

## Gig Worker Paid Sick and Safe Time Fact Sheet

UPDATE: The [Gig Worker Paid Sick and Safe Time Ordinance](#) temporarily provided certain gig workers access to paid sick and paid safe time (Gig Worker PSST) from transportation network companies\* and food delivery network companies during the Covid-19 civil emergency. The temporary law went into effect on **July 13, 2020** and allowed covered gig workers to take days (24-hour increments) of paid leave to care for their own health and safety, or the health and safety of a family member, under qualifying circumstances. **Certain requirements of this law are suspended effective November 1, 2022.** These changes align with Mayor Bruce Harrell’s announcement to end the Civil Emergency Proclamation after October 31, 2022 and with Washington State’s and Governor Inslee’s decision to end the [statewide state of emergency](#).

### As of November 1, 2022, the following requirements apply:

- **Accrual:** Gig workers are entitled to accrue paid sick and paid safe time until **April 30, 2023**.
- **Use:** Gig workers are entitled to use accrued paid sick and paid safe time until **April 30, 2023**.
- **Notice of Rights:** covered hiring entities must provide a Notice of Rights for a period of three years through October 31, 2025.
- **Enforcement:** Gig workers with complaints that a hiring entity did not meet the requirements of this ordinance between **July 13, 2020** and **April 30, 2023** can still contact the Office of Labor Standards (OLS) with their complaints for three years (through October 31, 2025). Please do not delay contacting the office to ensure you may exercise your rights under this ordinance. You can contact OLS by calling [\(206\) 256-5297](tel:2062565297) or contact us online by filling out this form [\(click here\)](#).

### Which companies are covered by this law?

This law applies to Transportation Network Companies (TNCs)\*, licensed according to [Seattle Municipal Code 6.310](#), and Food Delivery Network Companies (FDNCs) that have hired 250 or more gig workers worldwide. FDNCs include companies that offer prearranged food, beverage, or grocery delivery services for compensation using an online or cellphone application to connect customers with delivery workers.

### Which gig workers are covered by this law?

This law applies to gig workers who accept offers of trips or deliveries for payment from a covered TNC or FDNC. To be covered by the law, a gig worker must make a trip or delivery with a drop-off or pick-up point in Seattle.

### How much Gig Worker PSST do workers earn?

Covered gig workers earn one day of Gig Worker PSST for every 30 days worked in Seattle after October 1, 2019. Each day with at least one pick-up or drop-off in Seattle counts towards accrual.

Hiring entities also have the option to provide five days of Gig Worker PSST, instead of calculating the standard accrual, for the period between October 1, 2019 and July 13, 2020. Gig workers can consult their company’s Gig Worker PSST policy, or their monthly accrual notifications, to find out which calculation applies to them.

Hiring entities must notify covered gig workers of their accrued, reduced and available balance of Gig Worker PSST at least once a month.

### How much does a worker get paid for a day of Gig Worker PSST?

Gig workers are paid for PSST based on their “average daily compensation,” calculated by the following steps:

- 1) Determine the gig worker’s highest-earning calendar month since October 1, 2019, only looking at days with work (at least one pick-up or drop-off) in Seattle. Include all payments, bonuses, commissions, and tips.
- 2) Calculate the average earnings for days worked in Seattle in that highest-earning calendar month. Take the total earnings and divide by the number of days.



○ = days worked in Seattle

### When can a gig worker use Gig Worker PSST?

A gig worker can start using Gig Worker PSST after they have accrued their first day, if they have worked for the hiring entity in Seattle within the previous 90 days. A gig worker can use paid sick and safe time to care for themselves or a family member under the following circumstances:

- For care related to mental or physical illness, injury or health condition, medical appointment, or preventive medical care;
- When the hiring entity has suspended or discontinued operations by order of a public official to limit exposure to an infectious agent, biological toxin, or hazardous material;
- When a gig worker’s family member’s school or place of care has been closed;
- When the hiring entity has reduced, suspended, or otherwise discontinued operations for any health- or safety-related reason; or
- For reasons related to domestic violence, sexual assault or stalking that affect the gig worker or the gig worker’s family or household member.

If a gig worker requests more than three consecutive days of Gig Worker PSST, a hiring entity may request reasonable information to verify that a gig worker is taking leave for a covered reason. The hiring entity cannot inquire about the nature of the use, only that the reason is an authorized one.

### How do gig workers access their Gig Worker PSST?

A gig worker may request their PSST through the electronic process provided by the hiring entity. Once requested, the use begins immediately and lasts 24 hours. When gig workers request Gig Worker PSST from a hiring entity, they are expected to not accept a trip or delivery for the next 24 hours. Hiring entities must notify workers when their 24-hour increment of Gig Worker PSST will end.

If a gig worker accepts a trip or delivery during the 24-hour period, the hiring entity may not penalize the gig worker, but they can deny the gig worker payment for the day of Gig Worker PSST and return that day of Gig Worker PSST back to the worker’s accrued balance.

Hiring entities must pay out Gig Worker PSST within 14 calendar days of the request, or at the next regularly scheduled date of compensation.

Covered hiring entities must provide the following written notices to workers:



- Notice of the rights granted by this law, including freedom from retaliation.
- The hiring entity’s policy and procedure to meet the requirements of the law.
- Monthly notifications of (1) the gig worker’s current rate of average daily compensation for use of Gig Worker PSST, as well as (2) the number of Gig Worker PSST days that have been accrued, reduced, and available for use.

This information must be provided online or by phone application, in English and the worker’s primary language.

**\*Note regarding transportation network companies (TNCs)**

Beginning on January 1, 2023 the GW PSST ordinance will no longer apply to transportation network companies (TNCs) such as Uber and Lyft due to Washington State House Bill 2076, which establishes new statewide requirements concerning TNCs. The Washington State Department of Labor & Industries (L&I) is responsible for enforcing these new requirements. Many of the statewide TNC driver protections take effect January 1, 2023. For more information, go to L&I’s [TNC Drivers’ Rights](#) page.

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