



October 6, 2023

**California Increases the Number of Paid Sick Days Afforded to Employees -
Industry CBA Exemption Not Impacted**

This week Governor Gavin Newsom signed [Senate Bill \(SB\) 616](#) into law. SB 616 amends California's paid sick leave law to expand mandatory paid sick leave from three days to five days.

Construction Industry CBA Carve Out Still Stands: The union construction industry collective bargaining agreement (CBA) carve out that allows employers to avail themselves of having to provide paid sick leave to CBA covered workers was not amended by SB 616. Industry CBAs that continue to meet both of the following are not impacted and their exemptions are still valid:

- 1) The CBA expressly waives the requirement to provide state mandated paid sick leave in clear and unambiguous terms.
- 2) The CBA provides for the wages, hours of work, working conditions of employees, premium wage rates for all overtime hours worked, and regular hourly pay of not less than 30 percent more than the state minimum wage rate.

If the industry CBA doesn't meet those requirements, then beginning January 1, 2024, signatory employers to that CBA must provide covered employees five days of paid sick leave.