

LONG BEACH COVID-19 SUPPLEMENTAL PAID SICK LEAVE

May 19, 2020 until No End Date Set Yet

Covered Employers

Applies to employers with five hundred (500) or more employees nationally that are not required, in whole or part, to provide paid sick leave benefits under the Federal Emergency Paid Sick Leave Act.

Covered Employee

Covers any individual the employer employs who performs any work within the geographic boundaries of the City of Long Beach.

Exemptions

- **Employee able to work from home** – Not intended to require the provision of paid supplemental sick leave to employees that can work from home are healthy enough to do so.
- **Health Care Providers** – “Health care providers” includes any individual who is capable of providing health care services necessary to combat the COVID-19 public health emergency.
- **Emergency Responders** – “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.
- **Government** – 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 Chapter for any employee that received the more generous paid leave.

Sick Leave Hours

- A. A **fulltime** employee is entitled to **eighty (80) hours of paid supplemental sick leave**. These hours are available on the effective date of the sick leave benefit.
- B. A **part-time** employee is entitled to paid supplemental sick leave hours equal to the number of hours an employee works on average over a two (2) week period. These hours shall be available on the effective date of this chapter.

Covered Uses

Employees can use – immediately – supplemental paid sick leave for any of the following purposes, unless they can work from home and are healthy enough to do so:

- 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;
- 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;
- Employee experiences symptoms of COVID-19 and is seeking medical diagnosis;
- 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.

Pay Rates and Pay Not to Exceed Depends on Reason for the Leave

Employee (Personal Use Leave)	The employer will pay the employee for properly used sick leave at the employee's regular rate of pay up to \$511 a day not to exceed an aggregate of \$5,110.
To Care for Another Person (Caregiver Leave)	The employer may pay an employee using sick time to care for another person at two-thirds of the employee's regular rate of pay up to \$200 a day not to exceed an aggregate of \$2,000.

Part-time Employees Calculation of Supplemental Paid Sick Leave

For a part-time employee, the employer will calculate the amount of paid 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 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.

Miscellaneous

An employer cannot require an employee to find a replacement as a condition of using sick leave.

No Cash Out of Unused Leave When Employment Ends

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 after the sunset of this Chapter and thereafter shall cease to exist.

Upon 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.

Employee Notice

Employers can require employees to follow reasonable notice procedures to use leave, but only for foreseeable absences.

Documenting Absences

Although employers can require employees to identify the basis for requesting leave, they cannot require a doctor's note or other documentation to substantiate an absence.

Employer Offset

An employer can reduce the amount of leave it must provide by the number of paid leave hours – excluding previously accrued hours – it provided an employee on or after March 4, 2020, that employees could use for reasons the law requires or in response to an employee's inability to work due to COVID-19.

Existing Leave

Supplemental paid sick leave is in addition to pre-existing paid leave benefits. The law provides that employees need not exhaust sick leave or other leave they accrued before using supplemental paid sick leave hours. Notably, the law prohibits employers from changing any paid time off policies on or after May 19, except to provide additional paid leave.

Long Beach, CA Zip Codes

90745	90813	90853
90746	90814	90895
90747	90815	90899
90749	90822	
90755	90831	
90801	90832	
90802	90833	
90803	90834	
90804	90835	
90805	90840	
90806	90842	
90807	90844	
90808	90846	
90809	90847	
90810	90848	