

COVID-19 Paid Sick Leave Laws/Orders
(Updated 4/26/2021)

Jurisdiction	Paid Sick Leave and COVID-19/Supplemental COVID-19 Leave	Details
Federal	Supplemental COVID-19 Leave <u>Current Expiration Date:</u> 9/30/21	<p>Federal Emergency Paid Sick Leave Act (Effective 4/1/2020 until 12/31/2020) (1/8/21 UPDATE: Employers are NOT REQUIRED to provide FFCRA leave after 12/31/2020 but may choose to continue to provide this benefit through March 31, 2021 to the extent an employee’s entitlement is not exhausted. Employers may continue to request a tax credit for such leave through March 31, 2021). (4/26/21 UPDATE: The tax credit for voluntarily offering this benefit was further extended to September 30, 2021 by the American Rescue Plan Act. Even if an employer claimed a tax credit for providing FFCRA paid leave to an employee before April 1, 2021, the employer may <u>choose</u> to provide up to ten (10) days of paid sick leave to that same employee beginning April 1, 2021 and seek a tax credit. Employers may not discriminate in terms of employee eligibility for paid leave. The American Rescue Plan Act also added the following new qualifying reasons for using FFCRA paid sick leave:</p> <ul style="list-style-type: none"> • The employee is seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID-19 and such employee has been exposed to COVID-19 or the employee’s employer has requested such test or diagnosis; • The employee is obtaining a COVID-19 vaccination; or • The employee is recovering from any injury, disability, illness, or condition related to the COVID-19 vaccine.) <p>On March 18, 2020, Congress passed the “Families First Coronavirus Response Act” (“FFCRA”) which includes the Emergency Paid Sick Leave Act (the “Act”)—requiring covered employers (i.e., those with fewer than 500 employees, government entities, and schools) to provide paid sick leave for eligible employees (i.e., all employees, regardless of length of employment).</p> <p><u>Summary:</u> Private employers with fewer than 500 employees and government employers will be required to provide employees with two weeks of paid sick leave (for immediate use), when an employee cannot report to work or telework due to certain circumstances related to COVID-19.</p> <p><u>Covered Employers:</u> those with fewer than 500 employees</p> <p><u>Employer Exclusions:</u></p>

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		<ul style="list-style-type: none"> • An employer of an employee who is a health care provider or an emergency responder may elect to exclude such employee from these paid sick leave entitlements. • small businesses with fewer than 50 employees may be exempt from the requirement to provide sick leave for reason (5) below, when the imposition of such requirement would jeopardize the viability of the business as a going concern. <p><u>Covered Employees:</u> all employees</p> <p><u>Permissible Reasons:</u> An employee is entitled to paid sick leave if the employee is unable to work (or telework) for any of the following reasons:</p> <p>(1) Quarantine/Isolation Order—the employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;</p> <p>(2) Self-Quarantine—the employee has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19;</p> <p>(3) COVID-19 Symptoms—the employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;</p> <p>(4) Care for Others—the employee is caring for an individual who is subject to a quarantine or isolation order or whose healthcare provider has advised the individual to self-quarantine due to concerns related to COVID-19;</p> <p>(5) School/Childcare Closure—the employee is caring for the employee’s son or daughter whose school or place of care has been closed, or whose child care provider is unavailable because of a public health emergency (i.e., an emergency with respect to coronavirus declared by a federal, state, or local authority); or</p> <p>(6) Similar Conditions—the employee is experiencing a “substantially similar condition” (as yet undefined)</p> <p><u>Amount of Leave:</u></p> <ul style="list-style-type: none"> • Full-time employees--Up to 80 hours • Part-time employees—an amount equal to the average number of hours worked in a 2-week period <p><u>Other Leave:</u></p>
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		<ul style="list-style-type: none"> • The federal Emergency Sick Leave is in addition to any other sick leave already offered by the employer, even if required by state/local law. • Employees may use emergency paid sick leave first, before using other forms of paid leave, for any of the reasons listed above. • An employer may not require its employees to use other forms of paid leave provided by the employer before they use emergency paid sick leave. <p><u>Rate of Pay:</u></p> <ul style="list-style-type: none"> • Sick leave is calculated based on the employee’s regular rate of pay for leave taken for reasons (1), (2) or (3) above, up to \$511 per day (\$5,110 in the aggregate). • For sick leave taken for reasons (4), (5) or (6) above, the employee’s required compensation will be two-thirds of their regular rate of pay, up to \$200 per day (\$2,000 in the aggregate). <p><u>No Replacements:</u> An employer may not require, as a condition or providing emergency paid sick time, that the employee using the sick leave search for or find a replacement employee to cover the hours during which the employee is using paid sick time.</p> <p><u>Notice to Employees:</u> Employers must post a notice prepared or approved by the Secretary of Labor of the requirements in the Emergency Paid Sick Leave Act. A model notice can be found here.</p> <p><u>Separation:</u> No payout at separation</p> <p><u>Other:</u> After the initial 2 weeks of paid sick leave, employees may be eligible for up to an additional 10 weeks of partially paid expanded family and medical leave for reason #5 above.</p> <p>Link to FAQ</p> <p>Link to FAQ on Notice to Employees</p>
Arizona	Existing Paid Sick Leave Law— COVID-19 guidance	Arizona’s existing paid sick leave law covers a wide range of permissible uses. The AZ Industrial Commission released this FAQ clarifying how the state’s paid sick leave law interacts with the COVID-19 pandemic.

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<p>California Statewide</p>	<p>Emergency Standard Adopted by CA OSHA for COVID-19</p> <p><u>Current Expiration Date:</u> 10/2/21</p>	<p>California Mandatory COVID-19 Paid Time Off for COVID-19 Cases or COVID-19 Exposures (Effective November 30, 2020 and Expires on October 2, 2021) [Rule Added to chart 1/8/21]</p> <p>Employers must provide employees with leave from work each time an employee meets the COVID-19 case or exposure workplace exclusion and must “continue and maintain an employee’s earnings, seniority, and all other rights and benefits, including the employee’s right to their former job status, as if the employee had not been removed from their job. Employer’s may use employer-provided employee sick leave benefits for this purpose and consider benefit payments from public sources in determining how to maintain earnings, rights and benefits, where permitted by law and when not covered by workers’ compensation.” The requirement to maintain earnings does NOT apply to any period of time during which the employee is “unable to work for reasons other than protecting persons at the workplace from possible COVID-19 transmission” and does NOT apply “where the employer demonstrates the COVID-19 exposure is not work related.”</p> <p>Leave continues until the employee satisfies the rule’s return to work criteria.</p> <p>Link to OSHA’s COVID-19 Prevention Emergency Temporary Standards Fact Sheets, Model Written Program, FAQ and Other Resources.</p>
<p>California Statewide</p>	<p>2021 COVID-19 Supplemental Paid Sick leave</p> <p><u>Current Expiration Date:</u> 9/30/21</p>	<p><u>Labor Code 248.2 and 248.3: 2021 COVID-19 Supplemental Paid Sick Leave (Effective 3/29/2021 (retroactive to 1/1/2021) through 9/30/2021).</u> [Law added to chart 4/26/21]</p> <p>NOTE: This supplemental leave is in addition to leave provided under the previous supplemental leave laws that expired on 12/31/2020.</p> <p><u>Covered Employers:</u> employers with more than 25 employees</p> <p><u>Covered Workers:</u> an employee who is unable to work or telework for an employer because of any of the Permissible Reasons for Use below.</p> <p><u>Permissible Reasons for Use:</u> To the extent any covered worker is unable to work or telework due to any of the following:</p> <ul style="list-style-type: none"> • The covered employee is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidelines of the State Department of Public Health, the federal

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		<p>Centers for Disease Control and Prevention, or a local health officer who has jurisdiction over the workplace. If the covered employee is subject to more than one of the foregoing, the covered employee shall be permitted to use COVID-19 supplemental paid sick leave for the minimum quarantine or isolation period under the order or guidelines that provides for the longest such minimum period.</p> <ul style="list-style-type: none">• The covered employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.• The covered employee is attending an appointment to receive a vaccine for protection against contracting COVID-19.• The covered employee is experiencing symptoms related to a COVID-19 vaccine that prevent the employee from being able to work or telework.• The covered employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.• The covered employee is caring for a family member, as defined in subdivision (c) of Section 245.5, who is subject to an order or guidelines described in the first bullet point above or who has been advised to self-quarantine, as described in the second bullet point above.• The covered employee is caring for a child, as defined in subdivision (c) of Section 245.5, whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises. <p><u>Amount of Leave:</u> The covered employee is entitled to the following number of hours of COVID-19 supplemental paid sick leave:</p> <ul style="list-style-type: none">• <i>For full-time employees or employees scheduled to work, on average, at least 40 hours per week in the 2 weeks prior to the leave date—80 hours</i>• <i>For all other employees:</i><ul style="list-style-type: none">○ Normal weekly schedule—the total number of hours the employee is normally scheduled to work over 2 weeks; or○ Variable schedule—14 x the average number of hours the employee worked each day in the 6 months preceding the leave date. <p>The amount of supplemental paid sick leave the employee is entitled to under this law is in addition to any paid sick leave available under Labor Code 246.</p>
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		<p>Employee may determine how many hours of leave to use, up to their full entitlement. Employers must make the leave available for immediate use, upon the oral or written request of the employee to the employer.</p> <p><u>Leave Entitlement Retroactive to 1/1/21:</u> If any employee was not compensated for leave taken on or after 1/1/21 in accordance with this law, then upon the oral or written request of the employee, the employer shall provide retroactive payment. Any retroactive payment counts towards the amount of leave an employer is required to provide under the law. The retroactive payment must be paid on or before the next payday for the next full pay period after the oral or written request of the employee and reflected on the corresponding pay notice.</p> <p><u>Rate of Pay:</u> Calculated as detailed below, but not required to pay more than \$511 per day and \$5,110 in the aggregate, unless federal legislation is enacted that increases these amounts beyond the amounts that were included in the EPSLA established by the FFCRA, in which case the new federal dollar amounts shall apply. Employees who have reached the maximum amounts are not prevented from choosing to utilize other paid leave that is available in order to fully compensate for the leave taken.</p> <ul style="list-style-type: none">• Nonexempt employees—by the highest of the following:<ul style="list-style-type: none">○ Calculated in the same manner as the regular rate of pay for the workweek in which the employee uses the leave, whether or not the employee actually works overtime in that week;○ Calculated by dividing the employee’s total wages, not including overtime premium pay, by the employee’s total hours worked in the full pay periods of the prior 90 days of employment;○ The state minimum wage; or○ The applicable local minimum wage.• Exempt employees—calculated in the same manner as the employer calculates wages for other forms of paid leave time. <p>Payment must be made no later than the payday for the next regular payroll period after the leave was taken.</p> <p><u>Use of Other Leave:</u> An employer shall not require use of any other paid or unpaid leave, paid time off, or vacation time provided by the employer before, or in lieu of, Covid-19 Supplemental Paid Sick</p>
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		<p>Leave. This paid supplemental leave is in addition to paid sick leave required by California Labor Code 246.</p> <p><u>Interaction with Cal-OSHA Temporary Standards:</u> In order to satisfy the Cal-OSHA Covid-19 Temporary Standards requirement to maintain earnings when excluded from the workplace due to a COVID-19 exposure, an employer may require the employee to first exhaust their COVID-19 supplemental paid sick leave.</p> <p><u>Offset:</u> the employer already provides the employee with another paid supplemental benefit that is payable for the reasons listed above and compensates the employee in an amount equal to or greater than they would receive under this law, the employer may count the hours of the other paid benefit or leave towards the number of hours of COVID-19 supplemental paid sick leave the employer is required to provide. However, that other benefit does not include paid sick leave to which the employee is entitled under Labor Code 246, Labor Code 248(e) or Labor Code 248.1(f), but may include paid leave provided by the employer pursuant to any federal or local law in effect or that became effective on or after January 1, 2021 if provided for any of the same reasons by this law.</p> <p><u>No replacements required:</u> employers cannot require employee to search for a replacement.</p> <p><u>No retaliation:</u> An employer shall not deny an employee the right to use leave, discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using leave, attempting to exercise the right to use leave, filing a complaint with the department or alleging a violation of this article, cooperating in an investigation or prosecution of an alleged violation of this article, or opposing any policy or practice or act that is prohibited by this article.</p> <p><u>Employee Notice of Need</u>— Oral or written request.</p> <p><u>Notice/Posting Requirements</u>— Employers must post in each workplace a notice from the Labor Commissioner. If the covered employees do not frequent a workplace, the employer may disseminate the notice through electronic means, including by email.</p> <p><u>Record Retention:</u> must keep records documenting hours worked and leave taken for at least 3 years</p>
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		<p><u>Pay Date Notice</u>: Employers must also include notice of amount of available supplemental paid sick leave on the employee’s itemized wage statement or in a separate writing provided on the designated pay date with employer’s payment of wages. The supplemental paid sick leave must be set forth separately from paid sick days. This requirement is enforceable on the next full pay period following 3/29/2021. For part-time employees with a variable schedule, employers may meet this requirement by doing an initial calculation of supplemental leave available and indicate “variable” next to the calculation. However, employers must provide employees an updated calculation when the employee requests to use the supplemental leave or requests records.</p> <p>The DLSE has published FAQs.</p>
California Statewide	Existing Paid Sick Leave Law— COVID-19 Guidance	CA DLSE issued FAQ clarifying how the state’s existing paid sick leave law interacts with the COVID-19 pandemic.
Berkeley, CA	No changes and no new guidance to existing law.	Berkeley Paid Sick Leave Ordinance —no changes, no updated guidance.
Emeryville, CA	Existing Paid Sick Leave Law— COVID-19 Guidance	<p>The City published guidance expanding the application of the Emeryville Paid Sick Leave law to include the following purposes related to Covid-19:</p> <ul style="list-style-type: none"> • The employee takes time off work because public health officials or healthcare providers require or recommend an employee isolate or quarantine to prevent the spread of disease; • The employee takes time off work because the employee falls within the definition of a “vulnerable population” under the Guidance from the State or any other official subsequent updates; • The employee takes time off work because the employee’s business or a work location temporarily ceases operations in response to a public health or other public official’s recommendation; • The employee takes time off work because the employee needs to provide care for a family member who is not sick but who public health officials or healthcare providers have required or recommended isolate or quarantine; or • The employee takes time off work because the employee needs to provide care for a family member whose school, childcare provider, senior care provider, or work temporarily ceases operations in response to a public health or other public official’s recommendation.

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<p>Long Beach, CA</p>	<p>Supplemental COVID-19 Leave</p> <p><u>Current Expiration Date:</u> ordinance in effect through at least 6/4/21</p>	<p><u>COVID-19 Paid Supplemental Sick Leave</u> (Effective 5/19/2020 until further notice—The City Council will review reports on whether to continue the ordinance every 90 days) [1/8/21 Update: On December 6, 2020 the <u>City Manager reported</u> his recommendation to continue the ordinance for an additional 90 days. The ordinance will be reviewed again in February prior to the March 6, 2021 90-day reporting deadline.] [4/26/21 Update: On February 26, 2021 <u>the City Manager reported</u> his recommendation to keep the ordinance in effect. The next report will be provided at the end of May in advance of the June 4, 2021 reporting deadline.]</p> <p><u>Covered Employer:</u> an employer with 500 or more employees nationally that are not required, in whole or in part, to provide paid sick leave benefits under the Federal Emergency Paid Sick Leave Act.</p> <p><u>Covered Employee:</u> any employee working for an employer who performs any work within the geographic boundaries of the City of Long Beach.</p> <p><u>Exemptions:</u></p> <ul style="list-style-type: none"> • Employee able to work from home. Nothing in the law is intended to require the provision of paid supplemental sick leave to Employees that can work from home and are healthy enough to do so. • Health Care Providers. Employers may exclude Employees that are "health care providers" from the requirements of the law. For purposes of this Section, "health care providers" includes any individual who is capable of providing health care services necessary to combat the COVID-19 public health emergency. To minimize the spread of COVID-19, Employers are encouraged to be judicious when using this definition to exempt "health care providers" from the provisions of the law. • Emergency Responders. Employers may exclude Employees that are "emergency responders" from the requirements of the law. For purposes of this Section, "emergency responders" includes those categories of Employees who: (1) interact with and aid individuals with physical or mental health issues, including those who are or may be suffering from COVID-19; (2) ensure the welfare and safety of the Long Beach Community; (3) have specialized training relevant to emergency response; and (4) provide essential services relevant to people's health and well-being. To minimize the spread of COVID-19,
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		<p>Employers are encouraged to be judicious when using this definition to exempt "emergency responders" from the provisions of the law.</p> <ul style="list-style-type: none"> • Government. This law does not apply to employees of government agencies working within the course and scope of their public service employment. • Generous Leave. If an Employer has a paid leave or paid time off policy that provides a minimum of one hundred and sixty (160) hours of paid leave annually, the Employer is exempt from any obligation to provide paid supplemental sick leave pursuant to this law for any Employee that received the more generous paid leave. <p><u>Amount of Leave:</u></p> <ul style="list-style-type: none"> • For full-time employees—80 hours • For part-time employees—in an amount equal to the number of hours an employee works on average over a two-week period. <p><u>Availability of Leave:</u> Paid sick leave hours are available upon the effective date.</p> <p><u>Permitted Uses:</u> An employee can use paid sick leave for any of the following purposes:</p> <ul style="list-style-type: none"> • The Employee is subject to quarantine or isolation by federal, state or local order due to COVID-19, or is caring for someone who is quarantined or isolated due to COVID-19; • The Employee is advised by a health-care provider to self-quarantine due to COVID-19 or is caring for someone who is so advised by a health-care provider; • The Employee experiences symptoms of COVID-19 and is seeking medical diagnosis; or • The Employee is caring for a minor child because the child's school, daycare, or childcare provider is closed or unavailable because of COVID-19 and the Employee is unable to secure a reasonable alternative caregiver. <p><u>Rate of Pay:</u></p> <ul style="list-style-type: none"> • The Employer shall pay the Employee for properly used supplemental sick leave at the Employee's regular rate of pay up to Five Hundred Eleven Dollars (\$511.00) per day and not to exceed an aggregate of Five Thousand One Hundred Ten Dollars (\$5, 110.00). Notwithstanding the foregoing, the Employer may pay an Employee using supplemental sick leave for a purpose that relates to care for another person at two-thirds of the employees' regular rate of pay up to Two Hundred Dollars (\$200.00) per day and not to exceed an aggregate of Two Thousand Dollars (\$2,000.00).
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		<ul style="list-style-type: none">• For a part-time Employee, the Employer will calculate the amount of paid supplemental sick leave used based on the average number of hours the employee worked per day during the six (6) months immediately preceding the effective date of this Chapter. If an Employee has worked for the Employer for less than six (6) months, then the Employer shall calculate the amount of paid supplemental sick leave an Employee is entitled to based on the average hours the Employer expected the Employee to work per day at time of hire. <p><u>Existing Policies:</u> An Employer may not change any paid time off policies on or after the effective date of the law except to provide additional paid leave.</p> <p><u>Replacements:</u> An Employer shall not require an Employee to find a replacement as a condition of approving the paid supplemental sick leave.</p> <p><u>Certification:</u> An Employer may require an Employee to identify the basis for requesting paid supplemental sick leave but shall not require a doctor's note or other documentation for the use of paid supplemental sick leave.</p> <p><u>Notice of Use:</u> An Employer may require the Employee to follow reasonable notice procedures in order to use the paid supplemental sick leave, but only when the need for the paid supplemental sick leave is foreseeable.</p> <p><u>Use of Other Leave:</u> Employees are not required to exhaust their sick leave or other accrued leave prior to use of the paid supplemental sick leave hours.</p> <p><u>Offset:</u> An Employer's obligation to provide paid supplemental sick leave benefits under this law shall be reduced for every hour an Employer provided an Employee with paid leave in an amount equal to or greater than the requirements under this law, not including previously accrued hours, on or after March 4, 2020, for any of the purposes described in in the law or in response to an Employee's inability to work due to COVID-19. Paid sick leave under this law is not in addition or independent of rights under Cal. Governor's Executive Order N-51-20 or the Federal Emergency Paid Sick Leave Act.</p> <p><u>No Pay for Unused Leave:</u> An Employee is not entitled, under any circumstances, to be paid for unused paid supplemental sick leave. Unused paid supplemental sick leave will not be available</p>
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		<p>after the sunset of this Chapter and thereafter shall cease to exist unless an Employer extends an Employee's access to such leave.</p> <p><u>Separation:</u> Upon an Employee's separation from employment, an Employer is no longer obligated to provide or pay for any paid supplemental sick leave not used prior to separation.</p> <p><u>Enforcement:</u> Employees may bring a private right of action. Awards may consist of all actual damage (including back pay and provision of sick leave unlawfully withheld), punitive damages, reinstatement, reasonable attorney's fees and costs, and other legal or equitable relief.</p> <p><u>Retaliation Prohibited:</u> No Employer shall discharge, reduce in compensation or otherwise discriminate against any Employee for opposing any practice proscribed by this law, for requesting to use or actually using paid supplemental sick leave under this law, for participating in proceedings related to this law, for seeking to enforce their rights under this law by any lawful means, or for otherwise asserting rights under this law.</p>
<p>Los Angeles, CA (City of)</p>	<p>Supplemental COVID-19 Leave</p> <p><u>Current Expiration Date:</u> 2 calendar weeks after the expiration of the COVID-19 local emergency period.</p>	<p><u>Los Angeles Supplemental Paid Sick Leave Due to Covid-19 Executive Order</u> (Effective 4/7/2020 through 2 calendar weeks after the expiration of the Covid-19 local emergency period.) [1/8/21 Update: Since the COVID-19 local emergency period has not expired, the law is currently still in effect] [4/26/21 UPDATE: On 2/17/21, the Mayor signed a revised public order expanding coverage as indicated below.]</p> <p><u>Covered Employees:</u> Employees who have been employed with the same employer from 2/3/2020 through 3/4/2020 for 60 days and who have performed any work within the geographic boundaries of the City of Los Angeles.</p> <p><u>Covered Employer:</u> An employer that has either:</p> <ul style="list-style-type: none"> • 500 or more employees within the City of Los Angeles; or • 2,000 or more employees within the U.S. <p><u>Permitted Uses:</u> If the employee is unable to work or telework and takes time off:</p> <ul style="list-style-type: none"> • Due to COVID-19 infection or because public health official or healthcare provider requires or recommends the employee isolate or self-quarantine to prevent the spread of COVID-19;

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		<ul style="list-style-type: none"> • Because the employee is at least 65 years old or has a health condition such as heart disease, asthma, lung disease, diabetes, kidney disease, or weakened immune system; • Because the employee needs to care for a family member who is not sick but who public health officials or healthcare providers have required or recommended isolation or self-quarantine; or • Because the employee needs to provide care for a family member whose senior care provider or whose school or child care provider caring for a child under the age of 18 temporarily ceases operations in response to a public health or other public official’s recommendation. This provision is only applicable to an employee who is unable to secure a reasonable alternative caregiver. <p><u>Amount of Leave:</u></p> <ul style="list-style-type: none"> • For full-time employees (or employees who work at least 40 hours per week)—80 hours • For part-time employees and employees who work less than 40 hours per week—in an amount no greater than the employee’s average two week pay over the period of February 3, 2020 through March 4, 2020. <p><u>Rate of Pay:</u></p> <ul style="list-style-type: none"> • For FT employee, the rate is calculated at an employee’s average two-week pay between 2/3/2020 and 3/4/2020 over the last 60 days of employment. No more than \$511 per day (or \$5,110 in the aggregate). • For PT employee, the rate of pay for those Supplemental Paid Sick Leave hours is calculated in the amount equivalent to an Employee’s average two-week pay between February 3, 2020 and March 4, 2020 over the last 60 days of employment. The amount of Supplemental Paid Sick Leave hours that must be provided to this Employee is determined by adding the number of hours worked in four consecutive weeks during this period, and dividing that total by 2. <p><u>Employee Request:</u> Oral or written.</p> <p><u>Required Documentation</u>—None. However, an Employer may require an Employee to, verbally or in writing, provide the reason for taking leave — such as child care, quarantine, vulnerable medical condition, caring for a family member — for purposes of recordkeeping. The Employer’s policy</p>
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		<p>should not be so difficult that it deters an Employee from taking legitimate supplemental paid sick leave</p> <p><u>Offset:</u> The supplemental paid sick leave is separate and apart from any regular paid sick leave that the Employer provided or continues to provide the Employee, such as regular accrued paid sick leave required by law. However, an Employer’s obligation to provide 80 hours of supplemental paid sick leave under the SPSL Public Order shall be reduced for every hour an Employer allows an Employee to take paid leave that was compensated at the amount required by the Order, not including previously accrued hours, on or after March 4, 2020, for any reasons under this order or in response to an employee’s inability to work due to COVID-19.</p> <p>Example 1: A full-time Employee who was exposed to a known COVID-19 case on March 15, 2020 was directed by a County Public Health official to self-quarantine. The Employer provided the Employee with paid administrative leave for 80 hours at their full salary rate in March, while the Employee stayed home and completed their quarantine period. The 80 hours of paid administrative leave would offset the Employer’s obligation under the SPSL Public Order. The Employer would not be required to provide any additional supplemental paid sick leave to that Employee.</p> <p>Example 2: A full-time Employee who was exposed to a known COVID-19 case on March 15 was directed by a County Public Health official to be tested for COVID-19. The Employee stayed home for a week in self-quarantine until they received their negative test results and were cleared to return to work immediately. The Employer provided the Employee with paid administrative leave for 40 hours at their full salary rate while they were home awaiting their test result. The Employee then returned to work healthy. The 40 hours of paid administrative leave would partially offset the Employer’s obligation to provide 80 hours of supplemental paid sick leave under the SPSL Public Order. The Employer would be required to provide 40 additional hours of supplemental paid sick leave to that Employee.</p> <p><u>Exemptions:</u></p> <ul style="list-style-type: none">• Emergency and health services personnel• Employers of employees that provides global parcel delivery services• Employers who have paid leave or PTO policy for the employee that provides a minimum of 160 hours of paid leave annually• New business as specified
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		<ul style="list-style-type: none"> • Employees of government agencies • Business/organization that was closed or not operating for a period of 14 or more days due to a city official’s emergency order because of the COVID-19 pandemic or provided at least 14 days of leave, any time on or after March 4, 2020.
<p>Los Angeles, CA (County)</p>	<p>Supplemental COVID-19 Leave</p> <p><u>Current Expiration Date:</u> 2 calendar weeks after the expiration of the COVID-19 local emergency period.</p>	<p><u>Los Angeles County Interim Urgency Ordinance</u> (Effective 4/28/2020 until 12/31/2020, unless extended by the Board of Supervisors) [1/8/21 UPDATE: The ordinance expired on 12/31/2020, however, the Board has directed the County Counsel to, before January 26, 2021, draft an ordinance extending the duration of the paid sick leave ordinance.] [4/26/21 UPDATE: An <u>urgency ordinance</u> dated 1/21/21 was passed, extending the supplemental paid sick leave ordinance until two calendar weeks after the expiration of the COVID-19 local emergency. Supplemental paid sick leave extended to all businesses in the unincorporated areas of the County as indicated below.]</p> <p><u>Summary:</u> Los Angeles County enacted an emergency sick leave ordinance requiring up to 2 weeks of leave for Covid-19 related reasons for employees working in an unincorporated area of Los Angeles County.</p> <p><u>Covered Employer:</u> employers with 500 or more employees nationwide all employers in the unincorporated areas of the County (change effective January 1, 2021)</p> <p><u>Covered Employee:</u> employees who were employed as of April 28, 2020 and work within the geographic boundaries of the unincorporated county.</p> <p><u>Permissible Uses:</u> When a covered employee is unable to work or telework due to:</p> <ul style="list-style-type: none"> • a public health official or healthcare provider requires or recommends the employee self-isolate or quarantine to prevent the spread of COVID-19, • the employee is subject to a federal, state, or local quarantine or isolation order related to COVID-19 (e.g., is at least 65 years or has a health condition such as “heart disease, asthma, lung disease, diabetes, kidney disease, or weakened immune system”), • the employee is caring for a family member who is subject to a federal, state or local quarantine/isolation order related to COVID-19, or has been advised by a health care provider to isolate self-quarantine, or

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		<ul style="list-style-type: none">• the employee needs time off to care for a family member whose senior care provider, school, or child care provider has ceased operations in response to a public official's recommendation <p><i>(Note: There is not a specific exemption for businesses closed for any period of time, like there is in the City of Los Angeles law.)</i></p> <p><u>Amount of Leave:</u></p> <ul style="list-style-type: none">• Employees classified as full time or who work 40 hours a week or more receive no more than 80 hours of SPSL or FFCRA paid sick leave for the entire period covered by this law based on their highest average two-week pay between January 1, 2020 and April 28, 2020.• Employees who are not classified as full time or work less than 40 hours a week receive SPSL for the entire period covered by this law in an amount not greater than their average two-week pay over the same period. Such SPSL must be reduced by the supplemental paid sick leave paid under the FFCRA.• An employee who has exhausted SPSL under this law or FFCRA by 12/31/20 is not eligible for any additional allotment of SPSL after that date.• Capped at \$511 per day <p><u>Exemptions:</u> Employers may exclude employees who are health care providers or emergency responders (as defined in the Ordinance) from the Ordinance's leave requirements. Collective bargaining agreement also may waive the provisions of the Ordinance if set forth in clear and unambiguous terms.</p> <p><u>Availability of Leave:</u> An employer's obligation to begin providing supplemental paid sick leave under this law begins March 31, 2020.</p> <p><u>Employee Notice of Use:</u> leave is available upon the written request (including text or email) of the employee.</p> <p><u>Certification:</u> Employer may require a doctor's note or other documentation.</p>
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		<p><u>Use of Other leave</u>: this is in addition to regular paid sick leave required by law. Can't require an employee to use other paid or unpaid leave, PTO, vacation or sick leave, before or in lieu of the emergency sick leave.</p> <p><u>Offset</u>: leave can be reduced for every hour on or after 3/31/2020 that the employer allowed an employee to take leave for COVID-19 reasons, only if that leave was provided above and beyond the employee's regular or previously accrued leaves.</p> <p><u>Enforcement</u>: employees can bring a private action to seek reinstatement, back pay, unlawfully withheld wages, etc.</p> <p>Link to the list of the unincorporated areas of LA County.</p>
<p>Oakland, CA</p>	<p>Supplemental COVID-19 Leave</p> <p><u>Current Expiration Date</u>: the end of the City's COVID-19 emergency declaration.</p>	<p><u>Oakland Protecting Workers and Communities During a Pandemic – COVID-19 Emergency Paid Sick Leave Ordinance</u> (Effective 5/12/2020 through 12/31/2020, unless extended). [1/8/21 Update: The Oakland City Council will consider, on January 19, 2021, a proposal to extend the duration of the emergency sick leave until the expiration of the city's Declaration of COVID-19 Emergency. If passed, the new ordinance will be retroactive to 12/31/2020.] [4/26/21 UPDATE: On 1/19/21 Oakland enacted a new emergency ordinance that is retroactive to 12/31/20 extending supplemental paid sick leave ordinance through the end of the City's emergency declaration.]</p> <p><u>Covered Employee</u>: any person who qualifies as an employee entitled to payment of a minimum wage under the California Labor Code, including California Labor Code section 2750.3, and wage orders published by the California Industrial Welfare Commission provided that the person has performed work for remuneration for an Employer for at least two (2) hours after February 3, 2020 within the geographic boundaries of the City.</p> <p><u>Covered Employer</u>: any person, association, organization, partnership, business trust, limited liability company, or corporation who directly or indirectly through any other person or entity, Employs an Employee. "Employer" includes a temporary employment agency, staffing agency or similar entity that directly or indirectly employs an employee. An employer who contracts with a contractor for the provision of workers jointly and severally shares with the contractor all liability</p>

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		<p>for the provision of emergency paid sick leave required under this ordinance “Employer” shall not include the United States Government, the State of California or any other entity of government.</p> <p><u>Small Employer</u>: means an employer that employed fewer than 50 employees between February 3, 2020 through March 4, 2020, but does not include: a. Unregistered Janitorial Employers; or b. Franchisees associated with a Franchisor or network of Franchises where that Franchisor or network of Franchises Employs more than 500 Employees in the aggregate.</p> <p><u>Exemptions</u>:</p> <ul style="list-style-type: none">• All Small Employers are exempt from the requirements of the law.• Employers of employees who are health care providers or emergency responders (as defined by 29 CFR 826.30(c)), may elect exemption in accordance with FFCRA.• Employers who, after 2/3/2020, provide employees with the ability to accrue at least 160 hours of paid personal leave (excluding paid holidays), are exempt from the requirement of providing emergency paid sick leave hours so long as:<ul style="list-style-type: none">▪ the employee has immediate access to at least 80 hours of leave after May 12, 2020 for the law’s qualifying reasons; and▪ any employee whose paid personal leave balance on May 12, 2020 has fallen below 80 hours of accrued paid personal leave, shall be provided additional leave, to bring their balance of paid personal leave to 80 hours to be used for the purposes described in the law• Employers who provide employees immediate access to at least 80 hours of paid personal leave (or the equivalent for part-time employees) for the purposes specified in the law are exempt from the requirement of providing emergency paid sick leave hours. For this exemption to apply the paid personal leave must have been in addition to any paid leave the employer was otherwise required to provide pursuant to CBA, employment contract, or public policy. <p>Note that “paid personal leave” includes personal time off, sick leave, or vacation time, but does not include paid holiday time.</p> <p><u>Permitted Uses</u>: All employers shall provide each employee with Emergency Paid Sick Leave to the extent the employee is unable to work (or telework) for the following purposes:</p>
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		<ul style="list-style-type: none"> • The employee is subject to a Federal, State, or local quarantine or isolation order related to COVID-19; • The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; • The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis; • The employee is caring for an individual who is subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; • The employee is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, or the child care provider of such son or daughter is unavailable, due to COVID-19 precautions; or • The employee is experiencing any other substantially similar condition specified by the federal Secretary of Health and Human Services in consultation with the Secretary of Labor and Secretary of the Treasury. <p>In addition, employers shall also provide each employee with Emergency Paid Sick Leave to the extent the employee is unable to work (or telework) for the following purposes:</p> <ul style="list-style-type: none"> • To enable the employee to care for a Family Member who has been diagnosed with COVID-19 or is experiencing symptoms of COVID-19; • To take time off work because the employee: <ul style="list-style-type: none"> ○ Is at least 65 years old; ○ Has a health condition such as heart disease, asthma, lung disease, diabetes, kidney disease, or weakened immune system; ○ Has any condition identified by an Alameda County, California or federal public health official as putting the public at heightened risk of serious illness or death if exposed to COVID-19; or ○ Has any condition certified by a healthcare professional as putting the Employee at a heightened risk of serious illness or death if exposed to COVID-19. <p><u>Family Member</u>: has the same meaning as set forth in California Labor Code §245.5(c) and also includes: the child of an employee’s spouse or domestic partner; the parent of an employee’s spouse or domestic partner; the sibling, grandparent, and grandchild of an employee’s spouse or domestic partner; sibling, grandparent, and grandchild relationships resulting from adoption, step-</p>
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		<p>relationships, and foster-care relationships; an individual for whom the employee is responsible for providing or arranging care, including but not limited to helping that individual obtain diagnostic, preventative, routine, or therapeutic health treatment; or whose close association with the employee is the equivalent of a family relationship.</p> <p><u>Amount of Leave:</u></p> <ul style="list-style-type: none">• For full-time employees or employees that provided labor or services for remuneration for at least 40 hours per week within the City of Oakland over the period of 2/3/2020 through 3/4/2020 [under the emergency ordinance, “over the period of January 1, 2021 through January 21, 2021 or at any point thereafter”], or at any point thereafter—80 hours• For employees who provided labor or services for remuneration for fewer than 40 hours per week over the period of 2/3/2020 through 3/4/2020 and who continues to do so after 3/4/2020—a number of hours equal to the average number of hours the employee worked within the City of Oakland over 14 days during the period of 2/3/2020 through 3/4/2020. The 14 days must be the 14 days with the highest number of hours worked within the City of Oakland during the period between 2/3/2020 through 3/4/2020. <p>Employees that begin performing labor or services for remuneration after 3/4/2020 shall be provided leave as described above.</p> <p><u>Availability of Leave:</u> Available immediately upon the Effective Date.</p> <p><u>Timing of Payment:</u> No later than the payday for the next regular payroll period after the leave is taken and in no event more than 14 days after the leave is taken.</p> <p><u>Rate of Pay:</u> Compensated at the same hourly rate and with the same benefits, including health benefits, as the employee normally earns during hours worked, however, the amount paid to an employee shall not exceed \$511 per day or \$5,110 in the aggregate.</p> <p><u>Certification:</u> An employer may not require a doctor’s note or other documentation for the use of Emergency Paid Sick Leave, except for additional conditions that require certification by a healthcare professional as putting the employee at a heightened risk of serious illness or death if exposed to COVID-19. An employee obtaining such certification need not disclose the employee’s</p>
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		<p>condition, only that they are at a heightened risk for serious illness or death if exposed to COVID-19. An employee may certify their need for leave by utilizing virtual or telephonic appointments with their healthcare provider. Employers shall not require an employee to incur expenses in excess of \$5 in order to demonstrate eligibility for leave.</p> <p><u>Increments of Use:</u> leave may be used in one-hour increments and intermittently, as necessary. Employers may not require use of leave in more than one-hour increments.</p> <p><u>FFCRA Offset:</u> Employers may credit sick leave under FFCRA against Oakland’s emergency paid sick leave requirements provided the compensation meets the Oakland emergency paid sick leave requirements.</p> <p><u>Use of Other Leave:</u> Employees may use the Oakland emergency sick leave before any other leave provided by an employer or required to be provided under the Oakland paid sick leave law. Employers may NOT require employees to use any other leave before using the Oakland emergency paid sick leave.</p> <p><u>Layoffs and Oakland Non-Emergency Paid Sick Leave:</u> If an employer lays off an employee, the employer must compensate the employee for all non-emergency paid sick leave accrued under the Oakland Municipal Code section 5.92.030 immediately upon separation. This requirement does not apply to Small Employers.</p> <p><u>Notice of Use:</u> where the need for use is foreseeable, an employee should provide notice to the employer of the need for use of the leave as soon as practicable.</p> <p><u>Replacements:</u> employers shall not require employees to find a replacement for use of sick leave.</p> <p><u>Notice/Posting Requirements:</u> Every employer shall, within three days after the City has published and made available the notice, provide the notice to employees in a manner calculated to reach all employees, including, but not limited to, posting in a conspicuous place at the workplace; via electronic communication; or posting in a conspicuous place in an Employer’s web-based or app-based platform. The employer notification shall be provided in all languages spoken by more than ten percent (10%) of employees. The notice was posted on June 19, 2020 and can be found here.</p>
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		FAQ can be found here .
<p>Sacramento, CA (City)</p>	<p>Supplemental COVID-19 Leave</p> <p><u>Current Expiration Date:</u> 6/30/21</p>	<p>Sacramento Worker Protection, Health and Safety Act (Effective 7/15/2020-12/31/2020) [1/8/21 Update: The expiration date was amended and the ordinance will be in effect until March 31, 2021 (the amendment can be found here.)] [4/26/21 Update: The expiration date was once again extended and the ordinance now will expire June 30, 2021. The amendment can be found here.]</p> <p><u>Summary:</u> Effective July 15, 2020, the law requires employers with 500 or more employees nationally to provide up to 80 hours of supplemental paid sick leave (SPSL).</p> <p><u>Covered Employee:</u> a person who works within the boundaries of the City of Sacramento for their employer and is an “employee” as defined by California Labor Code section 2750.3.</p> <p><u>Covered Employer:</u> employers of 500 or more employees nationally who are exempt from the federal emergency paid sick leave law</p> <p><u>Full-time employee:</u> means an employee who works 40 hours or more per week for an employer, or who was classified as full-time by the employer before the effective date of this chapter.</p> <p><u>Part-time employee:</u> means an employee who is not a full-time employee.</p> <p><u>Exemptions:</u> Employers of health care providers or emergency responders may exclude those employees from paid sick leave under this law.</p> <p><u>Other Leave:</u></p> <ul style="list-style-type: none"> • SPSL in addition to any other paid sick leave, paid time off, or vacation time that an employer currently provides to an employee by statute, policy, or collective bargaining agreement. • An employer may not require an employee to use other accrued paid sick leave, paid time off, or vacation time before using SPSL. <p><u>Amount of Leave:</u></p> <ul style="list-style-type: none"> • Full-time employees—80 hours of supplemental paid sick leave

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		<ul style="list-style-type: none">• Part-time employees--an amount of hours equal to the number of hours worked on average over a two-week period. In calculating this average, the employer shall use the number of hours worked by the employee for each week the employee worked during the six months immediately preceding the effective date of this chapter, multiplied by two. <p><u>Offsets:</u></p> <ul style="list-style-type: none">• If an employer has granted additional paid sick leave (beyond any paid sick leave, paid time off, or vacation time afforded an employee by statute, policy, or collective bargaining agreement) since March 19, 2020 specifically for use for COVID-19-related matters described under this law, the employer may use those leave hours as a credit against the number of SPSL hours required by this section.• If an employee is entitled to leave hours pursuant to the Governor’s Executive Order N-51-20 (CA Food Sector Worker paid sick leave law), the employer may use those leave hours as a credit against the number of SPSL hours required by this section. <p><u>Permitted Uses:</u> An employee who is unable to work or telework may use SPSL due to the following:</p> <ul style="list-style-type: none">• The employee is subject to quarantine or isolation by federal, state, or local order due to COVID-19, or is caring for a family member who is quarantined or isolated due to COVID-19.• The employee is advised by a health care provider to self-quarantine due to COVID-19 or is caring for a family member who is so advised by a health-care provider.• The employee chooses to take off work because the employee is over the age of 65 years or is considered vulnerable due to a compromised immune system.• The employee is off work because the employer it works for or specific work location temporarily ceases operation due to a public health order or other public official’s recommendation.• The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.• The employee is caring for a minor child because a school or daycare is closed due to COVID-19 <p><u>Rate of Pay:</u></p> <ol style="list-style-type: none">1. Except as provided in subsections 2 and 3, below, an employer shall pay an employee for properly-used SPSL at the employee’s regular rate of pay.
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		<p>2. Notwithstanding subsection 1, above, the maximum amount an employer is obligated to pay for SPSL is (a) \$511 per day, and (b) an aggregate of \$5,110 for the entire benefit.</p> <p>3. Notwithstanding subsections 1 and 2, above, for an employee who uses SPSL to care for a family member, the employer may pay two-thirds of the employee’s regular rate of pay, with a maximum employer obligation of \$200 per day and an aggregate of \$2,000 for the entire benefit.</p> <p><u>Replacements</u>: An employer may not require an employee to find a replacement as a condition of using SPSL.</p> <p><u>Absence Control Policy</u>: An employer may not issue any discipline or attendance points based on a no-fault attendance policy for an employee’s use of SPSL.</p> <p><u>Certification</u>: If requested by the employer, the employee shall provide the employer the basis for requesting SPSL; provided, however, that a doctor’s note or other documentation is not required.</p> <p><u>Notice of Use</u>: An employer may require the employee to follow reasonable notice procedures before providing SPSL, but only when the employee’s need for the SPSL is foreseeable.</p> <p><u>Unused SPSL</u>: An employee is not entitled, under any circumstances, to be paid for unused SPSL. Unused SPSL expires when this chapter sunsets.</p>
<p>Sacramento, CA (County)</p>	<p>Supplemental COVID-19 Leave</p> <p><u>Current Expiration Date</u>: expired 3/31/21 and no reports of extensions as of 4/26/21.</p>	<p>Sacramento County Worker Protection, Health and Safety Act (Effective 10/1/2020 through 12/31/2020) (1/8/21 Update: Expiration date has been extended to March 31, 2021)</p> <p><u>Summary</u>: The law requires employers with 500 or more employees nationally to make available to employees up to 80 hours of supplemental paid sick leave (SPSL) to by 10/16/2020.</p> <p><u>Covered Employee</u>: a person who works in an unincorporated area of Sacramento for a covered employer and is an “employee” as defined by California Labor Code section 2750.3.</p> <p><u>Covered Employer</u>: employers of 500 or more employees nationally who are exempt from the federal emergency paid sick leave law</p>

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		<p><u>Full-time employee</u>: means an employee who works 40 hours or more per week for an employer, or who was classified as full-time by the employer before the effective date of this chapter.</p> <p><u>Part-time employee</u>: means an employee who is not a full-time employee.</p> <p><u>Exemptions</u>: Employers of health care providers or emergency responders may exclude those employees from paid sick leave under this law.</p> <p><u>Other Leave</u>:</p> <ul style="list-style-type: none">• SPSL is in addition to any other paid sick leave, paid time off, or vacation time that an employer currently provides to an employee by statute, policy, or collective bargaining agreement.• An employer may not require an employee to use other accrued paid sick leave, paid time off, or vacation time before using SPSL. <p><u>Amount of Leave</u>:</p> <ul style="list-style-type: none">• Full-time employees—80 hours of supplemental paid sick leave• Part-time employees--an amount of hours equal to the number of hours worked on average over a two-week period. In calculating this average, the employer shall use the number of hours worked by the employee for each week the employee worked during the six months immediately preceding the effective date of this chapter, multiplied by two. <p><u>Offsets</u>:</p> <ul style="list-style-type: none">• If an employer has granted additional paid sick leave (beyond any paid sick leave, paid time off, or vacation time afforded an employee by statute, policy, or collective bargaining agreement) since March 19, 2020 specifically for use for COVID-19-related matters described under this law, the employer may use those leave hours as a credit against the number of SPSL hours required by this section.• If an employee is entitled to leave hours pursuant to the Governor’s Executive Order N-51-20 (CA Food Sector Worker paid sick leave law), the employer may use those leave hours as a credit against the number of SPSL hours required by this section.
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		<p><u>Permitted Uses:</u> An employee who is unable to work or telework may use SPSL due to the following:</p> <ul style="list-style-type: none">• The employee is subject to quarantine or isolation by federal, state, or local order due to COVID-19, or is caring for a family member who is quarantined or isolated due to COVID-19.• The employee is advised by a health care provider to self-quarantine due to COVID-19 or is caring for a family member who is so advised by a health-care provider.• The employee chooses to take off work because the employee is over the age of 65 years or is considered vulnerable due to a compromised immune system.• The employee is off work because the employer it works for or specific work location temporarily ceases operation due to a public health order or other public official's recommendation.• The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.• The employee is caring for a minor child because a school or daycare is closed due to COVID-19 <p><u>Rate of Pay:</u></p> <ol style="list-style-type: none">1. Except as provided below, an employer shall pay an employee for properly-used SPSL at the employee's regular rate of pay.2. The maximum amount an employer is obligated to pay for SPSL is (a) \$511 per day, and (b) an aggregate of \$5,110 for the entire benefit.3. For an employee who uses SPSL to care for a family member, the employer may pay two-thirds of the employee's regular rate of pay, with a maximum employer obligation of \$200 per day and an aggregate of \$2,000 for the entire benefit. <p><u>Replacements:</u> An employer may not require an employee to find a replacement as a condition of using SPSL.</p> <p><u>Absence Control Policy:</u> An employer may not issue any discipline or attendance points based on a no-fault attendance policy for an employee's use of SPSL.</p> <p><u>Certification:</u> If requested by the employer, the employee shall provide the employer the basis for requesting SPSL; provided, however, that a doctor's note or other documentation is not required.</p>
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		<p><u>Notice of Use:</u> An employer may require the employee to follow reasonable notice procedures before providing SPSL, but only when the employee’s need for the SPSL is foreseeable.</p>
San Diego, CA	Existing Paid Sick Leave Law— COVID-19 Guidance	<p>The City published FAQ expanding the application of the San Diego Paid Sick Leave law to include the following purposes related to Covid-19:</p> <ul style="list-style-type: none"> • The Employee’s place of business is closed by order of a public official due to a Public Health Emergency; • The Employee is providing care or assistance to a child whose school or childcare provider is closed by order of a public official due to a Public Health Emergency; • The Employee takes time off work because public health officials or healthcare providers require or recommend an Employee isolate or quarantine to prevent the spread of disease; • The Employee takes time off work because they are 65 or older or have a serious chronic medical condition as described by the Centers for Disease Control; or • The Employee takes time off work because the Employee needs to provide care for a family member, by blood or affinity, who public health officials or healthcare providers have required or recommended isolate or quarantine.
San Francisco, CA:	<p>Supplemental COVID-19 Leave¹</p> <p><u>Current Expiration Date:</u> expired on 4/12/21 and no reports of extension as of 4/26/21.</p>	<p>San Francisco Public Health Emergency Leave Ordinance (PHELO) (Effective 4/17/2020 to June 17, 2020 unless reenacted or upon termination of public health emergency, whichever occurs first)</p> <p>[1/8/21 Update: The Board of Supervisors reauthorized the emergency ordinance through February 11, 2021 unless reenacted by the Board of Supervisors, or upon the termination of the public health emergency, whichever occurs first. This is the fourth reenactment by the Board.] [4/26/21 Update: The Board of Supervisors reauthorized the emergency ordinance through April 12, 2021 unless</p>

¹ In addition to the supplemental COVID-19 leave, SF enacted the [COVID-Related Employment Protections Ordinance](#) (effective 3/7/21) which prohibits employment discrimination on the basis of COVID-19 status. Employers may not fire, threaten to fire, suspend, discipline, or in any other manner take an adverse action against an employee who is absent or unable to work, or who requests time off from work, because the employee tested positive for COVID-19 or is isolating or quarantining due to COVID-19 symptoms or exposure. Further, employers may not rescind an offer to employ or contract with an applicant, or decide not to employ or contract with an applicant, who has tested positive for COVID-19 or is isolating or quarantining due to COVID-19 symptoms or exposure. The ordinance is in effect until March 6, 2023. FAQ may be found [here](#).

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		<p>reenacted by the Board of Supervisors, or upon the termination of the public health emergency, whichever occurs first. This is the fifth reenactment by the Board and can be found here.]</p> <p><u>Summary:</u> Effective April 17, 2020, businesses with 500 or more employees worldwide must provide up to 80 hours of paid Public Health Emergency Leave to each employee who performs work in San Francisco. This paid leave is in addition to any paid time off, including paid sick leave under the San Francisco Paid Sick Leave Ordinance, that the employer offered or provided to employees on or before April 17, 2020, except that employers that voluntarily provided additional paid leave in response to the COVID-19 outbreak may count that leave toward the required Public Health Emergency Leave.</p> <p><u>Covered Employee:</u> Employees who perform work within the geographic boundaries of the City of San Francisco.</p> <p><u>Covered Employer:</u> Employers with 500 or more employees worldwide. Employers of health care providers or emergency responders are permitted to limit use as described below. Employers that are “Covered Employers” under the federal FFCRA are NOT covered employers under the SF PHELO. Also, the PHELO does NOT cover private businesses located in “federal enclaves” such as the Presidio, Fort Mason, and the Golden Gate National Recreation Area.</p> <p><u>Permitted Uses:</u> To the extent any employee is unable to work (either at the employer’s workplace or telework) due to any of the following:</p> <ul style="list-style-type: none">• The employee is subject to an individual or general government quarantine or isolation order related to COVID-19, including shelter-in-place orders. This includes an employee who is a member of a “vulnerable population,” which include people who are (1) 60 years old and older; (2) have certain health conditions such as heart disease, lung disease, diabetes, kidney disease, and weakened immune systems; or, (3) who are pregnant or were pregnant in the last two weeks.• The Employee has been advised by a health care provider to self-quarantine.• The Employee is experiencing symptoms associated with COVID-19 and seeking a medical diagnosis.• The Employee is caring for a Family Member who meets one of the categories above.
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		<ul style="list-style-type: none"> • The Employee is caring for a Family Member if the school or place of care of the Family Member has been closed, or the care provider of such Family Member is unavailable, due to the Public Health Emergency. • The Employee is experiencing any other substantially similar condition specified by the Local Health Officer, or under Section 5102(a)(6) of the FFCRA, by the United States Secretary of Health and Human Services • An Employer of an Employee who is a health care provider or an emergency responder may elect to limit such an Employee’s use of Public Health Emergency Leave, but at a minimum such an Employee may use Public Health Emergency Leave to the extent that the Employee is unable to work (either at the Employee’s customary place of work or telework) due to either of the following: (1) The Employee has been advised by a health care provider to self-quarantine. (2) The Employee is experiencing symptoms associated with COVID-19, seeking a medical diagnosis, and does not meet the Centers for Disease Control and Prevention guidance for criteria to return to work for healthcare personnel with confirmed or suspected COVID-19. <p>“Family Member” is the same as under the SF Paid Sick Leave Ordinance (PSLO), including a “designated person” as defined and designated under the PSLO-- child; parent; legal guardian or ward; sibling; grandparent; grandchild; spouse or registered domestic partner under any state or local law; and Designated Person. These relationships include not only biological relationships but also relationships resulting from adoption, step-relationships, and foster care relationships.</p> <p>PHELO may be taken regardless of whether and when the Employee is scheduled to work.</p> <p><u>Amount of Leave:</u></p> <ul style="list-style-type: none"> • For full-time employees as of February 25, 2020—80 hours • For part-time employees as of February 25, 2020—a number of hours equal to the average number of hours over a two-week period that the employee was scheduled over the previous six months ending on February 25, 2020, including hours for which the employee took any type of leave. • For employees hired after February 25, 2020—the number of hours equal to the number of hours the employee worked, on average, over a two-week period between the date of hire and the date upon which leave is taken, including the hours for which the employee took any type of leave.
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		<p><u>Availability of Leave for Use:</u> Leave is available for use as of April 17, 2020 and the ordinance is not retroactive.</p> <p><u>Increments of Use:</u> Employers may not require that employees take leave in increments of more than one hour.</p> <p><u>Rate of Pay:</u> Same as under the regular San Francisco paid sick leave law.</p> <p><u>Offset:</u> The amount of Public Health Emergency Leave may be reduced for every hour an employer allowed an employee to take paid leave or paid time off, not including previously accrued hours, on or after February 25, 2020 for any reasons described in the ordinance. Employers are permitted to offset any paid leave provided under the California Supplemental Paid Sick Leave Executive Order.</p> <p><u>No Change in Policies:</u> Employers may not change any paid time off policies on or after the effective date of the emergency ordinance except to provide additional leave.</p> <p><u>Employee Notice of Need:</u> An Employer may require the Employee to follow reasonable notice procedures in order to use Public Health Emergency Leave, but only when the need for Public Health Emergency Leave is foreseeable.</p> <p><u>Certification/Documentation:</u> An Employer may require an Employee to identify the basis for requesting Public Health Emergency Leave, but may not require the disclosure of health information or other documentation (including but not limited to a doctor’s note).</p> <p><u>Notice/Posting Requirements:</u> Notice must be provided to employees within 3 days after the SF Office of Labor Standards Enforcement has published the required notice. This may be accomplished by posting in the workplace, via electronic communication, and/or by posting on an employer’s web-based or app-based platform. The poster may be found here.</p> <p><u>Payday Notice:</u> To the extent feasible, an employer should include the amount of PHELO available, if required to provide such notice regarding paid sick leave available under California law. If an employer provides unlimited time off, the employer may indicate “unlimited” on the pay stub.</p>
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		<p><u>Separated and Furloughed Employees:</u> The OLSE has clarified that PHELO is NOT available to employees who have been separated from employment based on all relevant circumstances including, but not limited to whether the employer has complied with provisions of the California Labor Code and California Unemployment Insurance Code. The OLSE has further stated that a “furlough” is NOT considered a “separation from employment” since there is no standard definition as to what constitutes “furlough” for private employers in California, and that the OLSE will review “furloughs” using the standards for determining “separations from employment.”</p> <p><u>Other:</u></p> <ul style="list-style-type: none"> • Public Health Emergency Leave can be used before using other accrued paid time off. An employee can choose, but an employer may not require the employee to use other accrued paid time off provided by the employer before the employee uses Public Health Emergency Leave. • Public Health Emergency Leave is not paid out at separation from employment. • Leave entitlement expires upon the expiration of the emergency ordinance. • Employer can’t require an employee to find a replacement. • Employer can’t retaliate against an employee. <p>FAQ can be found here.</p>
San Francisco, CA	Existing Paid Sick Leave Law— COVID-19 Guidance	SF OLSE issued guidance clarifying how the city’s existing paid sick leave law interacts with the COVID-19 pandemic.
San Jose, CA	Supplemental COVID-19 Leave <u>Current Expiration Date:</u> 6/30/21	<p>San Jose COVID-19 Paid Sick Leave Ordinance (effective 4/7/2020 through 12/31/2020) [1/8/2021 Update: The San Jose City Council extended the ordinance through 6/30/2021 in a revised urgency ordinance.]</p> <p><u>Summary:</u> This sick leave law only provides supplemental sick pay to employees who have to leave their residence to perform “Essential Work” under the Santa Clara Public Health Order dated 3/16/2020. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out, are considered Essential Businesses under the order. [1/8/21 Update: The law no longer limits application to employees who leave home to perform “Essential Work.”]</p>

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		<p><u>Covered Employee:</u> Has worked at least 2 hours within geographic boundaries of City of San Jose and leaves his/her residence to perform Essential Work. [1/8/21 Update: The law no longer limits application to employees who leave home to perform “Essential Work.” A Covered Employee is a person employed by a Covered Employer and who has worked at least 2 hours within the geographic boundaries of the City of San Jose for the Covered Employer.”]</p> <p><u>Covered Employer:</u> Employers subject to San Jose business license tax or maintain a facility in the City of San Jose that are NOT required to provide paid sick leave under the FFCRA Emergency Sick Leave provisions. [1/8/21 Update: applies to all employers subject to San Jose business license tax or maintain a facility in the City of San Jose.]</p> <p><u>Permitted Uses:</u></p> <ul style="list-style-type: none"> • The employee is subject to quarantine or isolation by federal, state or local order due to COVID-19, or is caring for someone who is quarantined or isolated due to COVID-19, • The employee is advised by a health-care provider to self-quarantine due to COVID-19 or is caring for someone who is so advised by a health-care provider, • The employee experiences symptoms of COVID-19 and is seeking medical diagnosis, or • The employee is caring for a son or daughter because a school or place of care is closed due to COVID-19 precautions. <p><u>Amount of Sick Leave:</u></p> <ul style="list-style-type: none"> • Full-time employee—80 hours. • Part-time employee—equal to the number of hours the employee worked on average over a two-week period. [1/8/21 Update: For employees with variable schedules, the employer shall use whichever of the following that applies: <ul style="list-style-type: none"> ○ The number of hours equal to the average number of hours the employee was scheduled per day over the 6-month period ending on the date on which the employee takes the paid sick time, including hours for which the employee took leave of any type; or ○ If the employee has not worked for a 6-month period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day the employee would normally be scheduled to work.]
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		<ul style="list-style-type: none"> [1/8/21 Update: “This sick leave hours set forth [above] shall be the total number of hours available to the Employee for the period of April 2, 2020 through the expiration date of this Ordinance.”] <p><u>Rate of Pay:</u> Regular rate of pay up to \$511 per day or \$5,110 in the aggregate. If using sick time to care for another person, the pay is at two-thirds of regular rate of pay, up to \$200 a day or \$2,000 in aggregate.</p> <p><u>Ordinance does not apply:</u></p> <ul style="list-style-type: none"> If employee can work from home. To employer that provides its employees, on April 7, 2020, with some combination of paid personal leave at least equivalent to the paid sick time required by this law. To an employer that operates a hospital if the employer provides its employees, within 2 weeks of the effective date of the law, with some combination of paid personal leave at least equivalent to the paid sick time required by the law. <p><u>Offset:</u> If an employer provides some combination of paid personal leave (e.g., PTO, Vacation or Sick leave) less than the paid sick time required by the law, the employer must comply with the law to the extent of such deficiency.</p> <p><u>Other Leave:</u> [1/8/21 Update: An Employer may not require an Employee to use other paid leave provided by the Employer to the Employee before the Employee uses the paid sick time under this Ordinance.]</p> <p><u>FAQ:</u> [1/8/21 Update: The FAQ on the revised ordinance can be found here.]</p>
<p>San Mateo County, CA</p>	<p>Supplemental COVID-19 Leave</p> <p><u>Current Expiration Date:</u> 6/30/21</p>	<p>Emergency Supplemental Paid Sick Leave for COVID-19 Related Reasons Ordinance (7/8/2020 - 12/31/2020, unless extended.) [1/8/21 Update: The Board of Supervisors extended the expiration date to 6/30/2021 in an emergency ordinance which can be found here.]</p> <p><u>Summary:</u> Temporary law effective July 8, 2020 through December 31, 2020, unless extended. Supplemental paid sick leave must be provided by employers with 500 or more employees nationally to covered employees for COVID-19 related reasons as specified.</p>

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		<p><u>Employee</u>: an individual, regardless of immigration status, who is or has been required by their Employer to perform any work within the geographic boundaries of unincorporated San Mateo County since January 1, 2020. For purposes of this Ordinance, a worker is presumed to be an Employee, and an Employer has the burden to demonstrate that a worker is a bona fide independent contractor and not an Employee. A food sector worker, as defined in the California Governor’s Executive Order N-51-20, is excluded from the definition of “Employee.”</p> <p><u>Covered Employee</u>: an Employee who is employed by an Employer on the Effective Date of the ordinance.</p> <p><u>Employer</u>: any Person, defined in /Section 18 of the California Labor Code, as “any person, association, organization, partnership, business trust, limited liability company, or corporation,” who directly or indirectly or through an agent or any other person, including through the services of a temporary service or staffing agency or similar entity, employs or exercises control over the wages, hours, or working conditions of any Employees. This Ordinance applies only to Employers with 500 or more employees within the United States, which includes any State of the United States, the District of Columbia, or any Territory or possession of the United States. This Ordinance and the definition of Employer do not apply to federal, state, or local government agencies.</p> <p><u>Individual or Care for an Individual</u>: for the purposes of Sections 5(1)(c) and (d), mean an Employee's immediate family member, a person who regularly resides in the Employee's home, or a similar person with whom the Employee has a relationship that creates an expectation that the Employee would care for the person if he or she were quarantined or self-quarantined, or whose senior care provider or whose school or childcare provider is closed or is unavailable in response to a public health or other public official’s recommendation. For this purpose, the term “Individual” does not include persons with whom the Employee has no personal relationship. The meaning of these terms is intended to be consistent with that set forth in the FFCRA, its rules, regulations, and other guidance issued by the U.S. Department of Labor regarding the FFCRA.</p> <p><u>Amount of Leave</u>:</p> <ul style="list-style-type: none"> • Full-time employee who is normally scheduled to work 40 or more hours per week--eighty (80) hours of paid sick leave.
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		<ul style="list-style-type: none"> • Part-time employee who is normally scheduled to work fewer than 40 hours per week—in an amount no greater than the Employee’s average number of work hours in a two (2) - week period, calculated over the period of January 1, 2020-July 7, 2020. <p><u>Rate of Pay:</u> not less than the employee’s regular rate of pay as specified in the FFCRA, its rules, regulations and other guidance issued by the U.S. Department of Labor regarding the FFCRA, subject to the cap set forth below. However, unlike the FFCRA, there is no distinction in pay based on the reason for the leave and Employees shall receive their full regular rate regardless of the reason for leave.</p> <ul style="list-style-type: none"> • In no event shall the Supplemental Paid Sick Leave amount paid to an Employee exceed \$511 per day and \$5,110 in the aggregate. Unlike the FFCRA, the \$511 per day maximum applies to all leaves under this Ordinance, regardless of the reason. There is no \$200 maximum applied to leaves under this Ordinance. Employees of joint Employers are only entitled to the total aggregate amount of leave specified for Employees of one Employer. <p><u>Use of Other Leave:</u> The total number of hours of Supplemental Paid Sick Leave to which an Employee is entitled pursuant to this Section shall be in addition to any paid sick leave that may be available to the Employee under Labor Code Section 246, as well as any preexisting paid time off provided to employees prior to March 16, 2020, subject to offsets set forth below.</p> <p>An Employer may not require an Employee to use any other paid or unpaid leave, paid time off, or vacation time provided by the Employer to the Employee before the Employee uses Supplemental Paid Sick Leave, or in lieu of Supplemental Paid Sick Leave.</p> <p><u>Notice of Use by Employee:</u> An Employer shall provide Supplemental Paid Sick Leave upon the written (includes but is not limited to electronic mail and text) request of an Employee.</p> <p><u>Permitted Uses:</u> An Employer shall provide Supplemental Paid Sick Leave upon the written request of an Employee (see above) if the Employee cannot work, or telework, because:</p> <ol style="list-style-type: none"> 1. The Employee has been advised by a health care provider to isolate or self-quarantine to prevent the spread of COVID-19; 2. The Employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis; 3. The Employee needs to care for an Individual who is subject to a federal, state, or local quarantine or isolation order related to COVID19, or has been advised by a health care
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		<p>provider to self-quarantine related to COVID-19 or is experiencing COVID 19 symptoms and is seeking a medical diagnosis; or</p> <p>4. The Employee takes time off work because the Employee needs to provide care for an Individual whose senior care provider or whose school or childcare provider is closed or is unavailable in response to a public health or other public official’s recommendation.</p> <p><u>Certification:</u> An Employer may request information supporting an Employee’s request for Supplemental Paid Sick Leave, as provided in the FFCRA or in the applicable regulations or guidance issued by the United States Department of Labor.</p> <p><u>Exemptions:</u> An Employer of an Employee who is a: (a) Health Care Provider; (b) Aviation Security Worker in the case of an Employer’s good faith determination that granting such leave pursuant to Sections 5(1)(c) or (d) would render it unable to meet staffing level requirements required to ensure that airports operations are not adversely affected due to staffing shortages; or (c) Emergency Responder may elect to limit such an Employee’s use of Supplemental Paid Sick Leave, but at a minimum such an Employee may use Supplemental Paid Sick Leave to the extent that the Employee is unable to work (either at the Employee’s customary place of work or telework) due to any of the following:</p> <ol style="list-style-type: none"> 1. The Employee has been advised by a health care provider to isolate or self-quarantine to prevent the spread of COVID-19; or 2. The Employee is experiencing COVID-19 symptoms, is seeking a medical diagnosis, and does not meet the Centers for Disease Control and Prevention’s guidance for criteria to return to work for healthcare personnel with confirmed or suspected COVID-19. <p><u>Offset/Coexistence with Other Available Forms of Leave:</u> If an Employer provided additional paid leave specifically for COVID-19 related purposes (“Voluntary COVID-19 Leave”) above and beyond an Employee’s regular or previously accrued leaves (e.g., sick or personal leaves) between March 17 to June 30, 2020, or provided supplemental leave pursuant to the laws of another jurisdiction requiring the provision of additional paid leave specifically for COVID-19 related purposes at any time, the obligation to provide Supplemental Paid Sick Leave under this Ordinance shall be reduced for every hour an Employer allowed an Employee to take the Voluntary COVID19 Leave in an amount equal to or greater than the requirements of this law. If an Employer provided Voluntary COVID-19 Leave to an Employee at a rate of pay or hourly accrual rate less than that provided in this law, then such amounts or hours shall be offset against such rates and hours as the Employee would</p>
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		<p>have received as set forth in this law. With the exception of any Voluntary COVID-19 Leave, as defined above, and any supplemental COVID-19 related sick leave pursuant to the laws of another jurisdiction, the Supplemental Paid Sick Leave provided by this Ordinance is in addition to and independent of any form of leave (e.g., vacation, sick, or personal leaves) to which an Employee may be entitled to utilize pursuant to the Employer’s policies and the inability of an Employee to utilize the Supplemental Paid Sick Leave provided by this Ordinance shall not be construed to disqualify an Employee from utilizing such other forms of leave in accordance with the Employer’s policies.</p> <p><u>Retaliation Prohibited:</u> No Employer shall discharge, reduce in compensation or otherwise discriminate against any Employee for opposing any practice proscribed by this Ordinance, for requesting to use or actually using Supplemental Paid Sick Leave under this Ordinance, for participating in proceedings related to this Ordinance, for seeking to enforce his or her rights under this Ordinance by any lawful means, or for otherwise asserting rights under this Ordinance.</p>
<p>Santa Monica, CA</p>	<p>No changes and no new guidance to existing paid sick leave law.</p>	<p>Santa Monica Paid Sick Leave Law—no changes, no new guidance.</p>
<p>Santa Rosa, CA</p>	<p>Supplemental COVID-19 Leave</p> <p><u>Current Expiration Date:</u> 9/30/21</p>	<p>Temporary Sick Leave Requirements COVID Related Urgency Ordinance (7/7/2020-12/31/2020) [1/8/21 Update: Santa Rosa is reportedly considering options for extending the duration of the ordinance, although no decisions have been made to date.] [4/26/21 Update: On February 2, 2021, the Santa Rosa City Council passed a new urgency ordinance extending paid sick leave benefits through March 31, 2021 or upon expiration of the federal tax credits, whichever is later. The American Rescue Plan Act extended the federal tax credits until September 30, 2021, so the Santa Rosa benefits are also extended until September 30, 2021. Notably the urgency ordinance does not replenish an employee’s leave bank and the ordinance is not retroactive, so there is a gap of coverage between December 31, 2020 and February 2, 2021.]</p> <p><u>Summary:</u> Temporary law effective July 7, 2020 through December 31, 2020. Supplemental paid sick leave must be provided to employees who perform Allowed or Essential Work for employers with 500 or more employees nationally. New Temporary Law effective from 2/2/21 through 9/30/21.</p>

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		<p><u>Allowed or Essential Work:</u> work activities and services - as permitted in the Orders issued by the Sonoma County Public Health Officer.</p> <p><u>Employee:</u> a person employed by an Employer (as defined below) and who has worked at least two (2) hours within the geographic boundaries of the City of Santa Rosa for such Employer. An employee who works part of their hours within Santa Rosa city limits is entitled to paid sick leave hours equal to the number of hours he/she works on average over a two (2) -week period in Santa Rosa.</p> <p><u>Covered Employee:</u> each Employee who performs Allowed or Essential Work.</p> <p><u>Employer:</u> any person, including corporate officers or executives, who directly or indirectly (including through the services of a temporary services or staffing agency or similar entity) employs or exercises control over the wages, hours or working conditions of any employee, unless exempt by law.</p> <p><u>Covered Employer:</u> Employers with 500 or more employees nationally All Employers, except as provided below.</p> <ul style="list-style-type: none">• This chapter does not apply to any government Employer, except it does apply to the City of Santa Rosa.• This chapter does not apply to an Employer with less than 50 Employees that would qualify for the exemption under the Act. This exemption only applies to Employees who are caring for a minor child whose school is closed or care provider is unavailable. <p><u>Available for Use:</u> immediately on the effective date.</p> <p><u>Amount of Leave:</u></p> <ul style="list-style-type: none">• Full-time employee--eighty (80) hours of paid sick leave.• Part-time employee--sick leave hours equal to the number of hours he/she works on average over a two (2) -week period. <p><u>Permitted Uses:</u> An employee can use paid sick leave if they are unable to work due to any of the following reasons:</p>
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		<ol style="list-style-type: none">1. The Employee is subject to quarantine or isolation by federal, state or local order due to COVID-19, or2. The Employee is advised by a health-care provider to self-quarantine due to COVID-19 or is caring for someone who is so advised by a health-care provider (a written note from a medical provider is not required), or3. The Employee experiences symptoms of COVID-19 and is seeking medical diagnosis, or4. The Employee is caring for someone who is quarantined or isolated, or otherwise unable to receive care due to COVID-19, or5. The Employee is caring for a minor child because a school or daycare is closed, or the child care provider is not available due to COVID-19. <p><u>Rate of Pay:</u> at the Employee's regular rate of pay up to \$511 a day not to exceed an aggregate of \$5,110 if used for employee's own quarantine, isolation or symptoms. Pay when used to care for another person will be at two-thirds the employee's regular rate of pay up to \$200 per day not to exceed an aggregate of \$2,000.</p> <p><u>Replacements:</u> An Employer cannot require an Employee to find a replacement as a condition of using sick leave.</p> <p><u>Carryover and Payout:</u> An Employee is not entitled to carryover sick leave between years and is not entitled, under any circumstances, to be paid for unused sick leave. Unused sick leave will not be available after the sunset of the ordinance codified in this chapter and ceases to exist after December 31, 2020.</p> <p><u>Exemption/Offset:</u> This chapter does not apply to any Employer that has provided its Employees, on the effective date of the ordinance codified in this chapter, with some combination of paid personal leave at least equivalent to the paid sick time required by this chapter for a COVID related leave per this law. An Employer that provides some combination of paid sick leave less than the paid sick time required by this chapter is required to comply with this chapter to the extent of such deficiency. This chapter is intended to provide additional COVID-related paid sick leave beyond what an Employer normally provides.</p>
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		<p><u>Employer Notice</u>: Employer shall give written notice to each Employee of Employee’s rights pursuant to this chapter. Each Employer shall give the same notice to each new Employee within one week of the start of each new Employee’s employment.</p> <p><u>Interaction with Federal and State Law</u>: To the extent that federal or state law requires Employers to provide paid leave or paid sick time specifically related to COVID-19, Employers may substitute leave under the federal or state law for its obligations under this ordinance to the extent those obligations coincide and the relevant federal or state law permits such concurrent use of paid leave; provided, however, that Employers shall be required to provide additional paid sick leave under this chapter to the extent that the requirements of this chapter exceed the requirements of those laws.</p> <p><u>Retaliation Prohibited</u>: No Employer shall discharge, reduce in compensation or otherwise discriminate against any Employee for opposing any practice proscribed by this chapter, for requesting to use or actually using sick leave under this chapter, for participating in proceedings related to this chapter, for seeking to enforce his or her rights under this chapter by any lawful means, or for otherwise asserting rights under this chapter.”</p>
<p>Sonoma County, CA</p>	<p>Supplemental COVID-19 Leave</p> <p><u>Current Expiration Date:</u> 6/30/21</p>	<p><u>Sonoma County Covid-19 Paid Sick Leave Urgency Ordinance</u> (Effective 8/18/2020 through 12/31/20, but shall be extended by any extensions of the FFCRA). [1/8/21 Update: Since FFCRA was not extended, this ordinance expired on 12/31/2020. There are no reports to date that Sonoma County has extended the duration of this law.] [4/26/21 Update: On January 26, 2021, the Sonoma County Board of Supervisors approved an extension of the ordinance until June 30, 2021. The extension was not retroactive, therefore, there is a gap in coverage between December 31, 2020 and January 26, 2021. On February 9, 2021, the Board of Supervisors adopted <u>an urgency ordinance</u> superseding the prior ordinance and expanding employer coverage to all employers within the unincorporated areas of Sonoma County. The urgency ordinance expires on June 30, 2021 unless extended].</p> <p><u>Summary</u>: Supplemental paid sick leave must be provided to employees who have worked more than 2 hours within the unincorporated area of Sonoma County for an employer with 500 or more employees nationally.</p>

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		<p><u>Covered Employee</u>: an individual, regardless of immigration status, employed by an Employer and who has worked for the employer for more than two (2) hours within the geographic boundaries of unincorporated Sonoma County.</p> <p><u>Covered Employer</u>: Employers with 500 or more employees within the United States on a local or national basis, which includes any State of the United States, the District of Columbia, or any Territory or possession of the United States All employers within the unincorporated area of the County of Sonoma regardless of the number of employees they employ. This Ordinance and the definition of Employer do not apply to federal, state, or local government agencies.</p> <p><u>Full-time employee</u>: means an employee normally scheduled to work 40 or more hours per week.</p> <p><u>Part-time employee</u>: means an employee normally scheduled to work fewer than 40 hours per week.</p> <p><u>Other Leave</u>:</p> <ul style="list-style-type: none">• The total number of hours of Supplemental Paid Sick Leave to which an Employee is entitled pursuant to this Ordinance shall be in addition to any paid sick leave that may be available to the Employee under California Labor Code Section 246, as well as any preexisting paid time off (vacation, sick and/or PTO) provided to Employees prior to March 16, 2020, subject to the below potential offsets.• An Employer may not require an Employee to use any other paid or unpaid leave, sick pay, paid time off, or vacation time provided by the Employer to the Employee before the Employee uses Supplemental Paid Sick Leave. <p><u>Amount of Leave</u>:</p> <ul style="list-style-type: none">• Full-time employees—up to 80 hours of supplemental paid sick leave• Part-time employees-- in an amount no greater than the Employee’s average number of work hours in a two-week period, calculated over the past six (6) months.
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		<p><u>Offsets:</u> To the extent an Employee has at least eighty (80) hours of accrued paid sick leave benefits as of the date of this Ordinance or at least one hundred sixty (160) hours of a combination of paid sick leave, vacation and PTO paid time off benefits (“Accrued Leave Benefits”), the obligation to provide Supplemental Paid Sick Leave under this Ordinance shall be deemed to be satisfied. To the extent accrued paid sick leave benefits afforded Employees as of the date of this Ordinance are less than eighty (80) hours, or Accrued Leave Benefits are less than one hundred sixty (160) hours, an Employer is required to furnish Supplemental Paid Sick Leave to the extent of such deficiency.</p> <p><u>Permitted Uses:</u> An employee who is unable to work or telework may use SPSL due to the following:</p> <ul style="list-style-type: none">• The Employee has been advised by a health care provider to isolate or self-quarantine to prevent the spread of COVID-19.• The Employee is subject to quarantine or isolation by federal, state or local order due to COVID-19.• The Employee is experiencing COVID-19 symptoms and is seeking a medical diagnosis.• The Employee needs to care for an Individual who is subject to a federal, state, or local quarantine or isolation order related to COVID19, or has been advised by a health care provider to self-quarantine related to COVID-19, or is experiencing COVID 19 symptoms and is seeking a medical diagnosis.• The Employee takes time off work because the Employee needs to provide care for an Individual whose senior care provider or whose school or childcare provider is closed or is unavailable in response to a public health or other public official’s recommendation. <p><u>Rate of Pay:</u></p> <ul style="list-style-type: none">• Pay Rate: The Supplemental Paid Sick Leave hours shall be paid at not less than the Employee’s regular rate of pay, as specified in the FFCRA, its rules, regulations and other guidance issued by the U.S. Department of Labor regarding the FFCRA, subject to the cap set forth below.• Pay Cap: In no event shall the Supplemental Paid Sick Leave amount paid to an Employee exceed \$511 per day and \$5,110 in the aggregate, regardless of the reason for the Leave. Employees of joint Employers are only entitled to the total aggregate amount of leave specified for Employees of one Employer.
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		<p><u>Replacements</u>: An employer may not require an employee to find a replacement as a condition of using SPSL.</p> <p><u>Certification</u>: Employers may only take reasonable measures to confirm an Employee’s eligibility for Supplemental Paid Sick Leave, in accordance with the limitations set forth in the FFCRA or in the applicable regulations or guidance issued by the United States Department of Labor. Employers may require Employees to identify the basis for which the Employee is requesting leave under the Ordinance, but cannot require Employees to furnish a doctor's note or other supporting documentation.</p> <p><u>Notice of Use</u>: upon the written (includes, but is not limited to, electronic mail and text) request of an Employee. An employer may require the employee to follow reasonable notice procedures before providing SPSL, but only when the employee’s need for the SPSL is foreseeable.</p> <p><u>Notice and Posting</u>: Employers must provide notice to Employees of their rights under this Ordinance by posting a notice in English and Spanish in the workplace, on any intranet or app-based platform or via email.</p> <p><u>Record Retention</u>: Each Employer shall also maintain a record of each Employee’s name, the hours worked, and pay rate for at least a three-year period.</p>
<p>Colorado</p>	<p>General Paid Sick Leave Law</p>	<p>Colorado Healthy Families and Workplaces Act (Effective January 1, 2021 for employers with 16 or more employees, and January 1, 2022 for all other employers.) [1/8/21 Update: New Colorado Paid Sick Leave Law added to chart]</p> <p><u>Summary</u>: Effective January 1, 2021 covered employees are entitled to begin accruing paid sick leave at the rate of 1 hour for every 30 hours worked up to 48 hours per year, employers may limit annual usage to 48 hours and employees may carry over up to 48 hours of unused sick leave.</p> <p>Sick leave may be used when:</p> <ul style="list-style-type: none"> • the employee: <ul style="list-style-type: none"> ○ has a mental or physical illness, injury, or health condition that prevents the employee from working;

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		<ul style="list-style-type: none"> ○ needs to obtain a medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or ○ needs to obtain preventive medical care; <ul style="list-style-type: none"> ● the employee needs to care for a family member who: <ul style="list-style-type: none"> ○ has a mental or physical illness, injury, or health condition; ○ needs to obtain a medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or ○ needs to obtain preventive medical care <ul style="list-style-type: none"> ● the employee or the employee's family member has been the victim of domestic abuse, sexual assault, or harassment and the use of leave is to: <ul style="list-style-type: none"> ○ seek medical attention for the employee or the employee's family member to recover from a mental or physical illness, injury, or health condition caused by the domestic abuse, sexual assault, or harassment; ○ obtain services from a victim services organization; ○ obtain mental health or other counseling; ○ seek relocation due to the domestic abuse, sexual assault, or harassment; or ○ seek legal services, including preparation for or participation in a civil or criminal proceeding relating to or resulting from the domestic abuse, sexual assault, or harassment; or <ul style="list-style-type: none"> ● due to a public health emergency, a public official has ordered the closure of: <ul style="list-style-type: none"> ○ the employee's place of business; or ○ the school or place of care of the employee's child and the employee needs to be absent from work to care for the employee's child. <p>The Colorado Healthy Families and Workplaces Act can be found here.</p> <p>Additional guidance may be found in Colorado INFO # 6B and Wage Protection Rules 7 CCR 1103-7.</p>
Colorado	New Supplemental Public Health Emergency Leave	<p>Colorado Healthy Families and Workplaces Act Public Health Emergency Leave (Effective January 1, 2021, the law requires provision of up to 80 hours of supplemental paid leave during a public health emergency (PHE).) [1/8/21 Update: The Colorado Department of Labor and Employment</p>

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	<p><u>Current Expiration Date:</u> until 4 weeks after the official termination or suspension of the public health emergency.</p>	<p>(CDLE) clarified in revised rules that a public health emergency is currently in effect and therefore employees have up to 80 hours of supplemental paid sick leave usable as of January 1, 2021 until 4 weeks after the official termination or suspension of the public health emergency.]</p> <p><u>Summary:</u> Effective January 1, 2021, the law requires provision of up to 80 hours of supplemental paid leave during a public health emergency.</p> <p>Colorado Public Health Emergency Paid Leave Details:</p> <p><u>Covered Employee:</u> Any employee performing labor or services for the benefit of an employer</p> <p><u>Covered Employer:</u> all employers in the state, regardless of size</p> <p><u>PHE Leave Requirement:</u> On the date a public health emergency is declared, each employer in the state shall supplement each employee’s accrued paid sick leave as necessary to ensure that an employee may take the following amounts of paid PHE leave for the purposes specified below:</p> <ul style="list-style-type: none"> • for employees who normally work 40 or more hours in a week--at least 80 hours; • for employees who normally work fewer than 40 hours in a week, at least the greater of either the amount of time the employee is scheduled to work in a 14-day period or the amount of time the employee actually works on average in a 14-day period. <p>NOTE: an employer may count an employee’s unused accrued paid sick leave under the Colorado Healthy Families and Workplaces Act towards the supplemental PHE leave requirement.</p> <p><u>Permitted Uses:</u> An employee may use PHE leave for:</p> <ul style="list-style-type: none"> • an employee's need to: <ul style="list-style-type: none"> ○ self-isolate and care for oneself because the employee is experiencing symptoms of a communicable illness that is the cause of a public health emergency; ○ self-isolate and care for oneself because the employee is diagnosed with a communicable illness that is the cause of a public health emergency; ○ seek or obtain medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency; ○ seek preventive care concerning a communicable illness that is the cause of a public health emergency; or
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		<ul style="list-style-type: none">○ care for a family member who:<ul style="list-style-type: none">▪ is self-isolating after being diagnosed with a communicable illness that is the cause of a public health emergency;▪ is self-isolating due to experiencing symptoms of a communicable illness that is the cause of a public health emergency;▪ needs medical diagnosis, care, or treatment if experiencing symptoms of a communicable illness that is the cause of a public health emergency;▪ is seeking preventive care concerning a communicable illness that is the cause of a public health emergency.● with respect to a communicable illness that is the cause of a public health emergency when:<ul style="list-style-type: none">○ a local, state, or federal public official or health authority having jurisdiction over the location in which the employee's place of employment is located or the employee's employer determines that the employee's presence on the job or in the community would jeopardize the health of others because of the employee's exposure to the communicable illness or because the employee is exhibiting symptoms of the communicable illness, regardless of whether the employee has been diagnosed with the communicable illness; or○ needed to care for a family member after a local, state, or federal public official or health authority having jurisdiction over the location in which the family member's place of employment is located or the family member's employer determines that the family member's presence on the job or in the community would jeopardize the health of others because of the family member's exposure to the communicable illness or because the family member is exhibiting symptoms of the communicable illness, regardless of whether the family member has been diagnosed with the communicable illness;● care of a child or other family member when the individual's child care provider is unavailable due to a public health emergency, or if the child's or family member's school or place of care has been closed by a local, state, or federal public official or at the discretion of the school or place of care due to a public health emergency, including if a school or place of care is physically closed but providing instruction remotely;● an employee's inability to work because the employee has a health condition that may increase susceptibility to or risk of a communicable illness that is the cause of the public health emergency.
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		<p><u>Notice of Need to Use Leave:</u> An employee shall notify the employer of the need for leave as soon as practicable if the need for paid sick leave is foreseeable and the employer's place of business has not been closed.</p> <p><u>Certification:</u> Documentation is NOT required to take PHE paid leave.</p> <p><u>Availability:</u> Employees are only eligible for PHE paid leave in the amount set out by the law once during the entirety of a public health emergency, even if such public health emergency is amended, extended, restated, or prolonged.</p> <p><u>Use of Other Leave:</u> Employee may use PHE leave for any of the above-listed Permitted Uses before using accrued paid sick leave under the Colorado Healthy Families and Workplaces Act, if the reason for leave would qualify for both.</p> <p><u>Retaliation Prohibited:</u> retaliation is prohibited under the law.</p> <p><u>Absence Control Policy:</u> it is unlawful for an employer to count paid leave taken by an employee as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other retaliatory personnel action against the employee.</p> <p><u>Notice to Employee:</u> Each employer shall notify its employees that they are entitled to paid sick leave, pursuant to rules promulgated by the division. Compliance with notice requirements include providing each employee with a written notice and displaying a poster. The division shall create and make available posters and notices that contain the required information and employers may use the posters and notices to comply with the notice requirements. NOTE: If an employer's business is closed due to a public health emergency or a disaster emergency due to a public health concern, the notice and posting requirements are waived for the period during which the place of business is closed. If an employer does not maintain a physical workplace, or an employee teleworks or performs work through a web-based platform, the employer shall provide the notice required through electronic communication or a conspicuous posting in the web-based platform. Notice #6B can be found here and the Paid Leave & Whistleblower poster can be found here.</p> <p><u>Records:</u> must be retained for a 2-year period, documenting hours worked, paid sick leave accrued, and paid sick leave used.</p>
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		<p><u>Exclusions</u>: No paid leave is required if an entire business is completely closed, unless a workplace is closed due to a temporary government quarantine or isolation order that triggers paid leave.</p> <p><u>Other</u>: During a PHE, employees retain their rights to accrue paid sick leave under the Colorado Healthy Families and Workplaces Act.</p> <p>For more, please see Colorado INFO # 6B.</p>
Connecticut	No changes to existing paid sick leave law.	Connecticut Paid Sick Leave Law
District of Columbia	<p>Supplemental COVID-19 Leave</p> <p><u>Current Expiration Date</u>: 5/20/21</p>	<p>DC Declaration of Emergency Sick Leave (amended May 27, 2020) (Effective 4/10/2020 through the duration of the COVID-19 emergency) [1/8/2021 Update: Mayor’s Order 2020-127 dated December 18, 2020 extended COVID-19 emergency through March 31, 2021] [4/26/21 Update: Mayor’s Order 2021-038 dated March 17, 2021 extends the COVID-19 emergency through May 20, 2021]</p> <p>The DC paid sick leave law was amended to include emergency sick leave, as follows:</p> <p><u>Covered Employers</u>: with btw. 50 and 499 employees (not a health care provider)</p> <p><u>Covered Employee</u>: any employee who commenced work at least 15 days before the leave request.</p> <p><u>Permissible Uses</u>: any reason an employee may use paid leave under the federal FFCRA (caring for a child during COVID-19 public health emergency or because the employee is unable to work due to the effects of COVID-19, including leave due to quarantine orders, self-quarantine, care for family members, and school/place of care closures).</p> <p><u>Amount of Leave</u>: same as federal FFCRA</p> <ul style="list-style-type: none"> • Full-time employees--Up to 80 hours • Part-time employees—the usual number of hours the employee works in a 2-week period (amended 5/27/2020)

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		<p>Nothing in this section shall be construed to require an employer to provide an employee with paid leave pursuant to this section for more than 2 full weeks of work up to 80 hours. If an employee uses all of the leave available under this section and subsequently informs the employer of the employee's continued need to be absent from work, the employer shall inform the employee of any paid or unpaid leave to which the employee may be entitled pursuant to federal or District law or the employer's policies. (amended 5/27/2020)</p> <p><u>Rate of Pay:</u> the employee's regular rate of pay or, in the case of an employee who does not have a regular rate of pay, the employee's rate of pay shall be determined by dividing the employee's total gross earnings, including all tips, commission, piecework, or other earnings earned on an irregular basis for the most recent 2-week period that the employee worked, by the number of hours the employee worked during that 2-week period.</p> <p><u>Use of Other Leave:</u> employee may only use paid sick leave under this law concurrently with or after exhausting any other paid leave to which the employee may be entitled for covered reasons under federal or DC law or an employer's policies. (amended 5/27/2020)</p> <p><u>Offset:</u> If an employee elects to use paid leave provided under this section concurrently with other paid leave, the employer may reduce the monetary benefit of the paid leave provided under this section by the amount of the monetary benefit the employee will receive for paid leave taken under federal or District law or the employer's policies. If an employee elects to use paid leave provided under this section after exhausting other paid leave, the employer may reduce the number of hours of paid leave an employee may use under this section by the number of hours of paid leave taken under federal or District law or the employer's policies. (amended 5/27/2020)</p> <p><u>Employee Notice of Use:</u></p> <ul style="list-style-type: none">• No more than 48 hours' notice may be required (if not for an emergency)• No more than reasonable notice may be required in the event of an emergency <p><u>No replacements required:</u> employers cannot require employee to search for a replacement.</p> <p><u>Employee Certification:</u> must not be required unless using 3 or more consecutive working days of paid leave:</p>
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		<ul style="list-style-type: none"> • Must not be required to provide certification until one week after the employee’s return to work • Employers that do not contribute payments towards a health insurance plan on behalf of the employee shall NOT require certification from the employee for use of paid leave <p><u>Notice to Employees:</u> In addition to complying with general DC paid sick leave notification requirements, under the emergency sick leave provision, if an employee uses all of the emergency paid leave and subsequently informs the employer of their need for a continued absence from work, the employer must inform the employee of any paid or unpaid leave to which the employee may be entitled under federal law, DC law, or the employer’s policies.</p>
Chicago, IL	No changes to existing paid sick leave law. ²	Chicago Paid Sick Leave
Cook County, IL	Existing Paid Sick Leave Law— COVID-19 specific guidance issued	The Cook County Paid Sick Leave Ordinance has not been changed, but the county has published an FAQ about the law and COVID-19.
Maryland	No changes to existing paid sick leave law.	Maryland Healthy Working Families Act
Montgomery County, MD	No changes to existing paid sick leave law.	Montgomery County Earned Sick and Safe Leave
Massachusetts	Existing Paid Sick Leave Law— COVID-19 specific guidance issued	The Massachusetts Earned Sick Leave Law has not been changed, but the state has published an FAQ that includes information on the COVID-19 and the Earned Sick Leave Law.
Michigan	Act Prohibiting Worker from reporting to work under certain circumstances related to COVID-19 <u>Current Expiration:</u> Not specified.	An Act Prohibiting Worker from reporting to work under certain circumstances related to COVID-19 [HB 6032 amended by SB 1258 was enacted October 22, 2020 and is retroactive to 3/1/2020.] [Added new law to chart on 4/26/21] <u>Summary:</u> The new law prohibits employees from reporting work if they test positive or display symptoms of COVID until certain conditions are met. Employers cannot take an adverse action against such employees for their absence from work.

² The Chicago paid sick leave ordinance has been revised effective July 1, 2020. The revisions are not COVID-19 specific and therefore not detailed in this chart.

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		<p><u>Covered Employers:</u> Any employer employing 1 or more individuals.</p> <p><u>Covered Employees:</u> An individual employed by an employer and whose primary workplace is not the individual's residence.</p> <p><u>Time Off Provisions:</u> An employee who tests positive for COVID-19 shall not report to work until they are advised by a health care provide or public health official that they have completed their isolation period, or all of the following conditions are met:</p> <ul style="list-style-type: none">• 24 hours have passed since the resolution of fever without the use of fever-reducing medications;• The isolation period has passed; and• The employee's principal symptoms of COVID-19 have improved. <p>An employee who displays the principal symptoms of COVID-19, but has not yet tested positive may not return to work until one of the following conditions are met:</p> <ul style="list-style-type: none">• A negative diagnostic test has been received; or• All of the following conditions are met:<ul style="list-style-type: none">○ The isolation period has passed since the principal symptoms of COVID-19 started;○ The employee's principal symptoms of COVID-19 have improved;○ If the employee had a fever, 24 hours have passed since the fever subsided without the use of fever reducing medication. <p>An employee who has close contact with an individual who tests positive for COVID-19 shall not report to work until 1 of the following conditions is met:</p> <ul style="list-style-type: none">• The quarantine period has passed since the employee's last close contact with that individual; or• The employee is advised by a health care provider or public health professional that they have completed their period of quarantine. <p>The protections do not apply to an employee who after displaying the principal symptoms of COVID-19, fails to make reasonable efforts to schedule a COVID-19 test within 3 days after receiving a request from their employer to get tested.</p>
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		Certain essential workers not experiencing symptoms who have not tested positive are allowed to work onsite under certain conditions.
Duluth, MN	Existing Paid Sick Leave Law— COVID-19 specific guidance issued	The Duluth Earned Sick and Safe Time Law has not been changed, but the city has published an FAQ that includes information on COVID-19 and the law.
Minneapolis, MN	Existing Paid Sick Leave Law— COVID-19 specific guidance issued	The Minneapolis Sick and Safe Time ordinance has not been changed, but the city has published an FAQ that includes information on COVID-19 and the law.
St. Paul, MN	Existing Paid Sick Leave Law— COVID-19 specific guidance issued	The St. Paul Earned Sick and Safe Time ordinance has not been changed, but the city has published an FAQ that includes information on COVID-19 and the law.
Nevada	Existing Paid Sick Leave Law— COVID-19 specific guidance issued	The Nevada paid leave law has not been changed, but the state has published formal guidance that addresses the paid leave law and COVID-19. In sum, the guidance advises employers that time any employee misses from work because they are subject to a mandatory government quarantine should not be counted against their paid leave entitlement, but that an employee can choose to use paid leave during the quarantine.
Nevada	Public Accommodation Facilities Paid Time Off Current Expiration: through any period in which a public health emergency due to SARS-COV-2 has been declared by the Governor and remains in effect; or the rate of positive test results for SARS-CoV-2 in the county reported by the Division of Public and Behavioral Health of the Department exceeds 5% in any rolling 14-day	SB4 [Effective August 11, 2020 through any period in which a public health emergency due to SARS-COV-2 has been declared by the Governor and remains in effect; or the rate of positive test results for SARS-CoV-2 in the county reported by the Division of Public and Behavioral Health of the Department exceeds 5% in any rolling 14-day period in the 90-day period immediately preceding that day; or the number of new COVID-19 cases in the county reported by the Division of Public and Behavioral Health of the Department exceeds 100 new cases per 100,000 residents in any rolling 14-day period in the 90-day period immediately preceding that day.] [Added law to chart on 4/26/21] <u>Summary:</u> Among other employer obligations, NV SB4 provides paid time off for COVID-19 testing and a positive COVID-19 diagnosis for employees of a public accommodation facility. <u>Coverage:</u> Only applies to counties whose populations meet or exceed 100,000 people.

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	<p>period in the 90-day period immediately preceding that day; or the number of new COVID-19 cases in the county reported by the Division of Public and Behavioral Health of the Department exceeds 100 new cases per 100,000 residents in any rolling 14-day period in the 90-day period immediately preceding that day.</p>	<p><u>Public Accommodation Facility</u>: a hotel or casino, resort, hotel, motel, hostel, bed and breakfast facility or other facility offering rooms or areas to the public for monetary compensation or other financial consideration on an hourly, daily or weekly basis.</p> <p><u>Paid Time Off for COVID-19 Exposure, Symptoms and Testing</u>: Employees experiencing symptoms must under testing and must not return to work while awaiting results. Employees are to be provided up to 3 days of paid time off while awaiting testing and testing results. Additional paid time off is to be provided if the employer receives documentation of a delay in testing or receiving results.</p> <p><u>Paid Time Off for Positive COVID-19 Diagnosis</u>: Employees who test positive or are otherwise diagnosed with COVID-19 must be allowed to take at least 14 days off, at least 10 of which must be paid time off. These time periods can be increased or decreased with approval from the Director of the Department of Health and Human Services.</p> <p><u>Rate of Pay</u>: Paid time off must be calculated at the base rate of pay for the employee.</p> <p><u>Offsets</u>: Paid time off must not be deducted from paid time off provided pursuant to NRS 608.0197 or a policy or contract of the employer, but may be deducted from paid sick leave pursuant to FFCRA.</p> <p>Regulations can be found here.</p> <p>Nevada Labor Commissioner Guidance re SB4 Paid Time Off Requirements can be found here.</p>
<p>New Jersey</p>	<p>Existing Paid Sick Leave Law— COVID-19 specific guidance issued and regular paid sick leave law amended³</p>	<p>NJ SB 2304 permanently amends the NJ paid sick leave law to permit employees to use paid sick leave for the following <u>additional</u> reasons:</p>

³ Effective 3/20/2020, NJ added Section [34:11D-12](#) to the paid sick leave law prohibiting employers from terminating or penalizing an employee who requests or takes time off from work during the COVID-19 Public Health Emergency because the employee has or is likely to have an

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		<ul style="list-style-type: none"> • The time an employee is not able to work because of closure of the employee’s workplace, or the school or place of care of a child of the employee because of a state of emergency declared by the Governor; • The time an employee is not able to work because of the declaration of a state of emergency by the Governor, or the issuance by a health care provider of the Commissioner of Health or other public authority of a determination that the presence in the community of the employee, or a member of the employee’s family in need of care by the employee would jeopardize the health of others; or • The time an employee is not able to work during a state of emergency declared by the Governor, or upon the recommendation, direction, or order of a healthcare provider or the Commissioner of Health or other authorized public official, the employee undergoes isolation or quarantine, or cares for a family member in quarantine, as a result of suspected exposure to a communicable disease and a finding by the provider or authority that the presence in the community of the employee or family member would jeopardize the health of others. <p>New Jersey has published information regarding Earned Sick Leave and COVID-19 including this FAQ and chart of available benefits.</p>
<p>New York State</p>	<p>Supplemental COVID-19 Leave Law</p> <p><u>Current Expiration: Not specified.</u></p>	<p>New York State Covid-19 Paid Sick Leave Law (effective 3/18/2020)</p> <p>On March 18, 2020, Governor Cuomo signed a Covid-19 Paid Sick Leave law which provides protected leave and paid sick leave to employees subject to a mandatory or precautionary quarantine or isolation order due to Covid-19 issued by state of NY, department of health, local board of health, or any governmental entity authorized to issue such order.</p> <p><u>Required Benefits:</u> Job protection and/or paid sick leave as follows:</p>

infectious disease which may infect others at the employee’s workplace (based on the written or electronically transmitted recommendation of a NJ licensed medical professional).

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		<p>Employers with 10 or fewer employees and net income of less than \$1 million in 2019, must provide affected employees with:</p> <ul style="list-style-type: none">• Guaranteed job protection for the duration of the quarantine order.• Compensation for the duration of the quarantine order through existing Paid Family Leave (PFL) and Disability Benefits (DB) policy up to \$2,884.62 per week (\$840.70 PFL and \$2,043.92 for DB). <p>Employers with 10 or fewer employees and net income greater than \$1 million in 2019, must provide affected employees with:</p> <ul style="list-style-type: none">• At least 5 calendar days of paid sick leave and guaranteed job protection for the duration of the quarantine order.• Compensation for the remainder of their quarantine through your existing PFL and DB policy up to \$2,884.62 per week (\$840.70 PFL and \$2,043.92 for DB). <p>Employers with 11-99 employees must provide affected employees with:</p> <ul style="list-style-type: none">• At least 5 calendar days of paid sick leave and guaranteed job protection for the duration of the quarantine order.• Compensation for the remainder of their quarantine through your existing PFL and DB policy up to \$2,884.62 per week (\$840.70 PFL and \$2,043.92 for DB). <p>Employers with 100 or more employees must provide affected employees with:</p> <ul style="list-style-type: none">• Guaranteed job protection for the duration of the quarantine order.• At least 14 calendar days of paid sick leave. <p>Number of employees is counted as of January 1, 2020.</p> <p><u>Other Leave:</u> The Covid-19 paid sick leave is in addition to an employee’s accrued sick leave.</p> <p><u>Offset:</u> Any leave provided under this law may be offset by any paid leave provided by federal law or regulation in response to Covid-19.</p>
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		<p><u>Exceptions:</u> Employees do not qualify for benefits under the law if the employee is asymptomatic or has not yet been diagnosed and is able to work or telework.</p> <p><u>Required Forms:</u> for Employees to Complete in order to apply for Paid Family Leave:</p> <ul style="list-style-type: none"> • Request for Covid-19 Quarantine DB/PFL--Self <p><u>Rate of Pay for Paid Sick Leave:</u> For the applicable paid leave period (5 or 14 days), employers must pay the amount that the worker would have otherwise received had they been continuing to work for that period based upon the amount that the employee was scheduled or would have been scheduled had the employer’s operations continued in its normal due course. Employees who work a fixed schedule or are paid a salary should simply continue to receive pay for the applicable period. For hourly, part-time, commissions salespeople, and other employees who are not paid a fixed wage, employers should determine the employee’s pay by looking at a representative period of time to set the employee’s average daily pay rate.</p> <p><u>Temporary Business Closures:</u> Employees may be eligible for Unemployment Insurance.</p> <p>Link to FAQ</p> <p>Link to Employer Factsheet</p> <p>Link to Employee Factsheet</p> <p>Link to Mandatory or Precautionary Quarantine Order Factsheet</p>
<p>New York State</p>	<p>Paid Leave for COVID-19 Vaccinations</p> <p><u>Current Expiration:</u> 12/31/22</p>	<p>NY AB 3354 [Effective 3/12/21 through 12/31/22] (adds Section 196-C to the New York Labor Law) [Added law to chart on 4/26/21]</p> <p><u>Summary:</u> Provides employees paid leave to receive COVID-19 vaccinations.</p> <p><u>Coverage:</u> All employees</p>

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		<p><u>Paid Leave Amount</u>: Paid Leave of absence for a sufficient period of time, not to exceed 4 hours per vaccine injection, unless such employee shall receive a greater number of hours pursuant to a CBA or as otherwise authorized by the employer, to be vaccinated for COVID-19.</p> <p><u>Rate of Pay</u>: Employee’s regular rate of pay. Must not be charged against any other leave the employee is otherwise entitled to, including sick leave, or any leave pursuant to a CBA.</p> <p>FAQ can be found here.</p>
New York State	New Paid Sick Leave Law	<p>New York State Paid Sick Leave Law (Effective September 30, 2020) [1/8/21 Update: Added this paid sick leave law to chart]</p> <p>Summary: Employers must allow employees to accrue paid sick leave at the rate of 1 hour for every 30 hours worked up to 40 or 56 hours per year, depending on employer size. Accrued and unused sick leave carries over to the following year. Employers may limit annual usage to 40 or 56 hours per year, depending on employer size. Usage of accrued paid sick leave begins as of January 1, 2021.</p> <p>Sick leave may be used as follows:</p> <ol style="list-style-type: none"> i. for a mental or physical illness, injury, or health condition of such employee or such employee's family member, regardless of whether such illness, injury, or health condition has been diagnosed or requires medical care at the time that such employee requests such leave; ii. for the diagnosis, care, or treatment of a mental or physical illness, injury or health condition of, or need for medical diagnosis of, or preventive care for, such employee or such employee's family member; or iii. for an absence from work due to any of the following reasons when the employee or employee's family member has been the victim of domestic violence pursuant to subdivision thirty-four of section two hundred ninety-two of the executive law, a family offense, sexual offense, stalking, or human trafficking: <ol style="list-style-type: none"> a. to obtain services from a domestic violence shelter, rape crisis center, or other services program; b. to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;

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		<ul style="list-style-type: none"> c. to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding; d. to file a complaint or domestic incident report with law enforcement; e. to meet with a district attorney's office; f. to enroll children in a new school; or g. to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee. <p>Note: The reasons outlined above in subparagraph (a) through (g) must be related to the domestic violence, family offense, sexual offense, stalking, or human trafficking. Provided further that a person who has committed such domestic violence, family offense, sexual offense, stalking, or human trafficking shall not be eligible for leave under this subdivision for situations in which the person committed such offense and was not a victim, notwithstanding any family relationship.</p> <p>More information on the NY paid sick leave requirements can be found here.</p>
New York City, NY	Existing Paid Sick Leave Law— COVID-19 specific guidance issued	New York City has published information regarding paid sick leave and COVID-19 in Complying with NYC Workplace Laws During COVID-19 .
Westchester County, NY	No changes to existing paid sick leave law.	Westchester County Earned Sick Leave Law
Oregon	Existing Paid Sick Leave Law— COVID-19 specific guidance issued	Oregon has published information regarding paid sick leave and COVID-19 here .
Philadelphia, PA	Existing Paid Sick Leave Law— COVID-19 specific guidance issued	<p>On March 11, 2020, the City's sick leave law was further defined via temporary regulations so that covered workers can use their paid sick leave for COVID-19 related preventative care without fear of retaliation.</p> <p>During the COVID-19 risk, covered employees can use accrued paid sick time for the following:</p> <ul style="list-style-type: none"> • Mandated business closures • Caring for children during school or childcare closures • Official quarantine and self-quarantine • Illness and treatment of an illness for yourself or a family member

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		<p>Employees are not required to provide a note from a medical professional in order to use consecutive paid sick leave during the COVID-19 health risk.</p> <p>The supplemental emergency temporary regulations can be found here.</p> <p>Additional information and FAQ can be found here.</p>
<p>Philadelphia, PA</p>	<p>Supplemental COVID-19 Leave Law</p> <p><u>Current Expiration:</u> Upon expiration of Governor’s disaster emergency proclamation related to the COVID-19 pandemic.</p>	<p>Public Health Emergency Leave (PHEL) Ordinance (Effective 3/29/21 until the expiration of the Governor’s disaster emergency proclamation related to the COVID-19 pandemic). [Added law to chart on 4/26/21]</p> <p><u>Summary:</u> Requires employers with 50 or more employees to provide paid supplemental COVID-19 leave.</p> <p><u>Covered Employers:</u> Employers with 50 or more employees.</p> <p><u>Covered Employees:</u> Employees who have been employed by an employer for at least 90 days and:</p> <ul style="list-style-type: none"> • Work in Philadelphia; • Normally work in Philadelphia, but are currently teleworking from any other location due to COVID-19; or • Work from multiple locations or from mobile locations, but at least 51% of work time is spent in Philadelphia. <p><u>Amount of Leave:</u></p> <ul style="list-style-type: none"> • <i>Employees who work 40 hours or more per week</i> are entitled to 80 hours of leave, unless the employer chooses to provide a higher amount. Employees who are exempt from overtime requirements under the Fair Labor Standards Act will be assumed to work 40 hours in each workweek unless their normal workweek is fewer than 40 hours, in which case leave is based upon that normal workweek. • <i>Employees who work fewer than 40 hours per week</i> are entitled to an amount of leave equal to the amount of time the employee is otherwise scheduled to work or actually works on

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		<p>average in a 14-day period, whichever is greater, unless the employer chooses to provide a higher amount.</p> <ul style="list-style-type: none"> • <i>For employees who work a variable number of hours week to week</i>, an employer must determine the amount of time worked on average in a 14-day period by taking the average number of daily hours that the employee was schedule over the past 90 workdays (including hours for which the employee took any type of leave) and multiplying by 14. <p><u>Qualifying reasons for leave:</u> A covered employee may use leave when unable to work due to one or more of the following reasons:</p> <ul style="list-style-type: none"> • A public health official, public health authority, health care provider or employer has determined that the employee's or a family member's presence on the job or in the community would jeopardize the health of others because of the employee's or family member's exposure to COVID-19 or because the employee or family member is exhibiting symptoms that might jeopardize the health of others, regardless of whether the employee or family member has been diagnosed with COVID-19; • The employee or a family member needs to self-isolate because they have been diagnosed with or are experiencing symptoms of COVID-19, or needs to seek or obtain medical diagnosis, care or treatment if experiencing symptoms of an illness related to COVID-19; • The employee needs to care for a child whose school or place of care has been closed, or whose childcare provider is unavailable, due to precautions taken in accordance with the public health emergency response; • The employee needs to obtain a COVID-19 vaccination; or • The employee needs to recover from any injury, disability, illness or condition related to the vaccination. <p><u>Usage:</u> An employee may use leave immediately, without any waiting period or accrual requirements, until one week following the official termination or suspension of the public health emergency.</p> <p><u>No replacements:</u> An employer may not require an employee to search for or find a replacement as a condition of providing leave.</p> <p><u>Increments:</u> leave may be used in one-hour increments or the smallest increment that the employer's payroll system uses to account for absences or use of other time, whichever is smaller.</p>
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		<p><u>Rate of Pay:</u> compensated at an employee's regular rate of pay and with the same benefits, including health care benefits, that the employee normally earns at the time they take leave. The regular rate may not be less than the full minimum wage.</p> <p><u>Employee Notice:</u> Employees must notify their employer of the need for leave as practicable and as soon as feasible, but only when the need for leave is foreseeable. An employer is permitted only to request that an employee submit a self-certified statement, asserting that leave was used according to the qualifying reasons.</p> <p><u>Notice/Posting:</u> Within 15 days of the effective date of the ordinance, employers must provide employees with a notice of rights.</p> <p>Employers must notify employees of the following:</p> <ul style="list-style-type: none">• The entitlement to public health emergency leave;• The amount of public health emergency leave and the terms of its use;• The prohibition against retaliation; and• The right to file a complaint or bring a civil action. <p>Notice must be provided in any employee handbook distributed to employees and:</p> <ul style="list-style-type: none">• In a notice supplied to each employee written in English and any language that is the first language spoken by at least five percent of the employer's workforce; or• By displaying a poster in a conspicuous and accessible place in each establishment that is written in English and any language that is the first language spoken by at least five percent of the employer's workforce. <p>However, where the employer does not maintain a physical workplace, or an employee teleworks or performs work through a web-based platform, the required notification of rights shall be sent via electronic communication or a conspicuous posting in the web-based platform.</p> <p>The Notice/poster may be found here.</p> <p><u>Recordkeeping:</u> Employers must keep the following records for two years:</p> <ul style="list-style-type: none">• Hours worked;
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		<ul style="list-style-type: none">• Public health emergency leave taken; and• Payments made to employees for public health emergency leave. <p><u>Offset:</u></p> <ul style="list-style-type: none">• To the extent that federal or state laws require employers to provide paid leave or paid sick time related to COVID-19, employers may substitute leave under the federal or state law for its obligations under this law to the extent they coincide and the relevant federal or state law permits such concurrent use of paid leave.• To the extent that an employer has adopted a policy on or after March 6, 2020 which provides its employees with additional paid time specifically for use during the COVID19 pandemic in 2021, employers may substitute leave under such employer policy for the leave required under this ordinance to the extent they coincide. Employers shall be required to provide additional 2021 public health emergency leave under this Section only to the extent that the requirements of this Section exceed the requirements of its own specific COVID-19 pandemic paid leave policy otherwise available to a particular employee on or after January 1, 2021.• <i>Other Paid Leave Benefits:</i> except as otherwise permitted by this law, PHEL leave shall be in addition to all other paid leave benefits offered by an employer; and shall not be reduced by the amount of any paid leave an employee has previously received, including any public health emergency leave provided in 2020. An employer may not require an employee to use other paid leave available to the employee before the employee is eligible to use 2021 public health emergency leave, unless state or federal law requires otherwise.• <i>Paid Time Off Policies:</i> Nothing in this law shall be construed to require an employer to change an existing leave policy or provide additional paid leave to employees if the employer’s existing policy provides one hundred and sixty (160) hours or more of paid time off in 2021 that is not specifically designated as sick leave, but can be used for the same purposes and under all of the same conditions as set forth for in 2021 public health emergency leave under this law.• <i>Teleworking Employees:</i> With respect only to employees who complete the majority of their work responsibilities through telework, nothing in this law shall be construed to require an employer to change existing policies or provide additional paid leave to such teleworking employees if the employer’s existing policy provides such teleworking employees at least eighty (80) hours of paid leave in 2021 and such paid leave can be used for the same
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		purposes and under all of the same conditions as set forth for 2021 public health emergency leave under this law.
Pittsburgh, PA	No changes to existing paid sick leave law.	Pittsburgh Paid Sick Days Act
Pittsburgh, PA	Supplemental COVID-19 Leave <u>Current Expiration:</u> upon expiration of either the COVID-19 emergency disaster Declaration of the Commonwealth of Pennsylvania or the COVID-19 emergency disaster Declaration of the City of Pittsburgh; whichever is sooner	<p>Temporary COVID-19 Emergency Paid Sick Leave (EPSL) Ordinance [effective 12/9/20 through expiration of either the COVID-19 emergency disaster Declaration of the Commonwealth of Pennsylvania or the COVID-19 emergency disaster Declaration of the City of Pittsburgh; whichever is sooner.] [Added to chart on 4/26/21]</p> <p><u>Summary:</u> Requires employers with 50 or more employees to provide paid supplemental COVID-19 leave.</p> <p><u>Covered Employers:</u> Employers with 50 or more employees.</p> <p><u>Covered Employees:</u> Employees working for a covered employer for 90 days and who</p> <ul style="list-style-type: none"> • work within Pittsburgh after December 9,2020; • Normally work in Pittsburgh, but are currently teleworking from any other location due to COVID-19; or • Work from multiple locations or from mobile locations, but at least 51% of work time is spent in Pittsburgh. <p><u>Amount of Leave:</u></p> <ul style="list-style-type: none"> • <i>Employees who work 40 hours or more per week</i> are entitled to 80 hours of leave, unless the employer chooses to provide a higher amount. Employees who are exempt from overtime requirements under the Fair Labor Standards Act will be assumed to work 40 hours in each workweek unless their normal workweek is fewer than 40 hours, in which case leave is based upon that normal workweek. • <i>Employees who work fewer than 40 hours per week</i> are entitled to an amount of leave equal to the amount of time the employee is otherwise scheduled to work or actually works on average in a 14-day period, whichever is greater, unless the employer chooses to provide a higher amount.

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		<ul style="list-style-type: none">• <i>For employees who work a variable number of hours week to week, a number equal to the average number of hours that the employee was scheduled to work over the past 90 days, including hours for which the employee took leave of any type..</i> <p><u>Qualifying reasons for leave:</u> A covered employee may use leave when unable to work or telework due to one or more of the following reasons:</p> <ul style="list-style-type: none">• They are subject to a determination by a public official or public health authority having jurisdiction, a health care provider, or an employee's employer that the employee's presence on the job or in the community would jeopardize the health of others because of the employee's exposure to COVID-19 or because they are exhibiting symptoms that might jeopardize the health of others, regardless of whether they have been diagnosed with COVID-19;• They are caring for a family member due to a determination by a public official or health authority having jurisdiction, a health care provider, or the family member's employer that the presence of the family member on the job or in the community would jeopardize the health of others because of the family member's exposure to COVID-19 or a determination by the employer that the employee is a danger to the health of others because they are exhibiting symptoms that might jeopardize the health of others, regardless of whether the family member has been diagnosed with COVID-19;• They need to:<ul style="list-style-type: none">○ Self-isolate and care for oneself because the employee is diagnosed with COVID-19;○ Self-isolate and care for oneself because the employee is experiencing symptoms COVID-19; or○ Seek or obtain medical diagnosis, care, or treatment if experiencing symptoms of an illness related to a COVID-19; or• They are caring for a family member who:<ul style="list-style-type: none">○ Is self-isolating due to being diagnosed COVID-19;○ Is self-isolating due to experiencing symptoms COVID-19; or○ Needs medical diagnosis, care, or treatment if experiencing symptoms of an illness related to COVID-19. <p><u>Usage:</u> An employee may use leave immediately, without any waiting period or accrual requirements once they have been employed for the previous 90 days.</p>
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		<p><u>No replacements</u>: An employer may not require an employee to search for or find a replacement as a condition of providing leave.</p> <p><u>Increments</u>: smallest increment that the employer's payroll system uses to account for absences or use of other time.</p> <p><u>Employee Notice</u>: Employees must notify their employer of the need for leave as practicable.</p> <p><u>Offset</u>:</p> <ul style="list-style-type: none"> • EPSL is in addition to any paid leave or sick time provided by the employer or city's paid sick leave law, and an employee may choose to use EPSL before any sick time under the city's paid sick leave law. • To the extent that federal or state laws require employers to provide paid leave or paid sick time related to a COVID-19, employers may substitute leave under the federal or state law for its obligations under this ordinance to the extent they coincide and the relevant federal or state law permits such concurrent use of paid leave. Employers are required to provide additional EPSL under this ordinance to the extent that the requirements of this ordinance exceed the requirements of those laws and to the extent permitted under the federal or state law. • to the extent that an employer has adopted a policy subsequent to the March 13, 2020 Declaration of Emergency which provides its employees with additional paid sick time specifically for use during COVID-19, employers may substitute leave under such policy for the leave required under this ordinance to the extent they coincide. Employers are required to provide additional EPSL under this ordinance to the extent that the ordinance requirements exceed the requirements of their own COVID-19-specific paid sick policy.
Rhode Island	No changes to existing paid sick leave law.	Healthy and Safe Families and Workplaces Act
Vermont	No changes to existing paid sick leave law.	See Earned Sick Time Rules at VT Department of Labor Wage and Hour website .

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<p>Washington</p>	<p>Supplemental COVID-19 Leave for Food Production Workers</p> <p><u>Current Expiration:</u> through State of Emergency</p>	<p>Supplemental Paid Sick Leave to Food Production Workers (Effective August 18, 2020 through the state of emergency) [1/8/21 Update: Added this law to the chart. State of Emergency is still in effect].</p> <p><u>Covered Employers and Employees:</u> food production workers for employers that operate orchards, fields, and dairies; fruit- and vegetable-packing warehouses; meat and seafood processors and packers; certain farm labor contractors; and other specified industries identified in WAC 296-307-006 (but not tree farms, forestry services, and others expressly excluded).</p> <p><u>Reasons for Use:</u></p> <ul style="list-style-type: none"> • The Covered Worker is subject to a federal, state, or local quarantine or isolation order related to COVID-19; • The Covered Worker is advised by a health care official or provider to self-quarantine or self-isolate due to concerns related to or a positive diagnosis of COVID-19; • The Covered Worker is prohibited from working due to health concerns related to the potential transmission of COVID-19; or • The Covered Worker is experiencing COVID-19 symptoms and is seeking a medical diagnosis. <p><u>Amount of Leave:</u> for the duration of a qualifying event, as follows:</p> <ul style="list-style-type: none"> • Full-time--Up to 80 hours to Covered Workers scheduled to work “full-time” or scheduled to work at least 40 hours in the preceding two weeks, except Employers must substitute such Paid Leave with any other paid sick leave provided, including leave provided to meet the agricultural employer’s obligations under the Washington paid sick provisions of RCW 49.46 and associated rules, if that leave is immediately available under the same terms described here. • Part-time--Covered Workers scheduled to work less than “full-time” and less than 40 hours in the preceding two weeks shall receive Paid Leave equal to the total number of hours they are normally scheduled during that two-week period, or if the Covered Workers work a variable number of hours, fourteen times the average number of hours the Covered Worker worked each day in the period preceding the date the worker took Paid Leave. • Each hour of the emergency supplemental paid sick leave must be compensated at a rate equal to \$430 for 40 hours, up to a maximum of \$860 for 80 hours.
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Washington	Existing Paid Sick Leave Law— COVID-19 specific guidance issued	Washington has published an FAQ regarding paid sick leave and COVID-19.
Seattle, WA	Existing Paid Sick Leave Law Amended	<p>On March 16, 2020, the City Council amended the law to expand the uses of PSST. These changes became effective on March 18. The new absences that are now covered are:</p> <ul style="list-style-type: none"> • When their family member's school or place of care has been closed; and • For employers of businesses with 250+ FTEs, when their place of business has been closed for any health or safety reason. <p>On April 8, 2020, OLS issued a temporary, emergency rule that clarifies that employers may not require a doctor's note or healthcare provider verification because it is an unreasonable burden during the COVID-19 pandemic outbreak. Employers must identify and provide alternatives for the employee to meet the employer's verification requirement. Those alternatives may not result in an unreasonable burden or expense on the employee. The emergency rule can be found here.</p> <p>According to the city's Office of Labor Standards, alternate documentation could include: the employee's own statement, or documentation from other individuals like service providers, social workers, case managers, or legal advocates, stating that, to their knowledge, the employee's use of paid sick leave is for a covered purpose.</p> <p>Employees are not prevented from voluntarily using healthcare provider verification, including a doctor's note obtained through telemedicine, if it is available to them.</p> <p>This emergency rule is temporary and is effective through June 7, 2020 (60 days). After that date, the rules will automatically revert to the version in effect prior to the emergency rule, unless the emergency rule is revoked sooner or extended beyond 60 days through formal rulemaking.</p> <p>The City published this FAQ on Paid Sick and Safe Time and COVID-19.</p>
	Supplemental COVID-19 Leave for Gig Workers	On June 12, 2020 Seattle enacted the Paid Sick and Safe Time for Gig Workers Ordinance , a new law temporarily extending paid sick and safe time to gig workers. [4/26/21 Update: Ordinance is effective until the latest of the following: a) Three years after the termination of the civil emergency proclaimed by the Mayor on March 3, 2020; b) Three years after the termination of any

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	<p><u>Current Expiration:</u> upon the latest of the following: a) Three years after the termination of the civil emergency proclaimed by the Mayor on March 3, 2020; b) Three years after the termination of any concurrent civil emergency proclaimed by a public official in response to the COVID-19 public health emergency and applicable to the City of Seattle; or c) On December 31, 2023</p>	<p>concurrent civil emergency proclaimed by a public official in response to the COVID-19 public health emergency and applicable to the City of Seattle; or c) On December 31, 2023.]</p> <p><u>Overview:</u> This temporary law allows certain gig workers access to paid sick and paid safe time from transportation network companies (such as Uber and Lyft) and food delivery network companies that arrange for delivery of groceries or prepared food using an app-based or online platform.</p> <p>Covered employers are transportation network companies and food delivery network companies who hire 250 or more gig workers worldwide.</p> <p><u>Effective Date:</u> July 13, 2020</p> <p><u>Accrual:</u> Starting October 1, 2019, gig workers earn 1 day of PSST for every 30 calendar days worked in whole or in part in Seattle. Covered entities have the option to calculate retroactively accrued PSST (October 1, 2019 to effective date) by this standard accrual or by substituting for 5 days of PSST. Hiring entities shall select the same accrual method for all gig workers covered 18 by this ordinance. Hiring entities must file information on their chosen accrual method, pursuant 19 to this Section 100.025.B, with the Office of Labor Standards. The information must also include 20 the registered legal name and trade name of the hiring entity as listed on the hiring entity’s Seattle business license tax certificate. This information shall be filed with the Office of Labor 2 Standards in a written format within 14 calendar days after the effective date of this ordinance.</p> <p><u>Frontloading:</u> hiring entities may, but are not required to, frontload paid sick and paid safe 8 time to a gig worker in advance of the accrual. Frontloaded paid sick and paid safe time shall meet requirements for accrual, use, and carry over, and shall otherwise comply with the provisions of this ordinance. Hiring entities shall not request or require reimbursement from a gig 17 worker who uses frontloaded paid sick and paid safe time that exceeds the amount of paid sick 18 and paid safe time the gig worker would have accrued absent frontloading.</p> <p><u>Carryover:</u> Hiring entities shall allow gig workers to carry over at least nine days of accrued, 20 unused paid sick and paid safe time to the following year (Unless otherwise established in a written policy and procedure, “year” is defined as calendar year). If a worker carries over unused paid sick</p>
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		<p>and paid safe time to the following year, accrual of paid sick and paid safe time in the subsequent year shall be in addition to the hours accrued in the previous year and carried over.</p> <p><u>Use:</u> Workers who work in Seattle at least once in the past 90 calendar days may use PSST in 24-hour increments for any reason covered by the ordinance, including but not limited to:</p> <ul style="list-style-type: none">▪ To care for themselves or a family member for a personal mental or physical illness, injury, or health condition, need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or need for preventive medical care.▪ To care for themselves, a family member, or a household member for reasons related to domestic violence, sexual assault, or stalking.▪ When their family member's school or place of care has been closed.▪ If the company reduces, suspends, or discontinues operations for health or safety related reasons. <p><u>Rate of pay:</u> For each 24-hour day of use, a gig worker is entitled to the average daily compensation in their highest earning calendar month since October 2019. Average daily compensation includes tips.</p> <p><u>Notice of Use:</u> Hiring entities shall establish an accessible system for gig workers to request and use paid sick and paid safe time. Such system shall be available to the gig worker via smartphone application or online web portal.</p> <p><u>Replacements:</u> Hiring entities may not request or require, as a condition of a gig worker taking paid sick and paid safe time, that the gig worker search for or find a replacement gig worker to cover the day(s) during which the gig worker uses paid sick and paid safe time.</p> <p><u>Verification:</u> A covered entity may request reasonable verification from the worker for uses more than 3 consecutive days. Healthcare provider documentation shall not be reasonable during a civil emergency. See the ordinance for more details on verification.</p>
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		<p><u>Offset</u>: When compensating gig workers for the paid sick and safe time, hiring entities may subtract the amount of compensation provided to a gig worker for other paid leave used for a paid sick and paid safe time purpose between October 1, 2019 and the effective date of this ordinance and shall itemize any subtractions in an accompanying compensation statement.</p> <p><u>Notice to Employees</u>: In addition to a written PSST policy and procedure with specified content, hiring entities must provide no less than monthly notification of the gig worker's average daily compensation, and accrued, used, and available PSST. Furthermore, hiring entities must give workers a Notice of Rights.</p> <p><u>Record Retention</u>: Must retain for 3 years from the date of days worked or the date of use of PSST records that include:</p> <ol style="list-style-type: none">1. Date of commencement of work;2. Days worked in whole or part in Seattle;3. Compensation for days worked in whole or part in Seattle;4. Rates of average daily compensation as calculated every calendar month;5. Paid sick and paid safe time accrued, and any unused paid sick and paid safe time available for use;6. Paid sick and paid safe time reductions, including but not limited, to paid sick and paid safe time used, paid sick and paid safe time donated to a co-worker through a shared leave program, or paid sick and paid safe time not carried over to the following year; and7. Other records that are material and necessary to effectuate the terms of this ordinance, pursuant to Director rules. <p><u>Reinstatement</u>: if a gig worker separates from work due to inactivity, deactivation, or other reason, and commences working within 12 months of separation, previous work shall be counted for eligibility to use accrued PSST. Previously accrued, unused PSST shall be retained.</p> <p><u>No Retaliation</u>: No hiring entity or any other person shall interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this ordinance. A hiring entity may not adopt or enforce any policy that counts the use of paid sick and paid safe time as an event that may lead to or result in discipline or other adverse action against the gig worker.</p>
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		<p><u>Duration:</u> The requirement to provide paid sick and safe time will end 180 days after the termination of the Mayor's civil emergency or the termination of any concurrent civil emergency due to COVID-19. The remaining requirements will stay in effect for three years to retain provisions necessary for recordkeeping and enforcement.</p> <p><u>Enforcement:</u> OLS is responsible for the enforcement of the ordinance. Aggrieved parties also would have a private right of action. A question and answer document for the ordinance will be available soon.</p> <p>OLS Guidance can be found here.</p>
Tacoma, WA	No changes to existing paid sick leave law.	City of Tacoma paid sick leave law information.