

COVID-19 Updates to Paid Sick Leave by State (as of 4-10-20)

State (Locality)	Effective Date	Eligibility/Reasons	Amount and Usage	Employer Coverage/Exemptions	Other Information
Arizona	3/25/2020	<p>The guidance explains that employees may use their earned paid sick time under the EXISTING state Fair Wages and Healthy Families Act if:</p> <ul style="list-style-type: none"> they or a family member contracts or must be tested for COVID-19; their place of business has been closed by a public official's order due to COVID-19; they must care for a child whose school has been closed by a public official's order due to COVID-19; or they are quarantined or must care for a family member quarantined due to potential exposure to COVID-19. 	Limited to current PSL rules.		

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California (Los Angeles)	April 7, 2020 until 2 weeks after the COVID-19 local emergency period expires.	<p>Applies to employees employed continuously by the same employer between Feb. 3 and Mar. 4, 2020, except first responders and health care providers.</p> <p>Employees are entitled to supplemental paid sick leave if they take time off of work because they:</p> <ul style="list-style-type: none"> • have been recommended by a public health official or health care provider to isolate or self-quarantine; • are at least 65 years old or has a health condition such as heart disease, asthma, lung disease, diabetes, kidney disease, or weakened immune system; • need to care for a family member who is not sick but has been required or recommended to isolate or self-quarantine; or • need to care for a family member whose senior care provider or school or child care provider is closed due to a public health recommendation. 	Full-time employees who work at least 40 hours per week will receive 80 hours of supplemental paid sick leave and part-time employees will receive two weeks of their average pay, for a maximum amount of \$511 per day and \$5,110 total for both types of employees. Employers can reduce the amount of leave required under the ordinance by the amount of any COVID-19 leave they have already provided on or after March 4, 2020.	<p>Covered Employers: The ordinance applies to employers with 500 or more employees within Los Angeles or 2,000 or more employees within the US.</p> <p>Exemptions:</p> <ul style="list-style-type: none"> • Employers of first responders and health care providers, and global parcel delivery employees. • COVID-19 leave can be waived in a CBA. <p>New businesses in Los Angeles, government agencies working in the course of their public service employment, and businesses that have either been shut down for 14 or more days or provided at least 14 days of leave are exempt.</p>	Existing Policies: COVID-19 leave must be provided in addition to leave under any existing leave law or policy (except FFCRA).

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California (San Francisco)	4/1/2020	<p>Updated Office of Labor Standards Enforcement guidance allows employees affected by COVID-19 to use ANY paid sick leave if:</p> <ul style="list-style-type: none"> • public health officials or health care providers require or recommend isolation or quarantine; • the employee meets the definition of "vulnerable population"; • the employee is out of work due to their employer temporarily ceasing operations in response to a public health official's recommendation; • the employee needs to provide care for a family member who has been required or recommended to isolate or quarantine; or • the employee needs to provide care for a family member whose school, child care provider, senior care provider or work is temporarily closed in response to a public health official's recommendation. 	Additional week after exhausting all other benefits.	The Workers and Families First Paid Sick Leave Program will reimburse employers for paying an additional week of sick leave to their employees. All San Francisco employers with full- and part-time employees are eligible for reimbursement after exhausting their own sick leave policies and any sick leave available under state and federal policies. After April 1, 2020, employers with 200 to 499 employees must exhaust the additional 80 hours of paid sick leave required by the FFCRA before seeking reimbursement. The program reimburses employers for up to 40 hours at \$15.59 per hour (\$623) per employee and requires employers to pay the remaining cost if the employee's wage is above \$15.59. Employers with fewer than 50 employees are only required to pay up to \$30 per hour.	
California (San Jose)	April 7, 2020 through December 31, 2020	<p>Employees can use paid sick leave if they are:</p> <p>subject to or are caring for someone subject to quarantine or isolation by federal, state or local order;</p> <p>advised to self-quarantine or caring for someone who has been advised to self-quarantine by a health care provider;</p> <p>experiencing COVID-19 symptoms and are seeking medical diagnosis; or</p> <p>caring for a minor child due to school or daycare closure.</p>	The ordinance requires employers to provide full-time employees with 80 hours of paid sick leave and part-time employees with sick leave equal to their average pay over a two-week period, with a cap of \$511 per day and \$5,110 total for both types of employees. Employees taking leave to care for a family member will receive 2/3 of their regular rate of pay, with a cap of \$200 per day and \$2,000 total.	Applies to employers not covered by the FFCRA (i.e., greater than 500 and fewer than 50 employees). Employers that pay personal leave that is at least equivalent to that required under the ordinance are exempt.	

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Colorado	<p>Effective Date: March 11, 2020, until the longer of either:</p> <ul style="list-style-type: none"> • 30 days after adoption on March 11. • The duration of the State of Disaster Emergency declared by the Governor, up to a maximum of 120 days after adoption. 	<p>Eligible Employees: All “employees” as defined under either Colo. Rev. Stat. Ann. §§ 8-1-101(6) or 8-4-101(5), including private and public sector employees.</p> <p>Permitted Uses: Leave may be used by an employee who both:</p> <ul style="list-style-type: none"> • Has flu-like symptoms. • Is being tested for 2019 novel coronavirus disease (COVID-19). <p>The paid sick leave ends if COVID-19 test is negative.</p>	<p>Leave Amount and Accrual: Up to 4 days paid sick leave for limited purposes.</p> <p>Leave Usage: Leave available immediately and for duration of emergency rule.</p>	<p>Covered Employers: Entities defined as “employers” under Colo. Rev. Stat. Ann. §§ 8-1-101(7) or 8-4-101(6) in the following industries:</p> <ul style="list-style-type: none"> • Leisure and hospitality. • Food services. • Child care. • Education at all levels (including related services, such as cafeterias and transportation to, from, and on campuses). • Home health care (working with elderly, disabled, ill, or otherwise high-risk individuals). • Nursing home or community living facility operations. 	<p>Existing Policies: PTO policies may comply if they allow employee to up to 4 days paid leave for COVID-19 testing, but employers must provide additional leave if a covered employee has exhausted all available PTO or has not yet accrued enough PTO or other paid leave.</p> <p>Advance Notice: To the extent feasible, employees and employers should comply with the procedures of the FMLA to pursue and provide paid sick leave under these rules, except that:</p> <ul style="list-style-type: none"> • No employer may terminate an employee who cannot provide documentation. • FMLA provisions do not narrow the rights and responsibilities under the emergency rules. Retaliation is prohibited.
New Jersey	3/25/2020	Earned Sick Leave (ESL). Employees may now use EXISTING ESL if they or a family member cared for by the employee have been ordered to isolate or quarantine by a public health official because their presence would jeopardize the health of others.			

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New York	3/18/2020	<p>Governor Andrew M. Cuomo passed an emergency bill (SB 8091) guaranteeing unpaid and paid sick leave and job protection for individuals who have been quarantined or isolated as a result of COVID-19.</p> <p>Applies to ALL employees.</p> <p>Permitted Uses: Leave may be used for an employee who is subject to a mandatory or precautionary quarantine order related to COVID-19, but not if an employee is:</p> <ul style="list-style-type: none"> Asymptomatic or has not yet been diagnosed with any medical condition. Physically able to work remotely. <p>Employees subject to a quarantine order or caring for a child subject to a quarantine order may be eligible for paid family leave benefits.</p> <p>However, no paid leave is available if quarantine is required because of employee's return from travel (not work-related) to a country with CDC Level 2 or 3 health warnings if the employee was given notice of the warnings. Employee can use other accrued paid leave or take unpaid leave for duration of quarantine.</p>	<p>Employers:</p> <p>with ten or fewer employees and net income of \$1 million or less must provide job-protected, unpaid sick leave for the duration of the quarantine or isolation and access to paid family leave and disability benefits;</p> <p>with ten or fewer employees and net income of greater than \$1 million must provide five days of paid sick leave, job protection for the duration of the quarantine or isolation, and access to paid family leave and disability benefits;</p> <p>with 11 to 99 employees must provide five days of paid sick leave, job protection for the duration of the quarantine or isolation, and access to paid family leave and disability benefits; and</p> <p>with 100 or more employees and all public employers must provide 14 days of paid sick leave and job protection for the duration of the quarantine or isolation.</p>	<p>Covered Employers: All private employers and public employers (as defined in Act).</p> <p>Exemptions: None specified.</p>	<p>Leave Amount and Accrual: Leave available only to the extent it is greater than federal benefits available under FFCRA.</p> <p>IMPORTANT NOTES:</p> <ul style="list-style-type: none"> If your employees are quarantined but are able to work from home they do not qualify for these benefits. If your business is closed due to COVID-19, your employees may immediately apply for Unemployment Insurance. <p>Existing Policies: This leave is in addition to leave provided under existing PTO or other leave policies.</p> <p>Additional Provisions:</p> <ul style="list-style-type: none"> Employer size is counted as of Jan. 1, 2020. Retaliation is prohibited and employee must be restored to the same position (job-protected leave).

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<p>Pennsylvania (Philadelphia)</p>	<p>3/16/2020</p>	<p>Philadelphia enacts Supplemental Emergency Regulation expanding the City's EXISTING paid sick time ordinance. The emergency regulation allows employees to use accrued sick leave for: self-quarantining due to COVID-19 symptoms or suspected exposure to COVID-19; caring for a family member due to school, child care, or adult care facility being closed; mandatory business closure; self-quarantine order from public official preventing employee or family member from traveling to work; or self-quarantining per recommendation of a health care professional or public health official because they or a family member have a greater risk of harm if they contract COVID-19.</p>			

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Washington (Seattle)	3/18/2020	<p>Employees may now take EXISTING paid leave when:</p> <ul style="list-style-type: none"> they need to care for themselves or a family member for an illness, injury, or health condition; they seek medical and preventative care for themselves or a family member; they have been recommended to self-quarantine by a public health official; their family member's school or place of care closes (regardless of whether the closure is made by public official); their place of business has been closed by a public official for health-related reasons; and they work for an employer with more than 250 employees and the business closes for any health or safety-related reason (regardless of whether the closure is made by public official). 			<p>Effective between April 8, 2020 and June 7, 2020, Seattle Office of Labor Standards (OLS) issued emergency rule preventing employers from requiring COVID-19 verification from a health care provider before allowing employees to use EXISTING paid sick time.</p> <p>Employers requiring verification for taking paid sick time must identify and provide alternatives for employees that are not unreasonably burdensome, including, for example:</p> <ul style="list-style-type: none"> • the employee's oral or written statement that their leave is for a covered purpose; or • documentation from other individuals (such as service providers) that, to their knowledge, the employee's use of paid sick leave is for a covered purpose.