

Sweeney Mason

LLP

News Alert:

California Expected to Reinstate COVID-19 Paid Sick Leave for Employers with 26+ Employees

Rumors arising from Sacramento suggest that the California Legislature has reached an agreement with Governor Newsom on a framework for restoring COVID-19 Paid Sick Leave (COVID PSL) to eligible employees. What we know about the proposed COVID PSL so far:

1. The new leave program covers employers with 26 or more workers;
2. California will provide tax credits to companies to offset the cost of providing the leave.
3. COVID PSL will be retroactive to January 1, 2022 and will expire on September 30, 2022.
4. Full time employees will be entitled to up to 40 hours of paid leave because they are sick with COVID-19 or caring for a family member sick with COVID-19. COVID PSL does not cover getting the vaccine or recovering from vaccine side effects - in those cases, the worker is eligible for up to 24 hours of COVID PSL.
5. Full time employees may receive an additional 40 hours of COVID PSL if they can show proof that they or an immediate family member has tested positive. Employers must pay for and provide the test. If the worker refuses to take the test or fails to show a positive rest result, no additional COVID PSL will be granted.
6. Part time employees are eligible for COVID PSL equal to the number of hours they work in a week (or twice that amount with a positive COVID-19 test).

The legislation also includes significant funding to bolster testing capacity, accelerate vaccination and booster efforts, support front-line workers, strengthen the health care system, and battle misinformation.

Sweeney Mason is closely tracking the proposed COVID PSL as it makes its way through the legislature and we will provide updates as we learn more. Until we know more, we recommend

that employers track employee sick time for COVID-related reasons separately from regular paid sick leave use to make retroactive implementation easier.

For more information about any of these updates, please contact our employment team at 408-356-3000 or via email: Roger Mason at rmason@smwb.com or Rachael Brown at reb@smwb.com.



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