

# POLITICO ALERT

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## Governor Signs Paid Sick Leave Bill

Today Gov. Jerry Brown signed Assembly Bill 1522, which will require nearly all California employers to provide a minimum of three paid sick days to their workers each year.

Business groups across the state, including NECA, opposed the legislation. While we opposed the measure throughout the process, we were able to secure amendments specifically for the construction industry that will provide construction employers with some relief from the new law.

Those amendments provide that:

1. Employees in the construction industry covered by a valid collective bargaining agreement entered into before January 1, 2015 are not covered by the new law.
2. Employees in the construction industry covered by a valid collective bargaining agreement entered into after January 1, 2015 are not covered by the new law if the collective bargaining agreement expressly waives the requirements of the new law in clear and unambiguous terms.

The new law will go into effect on July 1, 2015.

Additional important information:

- "Pay" is at the employee's base rate.
- The right to use paid sick leave begins at 90 days of employment.
- Sick leave accrues from the first day of employment.
- The employee earns an hour of sick pay for each 30 hours worked.
- The employer can limit paid sick leave to 3 days or 24 hours per 12 month period (rolling, calendar, or anniversary year).
- Accrued sick leave carries over to the next year. But the employer can cap accrual at 48 hours or 6 days.
- Personal time off (PTO) and existing sick plans may be sufficient if they satisfy the minimums in the law.
- Employees who are reinstated within 12 months from termination with the same employer are entitled to any sick leave that accrued while previously employed with that employer.
- No requirement to payout unused sick leave upon termination.
- The employer must include the accrued balance of sick pay on the employees wage statement or provide a separate document at each pay day.
- No private right of action. The law is enforced by the DLSE or the attorney general.

Please contact our office if you have questions.