

Mandatory Paid Sick Leave

September 3, 2014

By Gerald A. Griffin, Esq.

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 90th 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.

For more information contact:

[Gerald A. Griffin, Esq.](#)

Gibbs Giden Locher Turner Senet & Wittbrodt LLP

1880 Century Park East, 12th Floor

Los Angeles, California 90067

Phone: (310) 552-3400

email: jgriffin@ggltsw.com

The content contained herein is published online by Gibbs Giden Locher Turner Senet & Wittbrodt LLP ("Gibbs Giden") for informational purposes only, may not reflect the most current legal developments, verdicts or settlements, and does not constitute legal advice. Do not act on the information contained herein without seeking the advice of licensed counsel. For specific questions about any of the content discussed herein or any of the content posted to this website please contact the article attorney author or send an email to info@ggltsw.com. The transmission of information on this, the Gibbs Giden website, or any transmission or exchange of information over the Internet, or by any of the included links is not intended to create and does not constitute an attorney-client relationship. For a complete description of the terms of use of this website please see the Legal Disclaimer section at <http://www.ggltsw.com/ggltsw-legal>. This publication may not be reproduced or used in whole or in part without written consent of the firm.

Copyright 2014 Gibbs Giden Locher Turner Senet & Wittbrodt LLP