



JUNE 2015

Compliance Deadline Reminder: New California Sick Leave Law Goes Into Effect July 1

California's new sick leave law, the Healthy Workplaces, Healthy Families Act of 2014 (AB 1522), goes into effect July 1, 2015. Some of the key provisions of the law include:

1. The law applies to any employee who works 30 or more days within a year from the commencement of employment, including not only full-time employees, but also part-time workers, seasonal workers and temporary workers.
2. Employees are entitled to accrue paid sick leave of no less than one hour for every 30 hours worked.
3. An employer may cap the amount of sick leave an employee can accrue at 48 hours or six days per year, and any unused and accrued sick leave must carry over to the next year.
4. An employer may also limit the use of sick leave by an employee to 24 hours or three days per year.
5. An employee is entitled to use accrued sick leave beginning on the 90th day of employment.
6. Employers are not required to provide compensation to an employee for accrued, unused sick leave upon separation from employment.
7. Employers are required to provide written notice each payday of the amount of paid sick leave available to the employee, either as part of the employee's itemized wage statement or in a separate writing on designated pay dates.
8. The employer must display a poster in a conspicuous place that includes the main features of the new law. A sample poster is available here: <http://www.dir.ca.gov/dlse/ab1522.html>.
9. If an employee separates from an employer but is rehired within one year, previously accrued but unused sick leave must be reinstated and made available for the employee's use.
10. The rate of pay for paid sick leave is the employee's regular hourly wage.
11. An employer is required to keep records for at least three years documenting the hours worked and paid sick leave accrued and used by an employee.

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12. Sick leave may be used for the diagnosis, care or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member.
13. Sick leave may also be used for specified purposes for an employee who is a victim of domestic violence, sexual assault or stalking, such as:
 - a. obtaining or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order or other injunctive relief, to help ensure the health, safety or welfare of the victim or his or her child;
 - b. seeking medical attention for injuries;
 - c. obtaining services from a domestic violence shelter, program, or rape crisis center; obtaining psychological counseling.

An employer is not required to follow the accrual method the new law provides if it has a policy that provides no less than 24 hours or three days of paid time off that may be used for sick leave at any time during each year of employment.

California employers need to review their sick leave policies, payroll practices, employee notices and recordkeeping practices to ensure compliance with the new law. Should you have any questions about this new law, please do not hesitate to contact us.

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