

**LOS ANGELES SUPPLEMENTAL PAID SICK LEAVE TO  
WORKERS AFFECTED BY COVID-19**

**Mayor's Executive Order**

April 7, 2020 lasting until  
two calendar weeks after the COVID-19 local emergency ends (date unknown)

**Applies to Employers:** Private employers with either:

- 500 or more employees within the City of Los Angeles or
- 2,000 or more employees within the United States.

**Who is an Employee?**

An individual who performs any work within the geographical boundaries of the City for an employer.

A person in Section 18 of the California Labor Code, including a corporate officer or executive, who directly or through an agency 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 employee.

**COVID-19 Supplemental Paid Sick Leave**

An employee who has been employed with the same Employer from February 3, 2020 through March 4, 2020, is entitled to supplemental paid sick leave, if an employee is unable to work or telework, as follows:

1. An employee who works at least 40 hours per week or is classified as a **full-time** employee by the **employer shall receive 80 hours of supplemental paid sick leave**. Supplemental paid sick leave **shall be calculated based on an employee's average two week pay over the period of February 3, 2020 through March 4, 2020**.
2. An employee who **works less than 40 hours per week** and is **not classified as a full-time employee** by the employer shall receive supplemental paid sick leave in an **amount no greater than the employee's average two week pay over the period of February 3, 2020 through March 4, 2020**.

In **no event shall the supplemental paid sick leave amount paid to an employee exceed \$511 per day and \$5,110 in the aggregate**. Employees of joint employers are only entitled to the total aggregate amount of leave specified for employees of one employer.

- **Exemptions:** Emergency and health services personal, critical parcel delivery, employer that has a paid leave or paid time off policy that provides a minimum of 160 hours of paid leave annually, new business exemption, government;
- **Exemptions:** Closed businesses and organizations - Any business or organization that was closed or not operating for a period of 14 or more days due to the city official's emergency order because of the COVID-19 pandemic or provided at least 14 days of leave shall be exempt from the requirements of this Order.

**Employee Request for Supplemental Paid Sick Leave**

An Employer shall provide supplemental paid sick leave upon the oral or written request of an employee if:

1. The employee takes time off due to COVID-19 infection or because a public health official or healthcare provider requires or recommends the employee isolate or self-quarantine to prevent the spread of COVID-19;
2. The employee takes time off work because the employee is a least 65 years old or has a health condition such as heart disease, asthma, lung disease, diabetes, kidney disease, or weakened immune system;
3. The employee takes time off work 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
4. The employee takes time off work 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.

An employer may not require a doctor’s not or other documentation for the use of Supplemental Paid Sick Leave.

**Employer Offset**

An employer’s obligation to provide 80 hours of Supplemental Paid Sick Leave under this order shall be reduced for every hour an employer allowed an employee to take paid leave in an amount equal to or greater than the requirements in *Employee Request for Supplemental Paid Sick Leave* outlined above, not including previously accrued hours, on or after March 4, 2020, for any of the reasons described above or in response to an employee’s inability to work due to COVID-19.

**Coexistence with Other Available Relief for Specific Deprivations of Protected Rights**

With the exception of rights and remedies provided to employee pursuant to the federal Families First Coronavirus Response Act (HR 6201), the provisions of this Order are in addition to or independent of any other rights, remedies, or procedures available under any other law and do not diminish, alter, or negate any other legal rights, remedies, or procedures available to an employee.
