



COVID-19 LEAVE GUIDE

Updated February 19, 2022

This leave guide has been updated to reflect the Supplemental Paid Sick Leave under SB114 (SPSL) that became effective February 19, 2022.

ADMINISTRATION OF LEAVES:

1. Who qualifies for Supplemental Paid Sick Leave-SB114? How many hours do I qualify for?

All County employees, including extra-help, qualify for Supplemental Paid Sick Leave-SB114. You are eligible for up to 80 hours broken down into two leave banks (40 hours each). Your hours will be capped at \$511 per day and an aggregate of \$5,110.

For extra-help employees, your hours will be pro-rated based on the average number of hours you worked in the last six (6) months.

For regular full-time firefighters, your hours will be calculated based on a variety of factors, including your average hours worked and your hourly rate. Your hours will be capped at \$511 per day and an aggregate of \$5,110.

2. What are the covered reasons for using Supplemental Paid Sick Leave-SB114?

The first leave bank (40 hours) covers employees who cannot work or telework due to reasons listed below:

1. You are subject to a quarantine or isolation period related to COVID-19 as defined by CDC/CDPH/Local Health order or guideline.
2. You have been advised by a Health Care professional to self-quarantine due to concerns related to COVID-19.
3. You are attending an appointment for yourself or a family member to receive a vaccine or a vaccine booster for protection against COVID-19.
4. You or your family member are experiencing symptoms, related to a COVID-19 vaccine or vaccine booster that prevents you from being able to work. (limits apply)
5. You are experiencing symptoms related to COVID-19 and seeking a diagnosis.
6. You are caring for a family member who:
 - Is subject to quarantine or has been advised to quarantine related to COVID-19.
 - Has been advised by a health care provider to isolate or quarantine.
7. You are caring for a child whose school or place of care is closed or otherwise unavailable for reasons related to **COVID-19 on the premises**. (Regularly scheduled school breaks or holidays do not count as school closures). Refer to NOTE below for additional guidance.



PAYROLL NOTE: For payroll purposes, use kronos code SPSL-General or Extra-Help SPSL-General for an employee requesting time off for reasons 1-7 above.

The second leave bank (40 hours) covers employees who cannot work or telework due to the following reason:

8. You or a family member for whom you are providing care, tests positive for COVID-19.

PAYROLL NOTE: For payroll purposes, use kronos code SPSL-Positive or Extra-Help SPSL-Positive for an employee requesting time off for reason 8 above.

3. Who is considered a family member for the purpose of using Supplemental Paid Sick Leave-SB114?

For the purpose of this leave, you must be caring for a family member as follows:

- (1) a child (biological, adopted, foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis (regardless of age);
- (2) a parent (biological, adoptive, foster parent, stepparent, legal guardian of an employee or the employee's spouse or registered domestic partner, or a person that stood in loco parentis when the employee was a minor child;
- (3) A spouse or registered domestic partner;
- (4) A grandparent;
- (5) A grandchild;
- (6) A sibling.

4. When can I start using my Supplemental Paid Sick Leave-SB114?

SPSL is retroactive to January 1, 2022 and ends September 30, 2022. If you used your accruals or took a leave of absence without pay for any of the qualifying reasons listed above from January 1, 2022 to February 19, 2022, you may ask your department to credit you back your accruals and/or receive retroactive pay if you took a leave without pay.

Submit the newly created form "Supplemental Paid Sick Leave-SB114" that is available online with the necessary documentation as noted in this guide to your supervisor. Once approved, your department will submit the adjustment request to Auditor's for processing. Please follow up with your department to ensure it gets submitted before the deadline.

The County will process retro requests through March 31, 2022. Requests submitted to Auditors after that date will not be processed. Please allow at least one (1) pay period for processing.

5. Do I have to request a form for each qualifying reason?

Yes, this will ensure that each request is reviewed in accordance to the requirements in this guide.

6. Do I have to submit a request in advance?



Advanced notice is only required for appointments that are scheduled in advance (i.e. testing, vaccine). Nonetheless, as with any other request for time off, you must submit your completed SPSL documentation within the same pay period that the leave is being used.

PAYROLL NOTE: SPSL forms are for departmental use only and do not require Human Resources review or approval. For retroactive requests, please forward a complete form to the Auditors department for processing. Submit all requests no later than March 31, 2022.

7. What documentation do I need to request Supplemental Paid Sick Leave-SB114?

Submit the “Supplemental Paid Sick Leave-SB114” form available online to your department for approval. You will be asked to submit additional information in support of your request, including confirmation that you are seeking testing, vaccination or the notice from your child’s school that quarantine is required.

For the use of the SPSL-positive, you will be required to submit proof of a positive COVID-19 diagnosis. Please refer to question 22 for more details.

8. How will I know how much Supplemental Paid Sick Leave-SB114 I have left?

Your paycheck will reflect the beginning and ending balance. Your accruals under this leave will be reflected as SPSL-Regular or SPSL-Extra Help.

As a reminder, SB114 allows up to 80 hours of paid sick leave. If you make more than \$511 per day, your accruals may reflect a pro-rated amount to comply with this limit.

We expect to have the accruals posted on your paystub on payday February 18, 2022. Your pay stub will reflect one payment code only (SPSL).

9. Can I use Supplemental Paid Sick Leave-SB114 intermittently?

Yes, but only in limited circumstances such as attending a vaccine appointment or seeking a diagnosis.

10. Can I telecommute in lieu of taking any Supplemental Paid Sick Leave-SB114?

Telecommuting is not an alternative to taking any Supplemental Paid Sick Leave-SB114. If you are under an approved telecommute arrangement, you may telecommute on your pre-authorized days. Any days outside your regular telecommute schedule would require the use of your leave.

11. I filed for workers compensation and already got paid TTD or 4850 benefits, will I need to use my SPSL time to cover my absence?

Yes, as per labor code regulations, employees must first exhaust any SPSL available before receiving TTD or 4850 benefits. The County will process an adjustment that will reduce an equivalent amount of paid time (TTD/4850) from your SPSL hours.

If there was any period of time during your leave where you used your accruals or had an unpaid leave of absence, follow the instructions in question 4 above to request



reimbursement of your accruals or retroactive pay.

12. I've been advised to self-quarantine or isolate due to COVID-19. What type of leave can I use (Reason 1 & 2)?

It is the County's policy that you remain off the workplace if you are under a self-quarantine notice unless otherwise exempt by such order (i.e. vaccinated employees). You must test in accordance to the quarantine order requirements to shorten your quarantine period.

For the purpose of quarantine, you may use up to 40 hours of SPSL-General. Your SPSL will be limited to the shorter available quarantine period offered by any applicable health order.

If you are under an isolation order because you have tested positive for COVID-19 please see question 22 below.

13. What if the self-quarantine is due to a potential exposure at work? What type of leave can I use (Reason 1)?

The County will grant a request for the use of SPSL in those cases where you are required to remain off the worksite after an exposure. As an alternative, you may use your non-statutory sick leave to cover your leave. The County grants regular full time employees with 72 hours of non-statutory leave per year.

14. How will I know if I am in a quarantine and therefore qualify for Supplemental Paid Sick Leave-SB114 (Reason 1 & 2)?

Quarantine periods are triggered when you have been determined to be in close contact with a COVID-19 individual. However, not all employees are required to quarantine after a close contact, including asymptomatic vaccinated employees. Refer to the County's COVID-19 Policies and Guidelines for details on quarantine requirement (question 37).

You will also be required to take a COVID-19 test to shorten your quarantine period as allowed under the current health order.

15. Does the Supplemental Paid Sick Leave-SB114 cover vaccine appointments for my family members (Reason 3)?

Yes, you may use SPSL to attend a vaccine appointment with your family member.

16. I am experiencing side effects of the COVID-19 vaccine. Do I need to submit a note from a health care provider (Reason 4)?

Unless your request exceeds three (3) days of requested leave, you are not required to submit a note from a health care provider to qualify for the leave. However, you must still provide confirmation of your vaccine appointment.

Example:



Vaccine Day Date 5/5/2022

Sick: Remainder of 5/5/2021 (no note)

Sick: 5/6/2022 (no note)

Sick: 5/7/2022 (no note)

Sick: 5/8/2022 (note required)

Time off for symptoms or side effects cannot be pre-approved. You must call in sick on a day-by-day basis.

NOTE: The same restrictions apply if you are caring for a family member that is experiencing from the COVID-19 vaccine.

17. I am experiencing COVID-19 symptoms and I'm seeking a diagnosis. Do I need to submit a note from a health care provider (Reason 5)?

No, a note from a health care provider is not required. You will only need to submit proof that you sought a diagnosis. The use of a home-kit is not acceptable for seeking a diagnosis.

Once your test results come back negative, you will no longer qualify to use SPSL as it has been confirmed that you do not have COVID-19. You may use your own accruals if you continue to experience symptoms.

If you are seeking testing for other reasons (i.e. attending an event or traveling) you would not qualify for SPSL.

Finally, you must take the earliest available testing appointment and keep your supervisor updated on your continued need for leave, including any delays in receiving your results.

18. I was sent home due to experiencing symptoms. Would I qualify for Supplemental Paid Sick Leave SB-114 (Reason 5)?

Yes, but only if you seek a diagnosis for COVID-19. As noted above, once your test results come back negative, you will no longer qualify to use SPSL. You may use your won accruals if you continue to experience symptoms.

19. Can I use Supplemental Paid Sick Leave-SB114 if my family member is experiencing symptoms and seeking a diagnosis?

No, SPSL does not cover family members that are experiencing symptoms.

20. Can I use Supplemental Paid Sick Leave-SB114 to care for a family member that is subject to a COVID-19 quarantine or isolation period (Reason 6)?

Yes, you may use up to 40 hours (SPSL-General) of your Supplemental Paid Sick Leave-SB114 to care for a family member.



In order to use SPSL for this purpose, your family member will need to take a test to shorten their quarantine period as allowed in the most current health order. If your family member does not test as allowed under the health order, your leave will not be extended past the shortest of the quarantine options.

Additionally, if your family member is asymptomatic and fully vaccinated, the quarantine is not triggered and you would not qualify for this leave.

Similarity, if your child is under quarantine due to a school exposure, you will need to test him/her in accordance to the options given by the school to shorten their quarantine. If he/she is vaccinated and asymptomatic, a quarantine would not be triggered.

If your family member tested positive for COVID-19, please refer to question 22 below.

21. My child's school closed; can I take time off to make child-care arrangements (Reason 7)?

Effective retroactively to January 1, 2022, you may be eligible to use up to 40 hours of Supplemental Paid Sick Leave-SB114 if your child's school or place of care is closed or otherwise unavailable for reasons related to **COVID-19 on the premises.**

As updated by the Department of Industrial Relations on April 29, 2021, the school must be closed, or partially closed, after a concern that a person who had been present on the school or daycare was exposed to, or has contracted COVID 19.

Therefore, unless your school has notified you that they are closing due to a COVID-19 exposure or COVID-19 positive individual at the premises, you will not qualify to take this leave.

Nonetheless, you may be entitled to SPSL for other reasons if your child is required to quarantine due to a close contact at school (refer to question 20).

22. What documentation will I need if my family member or myself test positive for COVID-19 (Reason 8)?

In order to qualify for the use of SPSL-Positive, you will need to submit proof of a COVID-19 positive result. This applies even if the leave is for your family member.

Absent confirmation of a COVID-19 positive test you will not be eligible for this leave. A home-kit result cannot be used to satisfy this requirement as it is both a self-administered and self-confirmed result. Nonetheless, refer to question 41 in the COVID-19 Policies & Guidelines (available online) for reporting requirements.

23. In what cases will I qualify to use both SPSL-General and SPSL-Positive together (up to 80 hours)?

Since SPSL-Positive only applies when you or a family member you are caring for tests positive for COVID-19, combining the leaves will only occur in limited circumstances.

As an example, you may use SPSL-General if you have symptoms and seeking diagnosis. If



your test comes back positive, you could then begin to use SPSL-Positive for the remainder of your leave.

For your family member, if you are caring for them because they were a close contact and they are under quarantine you would use SPSL-General for the first part of their quarantine. If they later test positive, you could then begin to use SPSL-Positive to continue to care for them.

Finally, if you or your family member cannot end your quarantine or isolation period due to testing positive on the fifth day, you would combine your SPSL to cover your longer quarantine period (reason 1, 2 & 8). If you decide not to test to end your isolation or quarantine period early, you will not qualify for SPSL past the fifth day.

Please refer to question 37 of the COVID-19 Policies and Guidelines (available online) for additional details on isolation/quarantine and testing requirements.