

FAQs for new Supplemental Paid Sick Leave for Qualifying Reasons related to COVID-19 (SB 95)

Governor Gavin Newsom signed Senate Bill 95, codified at Labor Code section 248.2, which provides a new form of COVID-19 Supplemental Paid Sick Leave to employees who are unable to work or remotely work for certain qualifying COVID-19 related reasons. This new employee entitlement is retroactive to January 1, 2021 and will expire on September 30, 2021.

The following FAQs were developed by Human Resources based on legal guidance. Please contact Human Resources for questions regarding this information.

1. Under what qualifying reason may an employee take a COVID-19 Supplemental Paid Sick Leave ("COVID-19 SPSL")?

In order for an employee to qualify for COVID-19 SPSL, the employee must be unable to work or telework due to one of the following qualifying reasons:

- a. The employee is subject to a COVID-19 quarantine or isolation period as specified in an order or guideline by the California Department of Public Health, federal Center for Disease Control ("CDC") or a local health officer with jurisdiction over the workplace.
- b. The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- c. The employee is attending an appointment to receive a COVID-19 vaccine.
- d. The employee is experiencing symptoms related to a COVID-19 vaccine that prevent the employee from being able to work or remotely work.
- e. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- f. The employee is caring for a family member who is subject to an order or guidelines described in 1.a. or 2.a., above.
- g. Employee is caring for a child whose school, place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.

For purposes of this guidance, "child" is not restricted by age, nor is it required that a child over 18 years old be incapable of self-care.

2. Who is eligible for COVID-19 SPSL?

All public employees are eligible for COVID-19 Supplemental Sick Leave regardless of how long the employee has been employed with the District.

3. How much COVID-19 SPSL is an employee eligible to take?

Full-time employees are eligible for up to 80 hours of COVID-19 Supplemental Paid Sick Leave. Part-time employees will be entitled to a prorated amount of such leave based on their normally scheduled work hours over a two-week period.

Note: Applicable to Short-Term, Non-continuing (STNC), Professional Expert, and Student Employees, SPSL is in addition to paid leave an employee is entitled to receive under the Healthy Workplaces Healthy Families Act.

4. How will I be compensated during the COVID-19 SPSL?

Employees will be paid the same rate as if they were taking sick leave.

5. How do employees utilize COVID-19 SPSL?

Employees are entitled to use SPSL upon verbal or written request before use of other regular paid or unpaid leave provided by the District. Represented unit members must comply with the leave processes set forth in their respective collective bargaining agreements.

6. What is the effective period of the COVID-19 SPSL?

The COVID-19 SPSL is currently effective, and is retroactive to January 1, 2021. Employees may request retroactive application of COVID-19 SPSL verbally or in writing to Danielle Donica at ddonica@santarosa.edu or Linda Jay at ljay@santarosa.edu.

The COVID-19 SPSL will end on September 30, 2021. Employees taking this leave at the time of expiration will be permitted to take the full amount of leave that they would have otherwise have been entitled to.