**Section 200.230 Frontloading Paid Leave at the Start of a 12-Month Period**

a) If an employer frontloads leave by providing to its employees the minimum required number of paid leave hours available for use on the employee's first day of employment or the first day of any 12-month period, the employer is subject to the following requirements:

1) The employer shall give written notice to the employee informing the employee of how many paid leave hours that employee is receiving on or before the first day of initial employment or on or before the first day of the initial 12-month period, and before the employer changes the amount of leave the employee receives via frontloading.

A) If an employer chooses a fixed date for the beginning of the 12-month period, such as January 1 or July 1, the employer may pro-rate the amount of frontloaded paid leave time that an employee who begins employment mid-12-month period shall receive. The employer shall then frontload the full 12-month period's worth of paid leave time to that employee at the next regular fixed date.

B) An employer may choose to use each employee's employment start date as the start of that employee's 12-month period.

C) An employer may not retroactively diminish benefits that the employer has already provided to an employee. Therefore, an employer may not recoup or require an employee to repay paid leave time that was frontloaded at the beginning of the 12-month period if the employee's employment ends before the end of the 12-month period.

2) Each 12-month period shall renew consecutively for the duration of employment unless employer does all of the following (see Section 15(d) of the Act):

A) Gives written notice to the employee at least 30 days prior to the end of the 12-month period, informing them that the 12-month period is changing or ending;

B) Gives the employee written documentation of the number of hours worked during the 12-month period, the number of paid leave hours accrued, the number of paid leave hours taken, and the remaining paid leave hours balance; and

C) Ensures that the changing of the 12-month period does not reduce the number of paid leave hours the employee is otherwise entitled to in a 12-month period.

3) An employee who receives frontloaded paid leave on the first day of any 12-month period shall continue to receive paid leave hours on the first day of any consecutive 12-month period unless the employer does the following (see Section 15(d) of the Act):

A) Gives written notice the employee at least 30 days prior to the end of the 12-month period that the 12-month period is changing or ending;

B) Gives the employee written documentation of the number of hours worked during the 12-month period, the number of paid leave hours accrued, the number of paid leave hours taken, and the remaining paid leave hours balance; and

C) Ensures that the changing of the 12-month period does not reduce the number of paid leave hours the employee is otherwise entitled to in a 12-month period.

b) The number of hours of paid leave provided under this Section shall not be less than what the employee would be entitled to earn if the employer had not provided all paid leave hours on the first day of employment or the first day of the 12-month period.

c) With appropriate notice to the employee and documentation, employers may frontload paid leave time for part-time employees at a pro rata amount consistent with the employee's anticipated work schedule for that 12-month period. However, if the employee works more hours than the employer anticipated, the employee is entitled to accrue additional hours at a rate of 1 hour of paid leave for every 40 hours worked in that same 12-month period, up to 40 hours of paid leave. If a part-time employee works fewer hours in the 12-month period than anticipated by their employer, the employer may not diminish or recoup used or unused frontloaded paid leave benefits in any way.