

CA COVID-19 Supplemental Paid Sick Leave for Non-Food Sector Employees

Hiring entities with 500 or more employees nationwide, and a public or private entity that employs health care providers or emergency responders who excluded such employees from emergency paid sick leave under the federal Families First Coronavirus Response Act are required to provide supplemental paid sick leave to employees for specified reasons related to COVID-19 by September 19, 2020. (See Labor Code section 248.1)

Qualifying Reasons for Taking COVID-19 Supplemental Paid Sick Leave

An employee may take leave if the employee is unable to work for any of the following reasons:

The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.

The employee is advised by a healthcare provider to self-quarantine or self-isolate due to COVID-19 related concerns.

The employee is prohibited from working by the employer due to health concerns related to the potential transmission of COVID-19.

Employees Are Covered if They Meet the Following Criteria:

- They work for the following type of employer:
 - An employer with 500 or more employees nationwide OR
 - An entity that employs health care providers or emergency responders and has elected to exclude such employees from emergency paid sick leave under the federal Families First Coronavirus Response Act; AND
- They leave home to perform work.

Paid Leave Entitlement for Employees

- Amount of Hours of COVID-19 Supplemental Paid Sick Leave:
 - 80 hours for those considered full-time employees, in addition to any other accrued paid sick leave. Full-time firefighters may be entitled to more than 80 hours, but the amount of pay is still capped.
 - For part-time employees with a normal weekly schedule, the number of hours the employee is normally scheduled to work over two weeks.
 - For part-time employees with variable schedules, 14 times the average number of hours worked per day over the past 6 months.
- Rate of Pay for COVID-19 Supplemental Paid Sick Leave:
 - Highest of (1) regular rate of pay for last pay period, (2) State minimum wage, or (3) local minimum wage,
 - **Not to exceed \$511 per day and \$5,110 in total**

Enforcement:

- Any employee denied COVID-19 supplemental paid sick leave can file a claim with the Labor Commissioner's Office or a Report of Labor Law Violations. Forms can be found at the Labor Commissioner's Office website, www.dir.ca.gov/dlse/. COVID-19 supplemental paid sick leave for employees must be made available for use immediately upon oral or written requests of the employee.
- **Retaliation or discrimination against an employee requesting or using COVID-19 supplemental paid sick leave is strictly prohibited.** An employee who experiences such retaliation or discrimination can file a claim with the Labor Commissioner's Office.

This poster must be displayed where employee can easily read it. If employees do not frequent a physical workplace, it may be disseminated to employees electronically.

For additional information you may contact your employer or the local office of the Labor Commissioner. Locate the office by looking at the list of offices on our website <http://www.dir.ca.gov/dlse/DistrictOffices.htm> using the alphabetical listing of cities, locations, and communities or by calling (760) 353-0607.