



KAHN, SOARES & CONWAY, LLP



California Legislature Passes Supplemental Paid Sick Leave Bill

March 18, 2021

The California Legislature sent to the Governor today SB 95, COVID-19 Supplemental Paid Sick Leave. Governor Newsom is expected to sign the bill, which will take effect immediately and is retroactive to January 1, 2021.

SB 95 adds sections 248.2 and 248.3 to the California Labor Code which, among other things, provides an additional 80 hours of COVID-19 supplemental paid sick leave for full time employees working for public or private employers with more than 25 employees. Upon an employee's request for retroactive payment, the employer has one pay period to verify the employee was out for a qualifying reason and pay that employee.

A "covered employee" is defined as an employee who is unable to work or telework for an employer due to any of the following reasons:

- "The covered employee is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidelines of the State Department of Public Health, the federal Centers for Disease Control and Prevention, or a local health officer who has jurisdiction over the workplace. If the covered employee is subject to more than one of the foregoing, the covered employee shall be permitted to use COVID-19 supplemental paid sick leave for the minimum quarantine or isolation period under the order or

- guidelines that provides for the longest such minimum period.
- The covered employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
 - The covered employee is attending an appointment to receive a vaccine for protection against contracting COVID-19.
 - The covered employee is experiencing symptoms related to a COVID-19 vaccine that prevent the employee from being able to work or telework.
 - The covered employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
 - The covered employee is caring for a family member, as defined in subdivision (c) of Section 245.5, who is subject to an order or guidelines described in subparagraph (A) or who has been advised to self-quarantine, as described in subparagraph (B).
 - The covered employee is caring for a child, as defined in subdivision (c) of Section 245.5, whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.”

The language of the bill can be found [here](#). For any questions, please reach out to Louie Brown at lbrown@kscsacramento.com.

Kahn, Soares & Conway, LLP provides the foregoing for informational purposes only and it is not intended as legal advice. Using this information or sending electronic mail to Kahn, Soares & Conway, LLP or its attorneys does not create an attorney-client relationship.

To request a PDF of this email, please contact amaubach@kscsacramento.com.

Kahn, Soares & Conway, LLP | ksclawyers.com