

COVID-19 Pandemic Paid Sick Leave Notice to Employees

Amendments to Chapter 9-4100

Healthcare Employee Pandemic Paid Sick Leave

Employer requirements:

Starting September 9 2020, Healthcare employers must provide certain Healthcare Workers (including pool employees and service employees) with paid sick leave when the employee tests positive for COVID-19. This includes hospitals, nursing homes, and home health providers.

In order to qualify, the eligible employee must have worked at least 40 hours within the three months prior to the positive COVID-19 test. In order to use your health care employee leave, you must request it from your employer.

Pandemic Paid Sick Leave

COVID-19 Leave, 2022- 2023 Employer requirements:

Starting March 9, 2022 until December 23, 2023, employers with **25 or more employees** must provide **up to 40 hours of additional paid sick leave** to eligible employees when they are unable to work for certain COVID-19 reasons, including:

- 1) Care for self or family member showing symptoms of COVID-19.
- 2) Care for self or family member exposed to COVID-19 in order to self isolate.
- 3) Childcare or school closure.
- 4) In order to receive a COVID-19 test, vaccine or recover from injury, disability or illness related to vaccination.

This paid sick leave must be provided outside of and prior to using the eligible employee's existing accrued paid time off banks for eligible employees **including most full time employees, part time employees, and union employees.** COVID-19 Leave must be provided to employees immediately with no waiting period.

An employer is permitted only to request that an employee submit a self-certified statement, asserting that leave was used according to the purposes listed above.

**Review the law or contact our office for more information. Covered employers whose existing leave policies provide 120 hours or 112.5 hours or more of paid sick leave that can be used for the same purposes under the same conditions of COVID-19 Leave may not be required to provide additional paid sick leave.*

Public Health Emergency Leave, 2021 Employer requirements:

Starting March 29 2021 until June 10, 2021 , employers with **50 or more employees** must provide **up to 80 hours** of paid sick leave to certain employees who request it for certain COVID-19 reasons including:

- 1) Care for self or family member showing symptoms of COVID-19.
- 2) Care for self or family member exposed to COVID-19 in order to self isolate.
- 3) Childcare or school closure.
- 4) In order to receive a vaccine or recover from injury, disability or illness related to vaccination.

This paid sick leave must be provided outside of and prior to using the eligible employee's existing accrued paid time off banks for certain employees.

Covered employers whose existing leave policies provides 160 hours or more of paid time off in 2021 that is not specifically designated as sick leave but can be used for the same purposes under the same conditions as required by this law shall not be required to provide additional paid sick leave.

In order to use your emergency leave, you must request paid sick leave from your employer. Eligible employees must be employed for 90 days or more.

Retaliation by employers is prohibited.



The Office of Worker Protections
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Employers
Request compliance
assistance by contacting the
Office of Worker Protections

Employees
File a complaint
by contacting the Office of
Worker Protections

Our office will not ask for identification or social security information. Language access is available.