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| HUMAN RESOURCES MEMORANDUM 20-007 | DATE ISSUED: 04/02/2020 |
| SUBJECT: EMERGENCY PAID SICK LEAVE ACT | REFERENCE: CalHR 2127 |
| TO: All DGS Employees | SUPERCEDES: None |

PLEASE ENSURE THAT THIS INFORMATION IS SHARED WITH YOUR EMPLOYEES

Purpose

The purpose of this memorandum is to provide information on sick leave related to COVID-19 due to the Families First Coronavirus Response Act (FFCRA).

Background

Effective April 1, 2020, the Federal Government enacted FFCRA, which enacted both the Emergency Paid Sick Leave Act (EPSLA) and the Emergency Family and Medical Leave Expansion Act (see HR Memo 20-008).

Emergency Paid Sick Leave Act

Under EPSLA, employees are entitled to up to 80 hours of emergency paid sick leave related to COVID-19. Specifically, employees can use the paid sick leave if they are:

1. Subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. Advised by a health care provider to self-quarantine related to COVID-19;
3. Experiencing COVID-19 symptoms and are seeking a medical diagnosis;
4. Caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
5. Caring for his or her child whose school or place of care is closed (or child care provider is unavailable) due to COVID-19 related reasons; or
6. Experiencing any other substantially-similar condition specified by the U.S. Department of Health and Human Services.

The employee's time base determines the number of paid sick leave hours the employee is entitled to receive.

- Full-time employees receive up to 80 hours of paid sick leave at the employee's regular rate of pay.
- Part-time employees with a set time base receive a prorated amount based on their time base.
- Intermittent employees. Departments must:
 - Take the past six-months of work and calculate the average number of hours to determine the average daily hour entitlement; if the employee has not worked six months, then;
 - The number of hours the employer and employee agreed they would work each week upon hire.

Paid sick time for this purpose will be documented in the Project and Accounting Leave (PAL) system using alias ATO-E-PSLA.

Any previous Administrative Time Off provided to employees due to COVID-19 prior to April 1, 2020, does not count toward the employee's emergency paid sick leave entitlement.

Employers may not discharge, discipline, or otherwise discriminate against any employee based upon the employee's use of emergency paid sick leave.

The paid sick leave hours provided under the EPSLA expire on December 31, 2020.

Notice Requirements

Effective immediately, departments must post the notices required by the Department of Labor. The postings can be found at: <https://www.dol.gov/agencies/whd/pandemic>.

Departments should post the notices at the worksite, distribute them electronically to all staff, as well as post them on the department's website or intranet site.

Expiration

The FFCRA expires on December 31, 2020.

Reporting/Timekeeping

Employees must follow their standard program procedure in order to request time off under the EPSLA.

The newly established alias for documenting leave usage for EPSLA in PAL is available for immediate use: Alias Code – ATO-E-PSLA

Questions

If you have questions, please contact Amy Applegate at (916) 376-5428 or via e-mail at Amy.Applegate@dgs.ca.gov.

AMY APPLGATE, Personnel Officer
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