

Legal Update

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California Passes Supplemental Paid Sick Leave for COVID-19

California has enacted a new [supplemental paid sick leave law](#) requiring employers with more than 25 employees to provide them with up to **80 hours** of paid leave for specific COVID-19-related reasons. The requirement takes effect on Feb. 19, 2022, but it is **retroactive to Jan. 1, 2022**. California previously had a similar law in effect that expired on Sept. 30, 2021.

Compensation is limited to \$511 per day and a total of \$5,110 per worker.

Covered Employers and Employees

The new law applies to **employers with more than 25 employees**. Employees are covered if they are unable to work or telework for an employer because of:

1. A quarantine or isolation order, guidance or advice pertaining to themselves or a family member;
2. A COVID-19 vaccination appointment for themselves or a family member (including vaccine boosters);
3. Their own or a family member's vaccination recovery (limited to three days);
4. Their own symptoms of COVID-19 while seeking a medical diagnosis; or
5. The care of a child whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.

Workers are also entitled to the leave if they or a family member they care for tests positive for COVID-19.

Amount of Supplemental Paid Sick Leave

Full-time employees receive 40 hours of the leave for reasons one through five above, plus 40 more hours for positive COVID-19 testing. Part-time and variable-hours employees receive an amount calculated according to their work schedule, as do firefighters. Supplemental paid sick leave must be provided in addition to any accrued paid sick time required under California law.

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Important Dates

Jan. 1, 2022

California's new COVID-19 supplemental paid sick leave requirement is retroactive to this date.

Feb. 19, 2022

California's new COVID-19 supplemental paid sick leave requirement takes effect.

Sept. 30, 2022

New COVID-19 supplemental paid leave requirement expires.

Supplemental paid sick leave must be provided in addition to other paid sick leave accrued under California law.