

OVERVIEW – 2021 COVID-19 Supplemental Paid Sick Leave (SPSL)

- Governor Newsom signed into law SB 95 on March 19, 2021 with new obligations on public agencies to provide 2021 COVID-19 Supplemental Paid Sick Leave (Labor Code § 248.2).
- SB 95 went into effect March 29, 2021, retroactively to January 1, 2021 and is set to expire September 30, 2021.
- The purpose of emergency pandemic law is to prevent infection and spread by excluding people who have symptoms or exposures without demanding medical certification or positive test.
- Departments are encouraged to continue to explore telework options, when feasible, and to approve employee leave requests for use of SPSL that meet the criteria established in SB 95.
- COVID-19 safety protocols for screening and investigations are to continue.

Qualifying Reasons for Leave (must be unable to work/telework)

Caring for Self

1. Subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidelines of the CDC, CDPH, or local health officer (PHS)
2. Advised by a healthcare provider to self-quarantine due to concerns related to COVID-19
3. Experiencing symptoms of COVID-19 and seeking medical diagnosis

Caring for Family Member

4. Caring for a family member who is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidelines of CDC, CDPH, or local health officer (PHS)
5. Caring for a family member that has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19
6. Caring for a child whose school or place of care is closed or unavailable due to COVID-19 on the premises.

Vaccine

7. Employee is attending a vaccine appointment; or cannot work or telework due to COVID-19 vaccine related symptoms

Overview of COVID-19 Supplemental Paid Sick leave

Leave Amount

- All SJC employees are eligible for SPSL
- Full-time – Up to 80 hours
- Part-time – The number of available leave hours are pro-rated based on average hours worked 6 months preceding the date from initial request.
- Unused SPSL have no cash out value (e.g., separation from County service).

Compensation for Leave

- SPSL will be applied as an hourly leave benefit based on the employee's hourly rate of pay up to a maximum of \$511 per day and \$5,110 in total.

Retro Active Leave Usage

- Retroactively to January 1, 2021:
- Employees who were approved unpaid leave or used accrued leave for one of the qualifying reasons between January 1, 2021 and March 28, 2021 are eligible for retroactive supplemental paid leave not to exceed maximum amount.

Documentation Requirement for use of SPSL

- Employees must submit the Request for COVID-19 Paid Sick Leave form to immediate supervisor for approval.
- Request related to childcare needs (i.e., school or place of care closure or otherwise unavailable) related to COVID-19 must present current verification.

SPSL Usage and Time Reporting

Intermittent Leave Use

- Eligible employees may use SPSL intermittently if they are unable to work or telework to care for an employee's child whose school or place of care is closed (or childcare provider is unavailable) due to COVID-19 related reasons.

Timesheets Documentation

- Employees completing paper timesheets must clearly document on their timesheet in the comment section or location as defined by the department that SPSL is being utilized.
- For example: SPSL should be identified in the comment section, along with the dates and hour taken.
- NOTE: To ensure proper processing, complete and submit Request for COVID-19 Paid Sick Leave to your immediate supervisor.

Time Reporting Codes

- All employees can expect to see a new SPSL bank on their check by April 16, 2021:
 - Full-time – Up to the maximum amount
 - Part-time – Notation “variable” pending proration of hours upon initial request
- The following time reporting codes are to be used when reporting use of SPSL:
 - SPSL - SupPdSkLv
 - SPSLE - SupPdSkLvE (evening)
 - SPSLN - SSupPdSkLvN (night)