



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Date: April 15, 2019

To: Mark F. Miller, City Manager

From: Jeanette Menig, Human Resources Director

Subject: Report on impact of the Paid Medical Leave Act of 2018

The Paid Medical Leave Act (PMLA) was effective on March 29, 2019. The law requires certain employers in Michigan to provide paid medical leave for specific classes of employees and defines acceptable use for this leave time.

The summary below describes how this law will affect City of Troy employees.

- Because our sick leave benefits are more generous than the law requires, full-time employees who were receiving sick leave benefits prior to March 29, 2019 will see no change in their leave time accruals as a result of this law.
- The PMLA does not apply to anyone covered by a current collective bargaining agreement; as collective bargaining agreements expire the implications of PMLA will be addressed with each union group.
- All employees covered by the PMLA will be able to use accrued sick leave as distinguished in the law. This expands the current acceptable uses to include physical, mental or preventative care for a wider range of relatives than previously available, for non-medical needs related to domestic violence/sexual assault and for closures of a workplace or school due to a public health emergency. In addition, for administrative clarity, Exempt employees will also be extended these same uses.
- Prior to the implementation of the PMLA, Classified employees were not authorized to use sick leave prior to completion of their initial 6 month review period. The law requires that this waiting period be no more than 90 days; for administrative clarity Classified employees now have access to sick leave as soon as it is accrued, which is the same accrual pattern in effect for Exempt employees.
- The PMLA affects employees who work an average of 30 or more hours per week (annually) and who are employed and work more than 25 weeks of the year. At this time this group only includes Summer Laborers and Seasonal Supervisors who work in the Parks Division for these specified hours per week and weeks per year. The financial impact of this additional benefit is estimated at approximately \$5,000 for the 2019 calendar year.



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- The PMLA does not apply to employees who are considered “variable hour employees” per 26 CFR 54.4980H-1. An employee is a variable hour employee if, based on the facts and circumstances at the date the employee begins providing services to the employer (the start date), it cannot be determined that the employee is reasonably expected to work on average at least 30 hours per week. Many of our year-round part-time employees are “variable hour employees” by this standard.

The full text of the Paid Medical Leave Act is on the [State of Michigan website](#).