

CITY OF LOS ANGELES, CALIFORNIA

PAID SICK LEAVE

Covers workers who, in a particular week, **perform at least 2 hours of work within the geographic boundaries of Los Angeles** and who are entitled to minimum wage under California law.

To be entitled to paid sick time, workers **must also work in Los Angeles**—on or after July 1, 2016—for the same employer for **30 days or more within a year** from the commencement of employment.

An employee can accrue **one hour of paid sick time for every 30 hours worked**, beginning their first day of employment or July 1, 2016, whichever is later.

An employee is **limited to 48 hours** in each calendar year.



EFFECTIVE: 7/1/2016

Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited.

Paid Sick Leave – Use of

- Diagnosis, care, or treatment of an existing health condition of, or preventive care for, 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.

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, or 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; and
- Sibling
- Any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship

Paid Sick Leave – Employee Notice Requirement

- Employee must be eligible and accumulate sick time (see below) before requesting use of sick leave.
- An employee may request paid sick days in writing or verbally. An employee cannot be required to find a replacement as a condition for using paid sick days.
- If the need for paid sick leave is foreseeable, the employee shall provide reasonable advance notification to the customer **and** your branch representative about his/her need for paid sick leave.
- If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for paid sick leave to the customer **and** your branch representative as soon as practicable.

Paid Sick Leave – Accrual

- An employee may **use accrued paid sick days beginning on the 90th day of employment or July 1, 2016, whichever is later.** The 90 day period works like a probationary period. Although you begin to accrue paid sick leave on July 1, 2016, or your first day of employment if you are hired after July 1, 2016, if you work less than 90 days for the company, you are not entitled to take paid sick leave.
- Paid sick leave will be calculated for nonexempt employees in the same manner as the regular rate of pay for the workweek in which the employee uses paid sick time, whether or not the employee actually works overtime in that workweek.
- Paid sick leave for exempt employees shall be calculated in the same manner as wages for other forms of paid leave time.
- For every 30 hours worked, an employee shall accrue one hour of paid sick leave.
- An exempt employee is deemed to work 40 hours per workweek unless the employee's normal workweek is less than 40 hours, in which case the employee shall accrue paid sick days based upon that normal workweek.
- Hours worked includes overtime for nonexempt employees; for salaried employees, it is based on regular hour work week
- Accrued paid sick leave does not expire; it carries over from year-to-year

Overall Accrual Cap

- The amount carried over to the next year is subject to a cap. Once employees **hit their cap (i.e., 72 hours) in a calendar year**, they no longer accrue paid sick leave until they use some of the hours they have "in the bank"
- Employees may not use more than 48 hours of accrued paid sick leave in a calendar year

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

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.

An employer may require an employee to provide "reasonable" documentation of an absence from work for which paid sick leave is or will be used.

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.

Los Angeles – In SAP if the employee is working in the city of “Los Angeles,” mark the subarea as “Los Angeles, CA.”

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