



**COVID-19 Supplemental Paid Sick Leave (SPSL)
(Also referred to as SB 114)
Effective January 1, 2022 – September 30, 2022**

On behalf of Myisha Washington, Interim Vice Chancellor, Human Resources and Equal Opportunity:

Dear Colleagues,

As many of you have heard, on February 9, 2022, Governor Newsom signed Senate Bill 114 (SB 114), which creates new paid sick leave mandates in Labor Code section 248.6. The law takes effect immediately and is retroactive to January 1, 2022. The law is similar to SB 95 which was effective January 1, 2021, through September 30, 2021.

With the expiration of SB 95, the District elected to voluntarily extend the benefits of the FFCRA through June 30, 2022. **However, given the creation of SB 114, the District is electing to rescind the use of Families First Coronavirus Response Act (FFCRA) and replace it with the new paid sick leave mandates of SB 114, which extend into September 30, 2022.** We believe this is a better benefit to our employees as we continue to address cases relating to COVID exposures.

KEY POINTS

- Employees again are entitled to up to 80 hours of employer-paid sick leave for COVID-related absences through September 30, 2022, retroactive from January 1, 2022;
- Vaccine related absences are now covered absences for entitlement to paid sick leave;
- In certain instances, employers may require employees to provide documentation of COVID test results for themselves or family members in order to receive the paid sick leave.

The following Guidelines set forth certain rights and obligations regarding this leave.

GUIDELINES

Scope of Coverage:

These Guidelines will apply to all Covered Employees employed by District.

Effective Dates:

The Guidelines is effective immediately and the paid leave benefits provided herein shall be retroactive to January 1, 2022.

SB 114 benefits expire on September 30, 2022, unless the underlying law is extended, except that the District will provide a Covered Employee who is on supplemental paid sick leave at the time of the expiration of such benefits the full amount of supplemental paid sick leave to which the Covered Employee would otherwise be entitled.

Employees Eligible for SB 114:

All District Covered Employees are eligible for the supplemental paid sick leave if they are unable to work or telework for one or more of the enumerated reasons related to COVID-19 as set forth in these Guidelines.

Permitted Uses of Paid Sick Leave:

Employees may use SB 114 leave if the employee is "unable to work or telework" for any of the following reasons:

The employee is:

- Subject to a quarantine or isolation period related to COVID-19 as defined by federal, state, or local orders or guidance.
- Advised by a health care provider to quarantine or isolate due to COVID-19.
- or a family member is, attending an appointment to receive a COVID-19 vaccine or booster.
- or caring for a family member who is experiencing symptoms related to a COVID-19 vaccine or booster that prevent the employee from being able to work or telework.
- Experiencing COVID-19 symptoms and seeking a medical diagnosis.
- Caring for a family member who is subject to a quarantine or isolation order or guidance or who has been advised to self-quarantine or isolate by a health care provider due to concerns related to COVID-19.
- Caring for a child whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.

Amount of Sick Leave Available: Hours and Pay:

The maximum amount of SB 114 paid sick leave hours that an employer must provide to an employee is allocated differently than the 2021 COVID supplemental sick leave amount. Now, full-time employees are eligible to take up to 80 hours in the following manner:

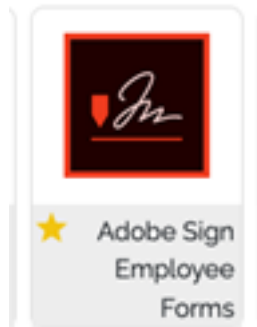
- Leave up to 40-hours is available if the employee tests positive for, or is caring for a family member who tests positive for, COVID-19 (the employer may require documentation regarding tests results before paying the leave time).
- Leave up to 40-hours is available for the other enumerated covered reasons (such as quarantine, vaccine appointments, school closures, etc.) except that the employer may limit time off for a COVID-19 vaccine or booster shot to three days or 24 hours unless a health care provider verifies the individual continues to experience symptoms.

Employee Obligations for Requesting Leave and Retroactive Coverage for Prior Leave that Qualified:

- If you reported your case to the District between September 30, 2021, and February 19, 2022, you were covered using FFCRA and the District is working to reimburse any sick leave, personal leave, vacation, unpaid or other leave between this time period.
- For all others who were/are impacted, having to take Sick Leave, Personal Leave, Vacation, Unpaid Leave or Other between the period of January 01, 2022, to present, we have the form that Human Resources will be using to document, and when necessary, reinstate COVID-related leave taken during those times. This form will also be used for any current leave taken through September 30, 2022.

To apply for the COVID19 Supplemental Paid Sick Leave (SPSL):

1. Log in to MyPortal
2. In the Apps area look for the Adobe Sign Employee Forms



3. Click on the FHDA Request for COVID Leave



4. Fill in the Supervisor Email with your direct supervisor's email

ENTER RECIPIENTS FOR SIGNATURE...

Recipients ?

Requester *

✉ Email

Supervisor Email *

✉ Email

HR representative *

✉ Email

Document Name *

5. Then scroll to the bottom and click Send



6. The COVID Leave form will pop up



Foothill-De Anza Community College District
District Office of Human Resources
12345 El Monte Road, Los Altos Hills, CA 94022

Request for SB114 COVID Leave

I, _____, certify that I am or was unable to work (or work remotely) for one or more of the following reasons:

I am/was subject to a quarantine or isolation period related to COVID-19 as defined by federal, state, or local orders or guidelines.

I have been/was advised by a health care provider to quarantine due to concerns related to COVID-19.

I am/was attending an appointment to receive a COVID-19 vaccine.

7. Complete the form with the appropriate information and sign.
8. The form will then route to your supervisor for acknowledgement.
9. Once completed by your supervisor, the form will be routed to Human Resources. We'll take it from there!

Additional Resources:

- Fact Sheet in English: <https://www.dir.ca.gov/dlse/COVID19resources/2022-COVID-19-SPSL-Poster.pdf>
- Fact Sheet in Spanish: <https://www.dir.ca.gov/dlse/COVID19resources/Spanish/2022-COVID-19-SPSL-Poster.pdf>
- FAQ's: <https://www.dir.ca.gov/dlse/COVID19Resources/2022-SPSL-FAQs.html>