><i>If such leave is permitted under subdivision (1) or (2) of subsection (a) of this section, documentation signed by a health care provider who is treating the service worker or the service worker's child or spouse indicating the need for the number of days of such leave shall be considered reasonable documentation.</i></p> <p><i>If such leave is permitted under subdivision (3) of subsection (a) of this section, a court record or documentation signed by a service worker or volunteer working for a victim services organization, an attorney, a police officer or other counselor involved with the service worker shall be considered reasonable documentation.</i></p>	<p>days notice if the service worker's need to use paid sick leave is foreseeable. Otherwise, service workers must notify their employers of the need to use paid sick leave as soon as practicable. Employers may deny the use of paid sick leave to service workers who could have complied with required notice provisions but fail to do so.</p> <p>Documentation – Employers may only request reasonable documentation if the employee uses paid sick leave for 3 or more consecutive <u>work</u> day absences. The absences do not need to be full days, but rather may consist of any time taken off from work, during the day, as paid sick leave. In addition, the days are required to be consecutive work days rather than consecutive calendar days. For example, a service worker who is scheduled to work Monday, Wednesday and Friday, who uses paid sick leave for any portion of those three days in a row, could be required by his/her employer to obtain reasonable documentation from his/her health care provider. Unlike the FMLA, however, there is no provision for an employer to seek clarification of the health care provider's note or a second opinion if the employer questions the documentation.</p> <p>Documentation for paid sick leave must be obtained from the service worker's health care provider, or if the leave is for the service worker's child or spouse, then from the child's or spouse's health care provider. For a service worker that uses paid sick leave due to either family violence or sexual assault, the service worker need only provide documentation of the need for leave from the appropriate person involved in or assisting the service worker as provided in the act.</p>
<p><i>Sec. 3(c) Nothing in sections 2 to 6, inclusive, of this act shall be deemed to require any employer to provide paid sick leave for a service worker's leave for any purpose other than those described in this section.</i></p> <p><i>3(d) Unless an employee policy or</i></p>	<p>Miscellaneous - Employers do not have to provide any paid sick leave unless the reasons of the need for leave fall within those provided by the act in section 3(a). If a service worker uses paid sick leave for reasons not covered by section 3(a), the employer may discipline the service worker.</p> <p>An employer does not have to pay out any unused</p>

<p><i>collective bargaining agreement provides for the payment of accrued fringe benefits upon termination, no service worker shall be entitled to payment of unused accrued sick leave under this section upon termination of employment.</i></p> <p><i>3(e) Nothing in sections 2 to 6, inclusive, of this act shall be construed to prohibit an employer from taking disciplinary action against a service worker who uses paid sick leave provided under sections 2 to 6, inclusive, of this act for purposes other than those described in this section.</i></p>	<p>accrued sick leave upon termination of the service worker’s employment. As with fringe benefit pay outs, DOL will look to the employer’s policy to determine if the service worker should be paid for the unused accrued time.</p>
<p><i>Sec. 4(a) Nothing in sections 2 to 6, inclusive, of this act shall be construed to (1) prevent employers from providing more paid sick leave than is required under sections 2 to 6, inclusive, of this act, (2) diminish any rights provided to any employee or service worker under a collective bargaining agreement, or (3) preempt or override the terms of any collective bargaining agreement effective prior to January 1, 2012.</i></p>	<p><u>Collective Bargaining Agreements (CBA)</u> – A CBA that is in effect prior to January 1, 2012, including those that provide for less paid sick leave than is required under the act, shall remain in effect until the CBA is expired or renegotiated, whichever date is earlier. When the CBA expires, service workers that are members of that CBA must be provided paid sick leave in accordance with the act. In addition, when the CBA is renegotiated after January 1, 2012, the new CBA must comply with the provisions of the act.</p>
<p><i>Sec. 4(b) Nothing in sections 2 to 6, inclusive, of this act shall be construed to prohibit an employer (1) from establishing a policy whereby a service worker may donate unused accrued paid sick leave to another service worker, and (2) who provides more paid sick leave than is required under sections 2 to 6, inclusive, of this act for the purposes described in subdivision (1) of subsection (a) of section 3 of this act from limiting the amount of such leave a service worker may use for other purposes.</i></p>	<p><u>Donation</u> - An employer may voluntarily establish a paid sick leave donation policy. Such donated leave will no longer be available for the service worker’s own use.</p> <p>Employers that provide more paid sick leave than is provided under the act may limit the reasons that such additional paid sick leave can be used.</p>
<p><i>Sec. 4(c) Any termination of a service worker's employment by an employer, whether voluntary or involuntary, shall be</i></p>	<p><u>Break in service</u> – A break in service is a separation from employment, either voluntary or involuntary. Upon separation from employment, the service</p>

<p><i>construed as a break in service. Should any service worker subsequently be rehired by the employer following a break in service, the service worker shall</i></p> <p><i>(1) begin to accrue sick leave in accordance with section 2 of this act, and</i></p> <p><i>(2) shall not be entitled to any unused hours of paid sick leave that had been accrued prior to the service worker's break in service unless agreed to by the employer.</i></p>	<p>worker loses any unused accrued paid sick leave hours; however, the service worker does not lose any of the hours worked toward the 680 hours of employment requirement. If the service worker returns to work at that same employer, then the service worker begins to accrue paid sick leave hours anew, but picks up where s/he left off regarding the 680 hours of employment requirement.</p> <p>For example, a service worker who worked part time for 7 months prior to a break in service, accrued 12 hours of paid sick leave and worked for the employer for 500 hours would return to work after the break in service with no accrued paid sick leave and 500 hours of work towards the 680 hour requirement.</p> <p>In addition, the requirement of section 2(b) still applies, whereby a service worker who seeks to use accrued paid sick leave must have worked an average of 10 hours per week in the most recent completed calendar quarter. As a result, the service worker who returns to employment would not be able to use any paid sick leave until s/he meets that requirement.</p>
<p><i>Sec. 5(a) No employer shall take retaliatory personnel action or discriminate against an employee because the employee</i></p> <p><i>(1) requests or uses paid sick leave either in accordance with sections 2 and 3 of this act or in accordance with the employer's own paid sick leave policy, as the case may be, or</i></p> <p><i>(2) files a complaint with the Labor Commissioner alleging the employer's violation of sections 2 to 6, inclusive, of this act.</i></p> <p><i>Sec. 1(6) "Retaliatory personnel action" means any termination, suspension, constructive discharge, demotion, unfavorable reassignment, refusal to promote, disciplinary action or other</i></p>	<p>Retaliation - Although only service workers are entitled to paid sick leave pursuant to this act, certain provisions of the discrimination and retaliation section apply to all employees engaged in service to the employer. The discrimination and retaliation prohibitions can be broken down into three categories:</p> <p>(1) Employers are prohibited from discriminating or retaliating against a service worker because the service worker requested or used paid sick leave.</p> <p>(2) Employers are prohibited from discriminating or retaliating against an employee because the employee requests or uses paid sick leave in accordance with the employer's own paid sick leave policy.</p> <p>As noted, this applies to ANY EMPLOYEE (not</p>

<p><i>adverse employment action taken by an employer against an employee or a service worker.</i></p>	<p>just service workers) and DOL will enforce whatever is in the employer’s paid sick leave policy.</p> <p>(3) Employers are prohibited from retaliating or discriminating against an employee (including service workers) who files a complaint with the Labor Commissioner alleging violations of the act.</p>
<p><i>Sec. 5(b) The Labor Commissioner shall advise any employee who</i> <i>(1) is covered by a collective bargaining agreement that provides for paid sick days, and</i> <i>(2) files a complaint pursuant to subsection (a) of this section, of his or her right to pursue a grievance with his or her collective bargaining agent.</i></p>	<p>CBA - DOL will accept any complaint filed by a service worker who is also a member of a CBA that alleges that his/her employer violated the provisions of sections 2 to 4 (including accrual, usage, pay rate...), section 5(a)(2) (files a complaint with the Labor Commissioner alleging the employer's violation of sections 2 to 6), and section 6 (notice), of this act. DOL will advise any service workers filing such a complaint that they have a right to pursue a grievance pursuant to their CBA as well. Service workers who are also members of CBAs do not have a right to file a complaint alleging violations of section 5(a)(1) (requesting or using paid sick leave pursuant to an employer’s policy), because a CBA is not an “employer’s policy.”</p>
<p><i>5(c) Any employee aggrieved by a violation of the provisions of sections 2 to 6, inclusive, of this act may file a complaint with the Labor Commissioner. Upon receipt of any such complaint, said commissioner may hold a hearing.</i></p> <p><i>After the hearing, any employer who is found by the Labor Commissioner, by a preponderance of the evidence, to have violated the provisions of subsection (a) of this section shall be liable to the Labor Department for a civil penalty of \$500 for each violation.</i></p> <p><i>Any employer who is found by the Labor Commissioner, by a preponderance of the evidence, to have violated the provisions of sections 2 to 4, inclusive, or section 6 of</i></p>	<p>Complaint process - When a complaint is filed, DOL has discretion regarding whether the complaint will go to a hearing. If a hearing is held, DOL will hold a formal administrative hearing pursuant to the Uniform Administrative Procedure Act. The parties may either represent themselves or hire legal counsel to represent them at any stage of the complaint process. As part of the complaint process, DOL will engage the parties in mediation to try to resolve the complaint.</p> <p>After a formal administrative hearing, if the Labor Commissioner finds that the employer, by a preponderance of the evidence, has violated the act, the employer will be liable for civil penalties. The Labor Commissioner also has the ability to award the aggrieved complainant reinstatement, back wages, payment for use of paid sick leave, and reestablishment of benefits.</p>

<p><i>this act shall be liable to the Labor Department for a civil penalty of up to \$100 for each violation.</i></p> <p><i>The Labor Commissioner may award the employee all appropriate relief, including the payment for used paid sick leave, rehiring or reinstatement to the employee's previous job, payment of back wages and reestablishment of employee benefits to which the employee otherwise would have been eligible if the employee had not been subject to such retaliatory personnel action or discriminated against.</i></p> <p><i>Any party aggrieved by the decision of the commissioner may appeal the decision to the Superior Court in accordance with the provisions of chapter 54 of the general statutes.</i></p>	<p>Parties may appeal the Labor Commissioner's final decision to Superior Court. There is no private right of action otherwise.</p>
<p><i>Sec. 6 Each employer subject to the provisions of section 2 of this act shall, at the time of hiring, provide notice to each service worker</i></p> <p><i>(1) of the entitlement to sick leave for service workers, the amount of sick leave provided to service workers and the terms under which sick leave may be used,</i></p> <p><i>(2) that retaliation by the employer against the service worker for requesting or using sick leave for which the service worker is eligible is prohibited, and</i></p> <p><i>(3) that the service worker has a right to file a complaint with the Labor Commissioner for any violation of this section and of sections 2 to 5, inclusive, of this act.</i></p> <p><i>Employers may comply with the provisions of this section by displaying a poster in a conspicuous place, accessible to service workers, at the employer's place of business that contains the information required by this section in</i></p>	<p>Poster - Employers subject to the provisions of this act must provide appropriate notice to service workers of the laws entitlements. DOL will issue posters that employers may use to satisfy this notice requirement.</p>

both English and Spanish.

ATTACHMENT

Service Worker and Employee (from the Office of Legislative Research)

In the act, “service worker” means an employee primarily engaged in an occupation with one of the following occupation code numbers and titles, as defined by the federal Bureau of Labor Statistics Standard Occupational Classification system or any successor system:

Title	Code	Title	Code
Food Service Managers	11-9050	Medical and Health Services Managers	11-9110
Social Workers	21-1020	Social and Human Service Assistants	21-1093
Community Health Workers	21-1094	Community and Social Service Specialists, All Other	21-1099
Librarians	25-4020	Pharmacists	29-1050
Physician Assistants	29-1070	Therapists	29-1120
Registered Nurses	29-1140	Nurse Anesthetists	29-1150
Nurse Midwives	29-1160	Nurse Practitioners	29-1170
Dental Hygienists	29-2020	Emergency Medical Technicians and Paramedics	29-2040
Health Practitioner Support Technologists and Technicians	29-2050	Licensed Practical and Licensed Vocational Nurses	29-2060
Home Health Aides	31-1011	Nursing Aides, Orderlies, and Attendants	31-1012
Psychiatric Aides	31-1013	Dental Assistants	31-9091
Medical	31-9092	Security Guards	33-9032

Assistants			
Crossing Guards	33-9091	Supervisors of Food Preparation and Serving Workers	35-1010
Cooks	35-2010	Food Preparation Workers	35 -2020
Bartenders	35-3010	Fast Food and Counter Workers	35-3020
Waiters and Waitresses	35-3030	Food Servers, Nonrestaurant	35-3040
Dining Room and Cafeteria Attendants and Bartender Helpers	35-9010	Dishwashers	35-9020
Hosts and Hostesses, Restaurant, Lounge, and Coffee Shop	35-9030	Miscellaneous Food Preparation and Serving Related Workers	35-9090
Janitors and Cleaners, Except Maids and Housekeeping Cleaners	37-2011	Building Cleaning Workers, All Other	37-2019
Ushers, Lobby Attendants, and Ticket Takers	39-3030	Barbers, Hairdressers, Hairstylists, and Cosmetologists	39-5010
Baggage Porters, Bellhops, and Concierges	39-6010	Child Care Workers	39-9010
Personal Care Aides	39-9021	First-Line Supervisors of Sales Workers	41-1010
Cashiers	41-2011	Counter and Rental Clerks	41-2021
Retail	41-2030	Tellers	43-3070

Salespersons			
Hotel, Motel, and Resort Desk Clerks	43-4080	Receptionists and Information Clerks	43-4170
Couriers and Messengers	43-5020	Secretaries and Administrative Assistants	43-6010
Computer Operators	43-9010	Data Entry and Information Processing Workers	43-9020
Desktop Publishers	43-9030	Insurance Claims and Policy Processing Clerks	43-9040
Mail Clerks and Mail Machine Operators, Except Postal Service	43-9050	Office Clerks, General	43-9060
Office Machine Operators, Except Computer	43-9070	Proofreaders and Copy Markers	43-9080
Statistical Assistants	43-9110	Miscellaneous Office and Administrative Support Workers	43-9190
Bakers	51-3010	Butchers and Other Meat, Poultry, and Fish Processing Workers	51-3020
Miscellaneous Food Processing	51-3090	Ambulance Drivers and Attendants,	53-3010

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Workers		Except Emergency Medical Technicians	
Bus Drivers	53-3020	Taxi Drivers and Chauffeurs	53-3040