

INTEGRATED ABSENCE SOLUTIONS (IAS)

Michigan Earned Sick Time Act (ESTA)

Effective Feb. 21, 2025



Key Components

Covered Employer	All employers with one or more MI employees (including educational institutions and government entities except the US government)
Employee Eligibility	All MI employees
Waiting Period	Accrual begins upon hire; accrued leave may be used upon the 90 th calendar day of employment
Accrual rate	One hour for every 30 hours worked
Annual Accrual Cap	N/A
Frontloading	Allowed
Annual Usage Cap	10+ employees nationwide: 72 hours 9 or less employees nationwide: 40 hours paid; 32 hours unpaid
Carryover	All accrued, unused ESTA leave carries over, regardless of whether leave is frontloaded
Pay Statement Requirement	N/A; must keep records for at least 3 years documenting the hours worked and sick leave taken by employees
Reinstatement Upon Rehire	If an employee is rehired within six months of separation, previously accrued, unused sick leave must be reinstated
Mandatory Poster	https://www.michigan.gov/leo/bureaus-agencies/ber/wage-and-hour/paid-medical-leave-act/paid-medical-leave-act-required-poster
FAQs	https://www.michigan.gov/leo/bureaus-agencies/ber/wage-and-hour/paid-medical-leave-act

Use of Existing Policy:

An employer complies with the ESTA if it provides paid leave in at least the same amounts, for the same purposes, under the same conditions, and that is accrued at a rate equal to or greater than what is required under the law.

Mandatory Notice:

- Must provide each employee with a written notice and display a poster at their place of business in a conspicuous place accessible to employees.

Covered Uses:

- The employee's or a covered family member's mental or physical illness, injury or health condition; need for medical diagnosis, care or treatment; or need for preventative medical care;
- Leave necessary due to domestic violence, sexual assault, or stalking to allow the employee to obtain for the employee or a family member: medical or psychological attention; services from a victim's aid organization; relocation or steps to secure an existing home; or legal services, including participation in any investigation or civil or criminal proceeding.
- For closure of the employee's primary workplace or a child's school or place of care by order of a public official due to a public health emergency; and
- A determination by a health authority with jurisdiction, by the employee's or a family member's employer or by a health care provider that the employee or family member is a risk to the health of others due to their exposure to a communicable illness, whether or not they contracted the illness;
- Meeting 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

Covered Family Members:

- Child (biological, adopted, foster, stepchild, legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis;
- Parent (biological, foster, stepparent, adoptive, legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child);
- Spouse or domestic partner;
- Grandparent;
- Grandchild;
- Sibling (biological, foster, or adopted); and
- Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Documentation Permitted:

Reasonable documentation can be required if PSL is used for more than three consecutive workdays. May not require that it explain the nature of the illness or the details of the violence. Further, an employer may not delay the sick leave on the grounds of not having received the documentation.