

**Chico State Enterprises Announcements**  
**Tuesday, March 30, 2021****2021 COVID-19 Supplemental Paid Sick Leave**

The California Legislature approved and Governor Newsom signed a measure that extends and expands a requirement for employers to provide supplemental paid sick leave to employees impacted by COVID-19. The measure went into law on March 19<sup>th</sup> and takes effect on March 29<sup>th</sup>. The measure will expire on September 30, 2021.

[2021 COVID-19 Supplemental Paid Sick Leave Poster](#)

The 2021 COVID-19 Supplemental Sick Leave is an extension of the California Supplemental Paid Sick Leave that expired on December 31, 2020 with a notable difference. Previously, supplemental paid sick leave was required only for employees who leave the home to perform work. The new requirement instead applies to employees who are “unable to work or telework” due to one of the qualifying reasons.

The new law maintains two of the previous qualifying reasons contained in the prior legislation. An employee who satisfies one of the following conditions may qualify for leave:

1. The worker is subject to a quarantine or isolation “period” related to COVID-19; or
2. The worker is advised by a health care provider to self-quarantine or isolate due to concerns related to COVID-19.

Most significantly, the new legislation adds five additional qualifying reasons for paid sick leave as follows:

1. The employee is attending an appointment to receive a vaccine for protection against contracting COVID-19;
2. The employee is experiencing symptoms related to a COVID-19 vaccine that prevent the employee from being able to work;
3. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis;
4. The employee is caring for a family member (minor or adult child, parent, spouse, domestic partner, grandparent, grandchild, or sibling) who is subject to a quarantine or isolation period, or who has been advised to self-quarantine; or
5. The employee is caring for a child (regardless of age) whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.

Like the legislation enacted last year, a worker considered to be “full-time” by the employer is entitled to 80 hours of COVID-19 supplemental paid sick leave. Part-time employees are eligible for variable leave amounts based upon hours worked. A worker who has a normal weekly schedule is entitled to paid leave hours equaling the total number of hours they are scheduled to work over

two weeks. An individual who works a variable number of hours is eligible for leave time equal to 14 times the average number of hours the individual worked each day in the six months before the leave date. The calculation for a worker employed less than six months is generally made over the entire period of employment.

The new law also provides that it shall apply retroactively to January 1, 2021. The new law sets forth a process for retroactive payments as follows:

- If an employee previously took leave on or after January 1, 2021, that otherwise would have qualified under COVID-19 supplemental paid sick leave and the employer did not provide paid leave, then upon written request of the employee, the employer shall provide the covered employee with a retroactive payment that provides for such compensation. Written communication should be made to [csehr@csuchico.edu](mailto:csehr@csuchico.edu).
- For such retroactive payments, the number of hours of leave corresponding to the amount of the retroactive payment shall count towards the total number of hours of COVID-19 supplemental paid sick leave that the employer is required to provide to the covered employee under the new mandate.
- Any retroactive payment shall be paid on or before the payday for the next full pay period after the written request.