

22.2105 Paid sick leave for Federal contractors and subcontractors.

In accordance with 29 CFR [13.5](#), and by operation of the clause at [52.222-62](#), *Paid Sick Leave Under Executive Order 13706*, the following contractor requirements apply:

(a) Accrual.

(1) Contractors are required to permit an *employee* to accrue not less than 1 hour of *paid sick leave* for every 30 hours worked on or in connection with a contract covered by the E.O. (see 29 CFR [13.5\(a\)\(1\)](#)).

(2) Contractors are required to inform each *employee, in writing*, of the amount of *paid sick leave* the *employee* has accrued but not used no less than once each pay period or each month, whichever interval is shorter, as well as upon a separation from employment and upon reinstatement of *paid sick leave*, pursuant to 29 CFR [13.5\(b\)\(4\)](#) (see 29 CFR [13.5\(a\)\(2\)](#)).

(3) Contractors *may* choose to provide *employees* with at least 56 hours of *paid sick leave* at the beginning of each *accrual year* rather than allowing the *employee* to accrue such leave based on hours worked over time (see 29 CFR [13.5\(a\)\(3\)](#)).

(b) Maximum accrual, carryover, reinstatement, and payment for unused leave.

(1) Contractors *may* limit the amount of *paid sick leave* *employees* are permitted to accrue to not less than 56 hours in each *accrual year* (see 29 CFR [13.5\(b\)\(1\)](#)).

(2) *Paid sick leave* shall carry over from one *accrual year* to the next. *Paid sick leave* carried over from the previous *accrual year* shall not count toward any limit the contractor sets on annual accrual (see 29 CFR [13.5\(b\)\(2\)](#)).

(3) Contractors *may* limit the amount of *paid sick leave* an *employee* is permitted to have available for use at any point to not less than 56 hours (see 29 CFR [13.5\(b\)\(3\)](#)).

(4) Contractors are required to reinstate *paid sick leave* for *employees* only when rehired by the same contractor within 12 months after a job separation (see 29 CFR [13.5\(b\)\(4\)](#)).

(5) Nothing in E.O. 13706 or 29 CFR Part 13 requires contractors to make a financial payment to an *employee* for accrued *paid sick leave* that has not been used upon a separation from employment. If a contractor nevertheless makes such a payment in an amount equal to or greater than the value of the pay and benefits the *employee* would have received pursuant to 29 CFR [13.5\(c\)\(3\)](#) had the *employee* used the *paid sick leave*, the contractor is relieved of the obligation to reinstate an *employee's* accrued *paid sick leave* upon rehiring the *employee* within 12 months of the separation pursuant to 29 CFR [13.5\(b\)\(4\)](#) (see 29 CFR [13.5\(b\)\(5\)](#)).

(c) *Use*. Contractors are required to permit an *employee* to use *paid sick leave* in accordance with 29 CFR [13.5\(c\)](#).

(d) *Request for paid sick leave*. Contractors are required to permit an *employee* to use any or all of

the *employee's* available *paid sick leave* upon the oral or written request of an *employee* that includes information sufficient to inform the contractor that the *employee* is seeking to be absent from work for a purpose described in 29 CFR [13.5\(c\)](#) and, to the extent reasonably feasible, the anticipated duration of the leave (see 29 CFR [13.5\(d\)](#)).

(e) *Certification or documentation for leave of 3 or more consecutive full workdays.* Contractors may require *certification issued by a health care provider* to verify the need for *paid sick leave* used for a purpose described in 29 CFR [13.5\(c\)\(1\)\(i\)](#), (ii), or (iii), or documentation from an appropriate individual or organization to verify the need for *paid sick leave* used for a purpose described in 29 CFR [13.5\(c\)\(1\)\(iv\)](#), only if the *employee* is absent for 3 or more consecutive full workdays (see 29 CFR [13.5\(e\)](#)).

Parent topic: [Subpart 22.21 - Establishing Paid Sick Leave For Federal Contractors](#)