

# How to Comply with Michigan's Amended Earned Sick Time Act

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Labor and Employment Group  
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# Amended Workforce Opportunity Wage Act (Minimum Wage)

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- Effective date: February 21, 2025
- Minimum wage increased to \$12.48 as of February 21, 2025
- Beginning January 1, 2026: \$13.73
- Beginning January 1, 2027: \$15.00
- Inflationary increases after 2028 based on Consumer Price Index
- Tipped minimum wage staying at 38% of minimum wage and increases 2% per year beginning in 2026 until it hits 50% in 2031

# Amended Earned Sick Time Act

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- Effective Date (Small businesses, New Businesses, Everyone Else)
- Notice/Posting Deadline: March 23, 2025
- Accrual and Usage Cap (More than 10 Employees vs Less than 10 Employees)
- New Carryover Cap
- New Frontloading Benefits (No carryover or tracking)
- Frontloading for Part-time Employees Permitted
- Combined PTO Policy still Permitted

# Amended Earned Sick Time Act

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- New employee exemptions – unpaid interns; individual that works under policy that allows schedule own working hours and prohibits employer from taking adverse personnel action if individual does not schedule minimum working hours
- New Probationary Period – 120 days
- Wage Rate Clarification – overtime, holiday pay, bonuses, commissions, supplemental pay not included
- New notice language if need for earned sick time is not foreseeable
- Documentation – not permitted unless 3 consecutive days; employees must provide within 15 days if requested; employer still must pay out of pocket expenses
- Reinstatement of unused ESTA within 2 months of separation

# Amended Earned Sick Time Act

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- Adverse action permitted if misuse or violation of notice requirement
- No private right of action or “rebuttable presumption”
- Penalties: \$1,000 for retaliatory action; 8 times hourly wage for failing to provide sick leave; \$100 for violation of notice/posting
- Collective Bargaining Agreements
- Employment Agreements

# Questions?

