

## FREQUENTLY ASKED QUESTIONS

### ***1. What is the Paid Sick Leave Law?***

California's Healthy Workplaces/Healthy Families Act of 2014, also known as California's Paid Sick Leave Law, provides employees with the right to accrue and use sick leave and to be compensated for such leave. The new law establishes minimum standards for paid sick leave and requires employers to provide such leave to eligible employees upon oral or written request, within the parameters of the law, for the following purposes:

- Diagnosis, care, or treatment of an existing health condition of, or preventive care for an employee or an employee's qualified family member;
- Specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking.

### ***2. When does the law go into effect?***

The new law became effective January 1, 2015; however, the provisions of the law permit employees to accrue and utilize paid sick leave under the law takes effect on July 1, 2015.

### ***3. What is the San Joaquin County Paid Sick Leave Policy?***

In accordance with the Paid Sick Leave Law, the San Joaquin County Paid Sick Leave Policy was adopted to provide sick leave benefits for employees who are otherwise not entitled to paid sick leave through an existing Memorandum of Understanding (MOU) or Resolution. This includes part-time, temporary, and employees working pursuant to an employment contract. SJCERA retirees are exempt from this new policy.

The policy outlines provisions for paid sick leave accrual and usage which comply with the minimum requirements of the law.

Most full-time employees currently accrue paid sick leave benefits through an existing MOU or Resolution. Human Resources will be meeting with employee organizations to expand the scope of the current sick leave benefits to include utilization of sick leave for specified purposes by an employee who is the victim domestic violence, sexual assault, or stalking.

### ***4. When and how will I accrue paid sick leave hours?***

Current employees will begin accruing sick leave as of July 1, 2015. Employees hired on or after July 1, 2015, will begin accruing leave upon their date of hire. Employees will accrue paid sick leave at the rate of one (1) hour per every thirty (30) hours worked, including regular and overtime hours.

HEALTHY WORKPLACES/HEALTHY FAMILIES ACT OF 2014  
PAID SICK LEAVE

---

**5. *How much time can I accrue?***

Up to a maximum of six (6) days or forty-eight (48) hours can be accrued per fiscal year, whichever is greater based on an employee's regular work schedule. Unused, accumulated sick leave can be carried over from year to year, subject to the maximum accrual amounts.

**6. *I work an alternate work schedule of 10-hour shifts. How will my sick leave accruals be calculated?***

An employee's maximum accrual amount will be capped at six (6) days or forty-eight (48) hours, whichever is greater based on their regular work schedule. An employee who regularly works a 10-hour shift can accrue up to a maximum of six (6) days or sixty (60) hours of paid sick leave. Likewise, an employee who regularly works a 12-hour shift may accrue up to six (6) days or seventy-two (72) hours of paid sick leave.

**7. *When can I use accrued paid sick leave?***

Employees may begin taking accrued leave on the 90<sup>th</sup> calendar day of employment.

**8. *I have been an employee for five (5) years, and I now earn paid sick leave under this policy. Do I have to wait 90 days from July 1<sup>st</sup> to use my leave?***

No. Since you have been employed for five years, you have met the 90-day requirement by July 1, 2015. However, you only begin accruing paid sick leave from July 1, 2015. Accordingly, you may begin using paid sick leave as soon as you have enough accrued hours available (see Question #9).

**9. *How much paid sick leave can I take?***

You determine the amount of leave to take, however, you are required to take a minimum of two hours when using accrued sick leave. The maximum amount of leave you may take is three (3) days or twenty-four (24) hours per fiscal year, whichever is greater depending on your work schedule and so long as you have the accruals to support the leave.

**10. *Can I elect to not use my accrued sick leave?***

No. If you take leave for purposes outlined in the policy, you must use sick leave if you have the minimum amount available to use. (see Question #9).

**11. *What happens if I need to use sick leave but I do not have enough accrued leave available?***

Employees must have accrued sick leave available at the time of usage in order to be compensated for time off taken for reasons set forth in the policy, subject to minimum usage requirements. Otherwise, the employee's time off will be without compensation. Advance accruals are not provided.

***12. Temporary Staffing Agency Employees***

Employees of temporary staffing agencies who are assigned to work at San Joaquin County facilities are not considered County employees and therefore are not covered under this policy. The temporary staffing agency is the party responsible for providing paid sick leave to its eligible employees and its responsibility should be documented in all written agreements for services.

***13. I already receive sick leave accrual under an existing MOU/Resolution agreement. Does this policy apply to me?***

If you already receive an accrual for sick leave based on your MOU or through a Resolution that meets or exceeds the minimum accrual rate provided by the law, your benefit will continue. There will be no change to your sick leave accrual and that portion of the law does not apply to you. However, the sick leave usage is expanded by this law and if you are a victim of domestic violence, sexual assault or stalking then you may be allowed to use up to 24 hours or 3 days of paid sick leave each fiscal year for specified purposes related to addressing those issues.

***14. If I am eligible for paid sick leave under this new policy, would I be eligible for Catastrophic leave?***

The paid sick leave plan under this new policy is not eligible for catastrophic leave donations.

***15. I am a retiree annuitant that works part-time. Am I eligible for paid sick leave under this new policy?***

SJCERA retirees working for the County are not eligible for paid sick leave under the new policy.