

## Mandatory Paid Sick Leave

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If, as expected, Governor Brown signs into law the “Healthy Workplaces, Healthy Families Act of 2014”, employers in California will be required to provide workers with three paid sick days per year. The newly passed legislation will take effect on July 1, 2015.

Beginning on July 1, 2015, employees will accrue one hour of paid sick leave for every 30 hours worked. Employers can cap the use of paid sick leave days to 24 hours or 3 days in each year of employment. Employees may use their accrued sick days beginning on their 90<sup>th</sup> day of employment. Exempt employees may accrue paid sick leave days based on a presumed 40 hour work week.

Unlike paid vacation leave, employers are not required to pay out accrued unused sick leave at the time of termination. Further, no accrual or carryover is required in the event an employee fails to use his or her full amount of leave at the conclusion of one year.

Employees can use their paid sick days for their own health condition, a family member’s health condition, or if the employee is a victim of domestic assault, sexual violence, and/or stalking.

Employers will have to comply with notice and record-keeping burdens and those who do not already provide at least 3 days of paid time off for sick leave will have to amend their policies and handbooks.

Certain employees will be exempt from the provisions of the new law. Employees whose terms of employment are governed by a collective bargaining agreement which, among other things, provides for paid sick leave, are exempt. Also exempt are construction employees covered by collective bargaining agreements with provisions relating to paid sick leave.

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