

## SAN FRANCISCO

### PAID SICK LEAVE ORDINANCE

An employee who, on or after February 5, 2007, works in San Francisco within a calendar year from the commencement of employment is entitled to paid sick days.

An employee can accrue **one hour of paid sick time for every 30 hours worked**, beginning their first day of employment (as of 1/1/2017). Prior to 1/1/2017, an employee did not accrue paid sick leave until 90 days after the start of employment.

An employee shall be entitled to use accrued paid sick days beginning on the 90<sup>th</sup> day of employment.

An employee can accrue up to 72 hours in a calendar year (cap). There is a “floating” cap—whenever an employee’s accrued leave drops below the 72-hour cap due to usage, the employee begins again to accrue paid sick leave.

There is no limit to an employee’s use of accrued sick leave to anything less than the amount the employee has earned.

Unused accrued paid sick leave carries over from year to year.



**EFFECTIVE: 2/5/2007 (amended 1/1/2017)**

#### Paid Sick Leave – Use of

- Diagnosis, care, or treatment of an existing health condition of, or preventive care for (added as of 1/1/2017), an employee or an employee’s family member;
- For an employee who is a victim of domestic violence, sexual assault, or stalking according to the regulations (added as of 1/1/2017).
- For purposes related to donating the employee or an employee’s family member’s bone marrow or an organ of the employee or employee’s family member to another person (added as of 1/1/2017).

Employee can use paid sick time in one (1) hour increments.

**Note:** An employee must miss scheduled work time in order to receive paid leave for the absence.

#### Family Member

- Child (biological, adopted, or foster child, stepchild, legal ward, child of a domestic partner and a child to whom the employee stands in loco parentis);
- Biological, adoptive, or foster parent; step- parent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child;
- Spouse;
- Registered domestic partner;
- Grandparent;
- Grandchild;
- Sibling.

#### Designated Person

If an employee has no spouse or registered domestic partner, the employee may designate one person for whom s/he may use paid sick leave to provide aid or care. This designation must be on file with the employer before the employee may use paid sick leave for this purpose. The opportunity to make such a designation is on an annual basis, with a window of 10 work days for the employee to make this designation.

#### Paid Sick Leave – Employee Notice Requirement

- Employee must accumulate sick time (see below) before requesting use of sick leave.
- Employee must notify customer and your branch representative about his/her illness as soon as possible, but not later than the same day of his/her absence from work (except in cases of acts of force majeure).

## Paid Sick Leave - Accrual

- For every 30 hours worked, an employee shall accrue one hour of paid sick leave

90-day time period is regardless of *where* the employee worked—it just has to be 90 days with the company.

Employee	How Sick Leave is Paid
Non-exempt	(1) In the same manner as the regular rate of pay for the workweek in which sick leave is used, whether or not the employee actually works overtime in that workweek; OR (2) Divide the employee's total wages, not including overtime premium pay, by the employee's total hours worked in the full pay period of the prior 90 days of employment.
Exempt	In the same manner the employer calculates wages for other forms of paid leave time

Note: If an employer has a paid leave policy, such as PTO or vacation policy, that makes available to employees leave that may be used for the same purposes specified in the Ordinance (or for any purpose) and that is sufficient to meet the Ordinance's requirements for paid sick leave accrual, then it is not required to provide additional paid sick leave.

- Does not accrue on sick or vacation hours
- Only accrues in hour-unit increments
- Employees may not have more than 72 hours of accrued paid sick leave saved at any time (floating cap)
- Once employees hit their floating cap (i.e., 72 hours), they no longer accrue paid sick leave until they use some of the hours they have "in the bank"
- Accrued paid sick leave does not expire; it carries over from year-to-year

## Paid Sick Leave – Upon Termination

- Accrued unused paid sick leave **is not paid out** upon termination, resignation, retirement, or other separation from employment

Note: Only paid out if using a PTO or vacation policy to comply with the Ordinance

## Rehires

If rehired by the company within 12 months from the previous date of separation, previously accrued and unused paid sick days shall be reinstated.

The employee shall be entitled to use those previously accrued and unused sick days after 90 days of employment with the company (counting their previous time working for the company) and to accrue additional paid sick days upon rehiring.

**San Francisco Zip Codes Included – In SAP mark subarea as “San Francisco”**

94102	94124	94147
94103	94125	94151
94104	94126	94153
94105	94127	94154
94107	<del>94128</del> (not included – SF	94156
94108	International Airport)	94158
94109	<del>94129</del> (not included -	94159
94110	Presidio)	94160
94111	94130	94161
94112	94131	94162
94114	94132	94163
94115	94133	94164
94116	94134	94171
94117	94137	94172
94118	94139	94177
94119	94140	94188
94120	94141	
94121	94142	
94122	94143	
94123	94144	
	94145	
	94146	

## **“DESIGNATED PERSON” FORM FOR PAID SICK LEAVE**

Under the San Francisco Paid Sick Leave Ordinance, employees may use paid sick leave when they or a member of their family are ill or injured or for the purpose of receiving medical care, treatment, or diagnosis.

In addition to using paid sick leave as specified above, if an employee has no spouse or registered domestic partner, he or she may designate one person for whom the employee may use paid sick leave to aid or care for the person.

Employers must offer the opportunity to make a designation no later than 30 work hours after the date paid sick leave begins to accrue. Employees have 10 work days to make this designation, and thereafter do not have the right to make or change the designation until next offered by the employer. Employers must offer the opportunity to make or change the designation on an annual basis, again with a window of 10 work days for the employee to make or change the designation.

**Employee Name:**

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**Name of Designated Person:**

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*I certify that I have no spouse or registered domestic partner. I designate the person listed above as my Designated Person for whom I may use paid sick leave pursuant to the San Francisco Paid Sick Leave Ordinance. I understand that if I have a spouse or registered domestic partner in the future, I will no longer be able to use paid sick leave to care for my Designated Person.*

<b>Employee Signature:</b>	<b>Date:</b>
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# City & County of San Francisco Paid Sick Leave



## California Healthy Workplaces/Healthy Families Act & SF Paid Sick Leave Ordinance

Employees in San Francisco are entitled to paid sick leave under both California and local San Francisco law.

### How Much Paid Sick Leave Do San Francisco Employees Accrue?

- One hour of paid sick leave for every 30 hours worked
- Employees begin accruing sick leave on the 1st day of employment
- Employers with 10 or more employees must allow employees to accrue at least up to 72 hours.
- Employers with less than 10 employees may provide paid sick leave in different ways:

- Allow employees to accrue up to at least 48 hours; or
- Provide an "advance" of 24 hours or 3 days of paid sick leave to comply with the State law "up-front option," and later allow employees to accrue up to 40 hours to comply with SF law.

- Accrued paid sick leave carries over from year to year
- Amount of available paid sick leave must be listed on each paycheck or wage statement

### When and How Can Employees Use Paid Sick Leave?

- Can start using paid sick leave on the 90th day of employment
- May use paid sick leave for an existing health condition or preventive care, or for specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking
- May use paid sick leave for employee's own care or care of a specified family member or designated person

**ONE HOUR EARNED**  
for every  
**30 WORKED**

Retaliation or discrimination against an employee who requests and/or uses paid sick days is prohibited. An employee can file a complaint against an employer who retaliates or discriminates against the employee or who fails to provide required sick leave. For more information, contact:

California Labor Commissioner's San Francisco Office: (415) 703-5300 [http://www.dir.ca.gov/dlse/paid\\_sick\\_leave.htm](http://www.dir.ca.gov/dlse/paid_sick_leave.htm)

San Francisco Office of Labor Standards Enforcement: (415) 554-6271; [pslo@sfgov.org](mailto:pslo@sfgov.org)

### Licencia por enfermedad

- Su empleador está obligado a proporcionar por enfermedad corta
- Usted puede tomar licencia por enfermedad para cuidar de sí mismo o un miembro de la familia
- Si su empleador no sigue la ley o si tiene alguna pregunta acerca de la ley, llame a la Oficina de Normas Laborales en San Francisco al 415-554-6271 or llame al Oficina del Comisionado Laboral del Estado de California a (415) 703-5300
- La licencia por enfermedad se acumulan a razón de 1 hora de licencia por cada 30 horas trabajadas
- Su empleador no está autorizado a tomar represalias contra usted por denunciar una violación



### 帶薪病假

- 你的僱主必須提供帶薪病假
- 你可以請病假來照顧自己或家庭成員
- 如果你的僱主不遵守法律, 如果您有關於法律問題, 請
- 致電 San Francisco OLSE 在415-554-6271 或致電(415)703-5300 聯絡加州勞工專員
- 病假1小時休假的速度累積 每30工作小時
- 你的僱主不得打擊報復您舉 報違規



### Iwan May Nabayaran Na

- Ang iyong tagapag-empleyo ay kinakailangan upang magbigay ng bayad na sick leave
- Maaari kang kumuha ng sick leave sa pag-aalaga para sa iyong sarili o isang miyembro ng pamilya
- Kung ang iyong tagapag-empleyo ay hindi sundin ang mga batas o kung mayroon kang mga katanungan tungkol sa batas
- tawagan San Francisco OLSE sa 415-554-6271 o tawagan ang Komisyoner ng Paggawa ng California sa (415)703-5300.
- Sick leave nakakaipon sa rate ng 1 oras ng leave para sa bawat 30
- oras nagtrabaho
- Ang iyong tagapag-empleyo ay hindi pinahihintulutan na gumanti sa iyo sa pag-uulat ng paglabag





# City & County of San Francisco San Francisco Minimum Wage

Post Where Employees Can Read Easily. Failure to post this notice may result in penalties.

**\$14.00** per hour  
por hora  
每小时  
bawat oras

Rate Effective - La tasa entrará en vigor el - 生效日期 - Simula sa

**July 1, 2017**

## OFFICIAL NOTICE

Beginning July 1, 2017, all employers must pay all employees who work in San Francisco (including temporary and part-time employees) at least \$14.00 per hour.

This minimum wage requirement applies to adult and minor employees who work two (2) or more hours per week. Some employees at government-subsidized non-profit organizations who are under 18 years of age or over 55 years of age are subject to a lower minimum wage rate of \$12.87.

Employees who assert their rights to the City's minimum wage are protected from retaliation. Employees may file a civil lawsuit against their employers for any violation of the Ordinance. The City can investigate possible violations and can enforce the minimum wage requirements by ordering payment of all unpaid wages and penalties.

For more information, contact the San Francisco Office of Labor Standards Enforcement (OLSE) at (415) 554-6292 or email [mwo@sfgov.org](mailto:mwo@sfgov.org).

## AVISO OFICIAL - Salario Mínimo de San Francisco

Correo donde los empleados pueden leer fácilmente.  
La falta de publicación de este aviso puede resultar en sanciones.

A partir del 1º de julio de 2017, todos los empleadores deben pagar a todos los empleados que trabajan en San Francisco (incluyendo a los trabajadores temporales y de tiempo parcial) por lo menos \$14.00 por hora.

Este requisito de salario mínimo se aplica a todos los empleados adultos y menores de edad que trabajan dos (2) o más horas por semana. Algunos empleados de organizaciones sin fines de lucro subvencionadas por el gobierno que son menores de 18 años o mayores de 55 años de edad están sujetos a un salario mínimo más bajo de \$12.87.

Los empleados que hacen valer sus derechos al salario mínimo de la Ciudad están protegidos contra represalias. Los empleados pueden presentar una demanda civil contra sus empleadores en caso de incumplimiento de la Ordenanza. La Ciudad puede investigar posibles violaciones y puede hacer cumplir los requisitos de salario mínimo ordenando el pago de todos los salarios no pagados y las multas.

Para obtener más información, contacte a la Oficina de Normas Laborales (Office of Labor Standards Enforcement: OLSE) de San Francisco al (415) 554-6292 o envíe un correo electrónico a [mwo@sfgov.org](mailto:mwo@sfgov.org).

## 正式通告 - 三藩市最低工資

請張貼在僱員容易看到的地方。未張貼此通知可能會導致懲罰。

自2017年7月1日開始，所有僱主必須支付在三藩市內工作的所有僱員（包括臨時僱員及兼職僱員）工資至少每小時\$14.00美元。

這個最低工資規定適用於成人和青少年僱員在每星期工作兩(2)小時或以上者。對於一些政府補助非營利組織18歲以下或55歲以上的僱員，其最低工資規定為\$12.87。

僱員要求獲得本市最低工資的權利受法律保護不會受到報復，僱員有權以任何違反條例的理由控告僱主。市政府有權調查可能的違法行為，透過補償所有未付薪資及罰款，強制執行最低工資規定。

如需了解更多資訊，請致電 (415) 554-6292 或電郵至 [mwo@sfgov.org](mailto:mwo@sfgov.org) 與三藩市勞工執行署(OLSE)聯絡。

## Opisyal na Abiso - Pinakamababang Pasahod sa San Francisco

Post Saan empleyado Puwede Basahin Madaling.  
Ang pagkabisagong mag-post ng paunawang ito ay maaaring magresulta sa mga multa.

Simula sa Hulyo 1, 2017, lahat ng mga employer ay kailangang magbayad sa lahat ng empleyado na nagtrabaho sa San Francisco (kasama ang pansamtala at part-time na mga empleyado) ng sahod na hindi bababa sa \$14.00 bawat oras.

Ang pinakamababang pasahod na ito ay sumasaklaw sa lahat ng mga empleyado, anuman ang edad, na nagtrabaho ng dalawa (2) o higit pang mga oras sa loob ng isang linggo. Ang mga ibang empleyado sa mga hindi pangkalakal na kapisanan na tinutulungan ng pamahalaan na may edad na kulang sa 18 taong gulang o higit sa 55 taong gulang ay sakop sa mas mababang pasahod na \$12.87.

Ang mga empleyado na ipaglalaban ang kanilang karapatan sa Ordinansang ito ay protektado sa paghihiganti ng employer. Ang mga empleyado ay maaring maghain ng sibil na asunto laban sa kanilang employer sa anumang paglabag sa Ordinansa. Ang Lungsod ay maaring mag-imbistiga ng mga posibleng paglabag at maaring ipatupad ang Ordinansang ito sa pamamagitan ng pag-uutos sa mga employer na bayaran ang kulang sa suweldo at ang mga multa.

Para sa karagdagang kaalaman, tawagan ang San Francisco Office of Labor Standards Enforcement (OLSE) sa (415) 552-6292 o email [mwo@sfgov.org](mailto:mwo@sfgov.org).





# City & County of San Francisco

## San Francisco Minimum Wage

Post Where Employees Can Read Easily. Failure to post this notice may result in penalties.

# \$14.00

В час  
đồ la một giờ

Новая тарифная ставка вступает в силу  
Mức lương bắt đầu có hiệu lực từ ngày

# July 1, 2017

## Официальное уведомление - Минимальная зарплата в Сан-Франциско

Плакат должен находиться на видном месте. Неразмещение этого плаката может привести к штрафам.

Начиная с 1 июля 2017 г., все работодатели обязаны платить всем работающим в г. Сан-Франциско сотрудникам (включая временных сотрудников и работников с частичной занятостью) тарифную ставку не менее \$14,00 в час.

Данное постановление о соблюдении указа о минимальной зарплате распространяется на взрослых и малолетних сотрудников, работающих не менее двух (2) часов в неделю. Для некоторых сотрудников моложе 18 или старше 55 лет, работающих в находящимся на государственных субсидиях некоммерческих организациях, распространяется минимальная часовая ставка размером в \$12,87.

Сотрудники, отстаивающие свои права на минимальную заработную плату, утвержденную Администрацией города, законом защищены от преследований. За любое нарушение Постановления работники могут подать гражданский иск против работодателей. Муниципалитет имеет право расследовать возможные нарушения, принудить работодателя исполнять требования Постановления о минимальной заработной плате и принудительно взыскать полное погашение задолженности и штрафы.

За дополнительной информацией обращайтесь в Управление по контролю за соблюдением трудового законодательства (OLSE) по телефону (415) 554-6292 или по электронной почте: [mwo@sfgov.org](mailto:mwo@sfgov.org).

## Thông báo Chính thức - Mức lương tối thiểu ở San Francisco

Yết thị ở những nơi Nhân viên có thể Đọc một cách Dễ dàng. Việc Không Yết thị thông báo này có thể dẫn đến các Hình phạt.

Bắt đầu từ ngày 1 tháng 7 năm 2017, tất cả các người chủ phải trả cho tất cả nhân viên làm việc tại San Francisco (bao gồm cả nhân viên tạm thời và bán thời gian) ít nhất là \$14.00 một giờ.

Đòi hỏi về mức lương tối thiểu này áp dụng cho nhân viên người lớn và người trẻ tuổi mỗi tuần làm việc hai (2) giờ hoặc nhiều hơn. Một số nhân viên trong các tổ chức phi lợi nhuận do chính phủ trợ cấp dưới 18 tuổi hoặc trên 55 tuổi phải chịu mức lương tối thiểu thấp hơn là \$12.87. Nhân viên duy trì quyền của họ về mức lương tối thiểu của Thành phố sẽ được bảo vệ để không bị trả đũa. Nhân viên có thể kiện dân sự chống lại người chủ về vi phạm sắc lệnh. Thành phố có thể điều tra các sự vi phạm xảy ra và thực thi các đòi hỏi về mức lương tối thiểu bằng cách ra lệnh thanh toán tất cả các khoản tiền lương chưa trả và tiền phạt.

Để biết thêm thông tin, hãy liên lạc với Văn phòng Thực thi Tiêu chuẩn Lao động San Francisco (San Francisco Office of Labor Standards Enforcement (OLSE)) ở số điện thoại (415) 554-6292 hoặc gửi email về [mwo@sfgov.org](mailto:mwo@sfgov.org).