



Frequently Asked Questions regarding Paid Sick Leave (AB 1522/AB 304/SB 616)

When does the new law take effect?	The state's new sick leave law went into effect on January 1, 2015. However, the right to begin accruing and taking sick leave under the law did not go into effect until July 1, 2015.
How do I qualify for paid sick leave?	To qualify for sick leave, an employee must work for the same employer, on or after January 1, 2015, for at least 30 days within a year in California and satisfy a 90 day employment period before taking any sick leave.
When am I entitled to take paid sick leave?	A qualifying employee begins to accrue paid sick leave beginning on July 1, 2015, or if hired after that date on the first day of employment. An employee is entitled to use paid sick leave beginning on the 90 th day of employment.
Why does the law take effect January 1, 2015 if I don't begin accruing until July 1, 2015?	The different dates are a result of the general effective dates of new legislation (on Jan 1 following enactment of the law) and the way the law was drafted, making some of its provisions operative on a specified date (July 1, 2015). The qualifying period that determines which employees are eligible for paid sick leave, and the qualifying period for employee notice required by Labor Code 2810.5 both became effective January 1, 2015; however the law provides that employees' right to accrue and take sick leave did not begin until July 1, 2015.
Does paid sick leave apply to all employees who perform substitute work for EGUSD?	All employees who work at least 30 days for the same employer within a year in California, including part-time, per diem and temporary employees, are covered by this new law with some specific exceptions. Employees exempt from the paid sick leave law include: <ul style="list-style-type: none">• Employees covered by collective bargaining agreements with specified provisions• Employees of the state, city, county, district or any other public entity who is a recipient of a retirement allowance and employed without reinstatement into his/her respective retirement system pursuant to either Article 8 of Chapter 12 of Part 3 of Division 5 of Title 2 of the Government Code, or Article 8 of Chapter 3 or Part 3 of Division 4 of the Title 3 of the Government Code. (PERS retirees)
What can I use paid sick leave for?	You can take paid sick leave for yourself or a family member, for preventive care or diagnosis, care or treatment of an existing health condition, or for specified purposes if you are a victim of domestic violence, sexual assault or stalking. <ul style="list-style-type: none">• Family members include the employee's parent, child, spouse, registered domestic partner, grandparent, grandchild, and sibling• Preventive care would include annual physicals or flu shots The employee may decide how much paid sick leave he/she wants to use (entire day or part of the day). Your employer can require you to take a minimum of at least two hours of paid sick leave at a time.
How do qualifying employees accrue sick leave hours?	Qualifying employees will earn one hour of paid sick leave for every 30 hours worked. Stipend pay is not applicable towards paid sick leave hours.

How is a year measured?	Fiscal year; July-June
How much sick leave can I be paid for in a year?	SB-616 would increase the sick leave accrual to 40 hours or 5 days per year beginning January 1, 2024. A qualifying employee may accrue up to 80 hours per year but will be allowed to be paid for 40 hours or 5 days of sick leave per year. The excess hours will rollover to the next year. At no time will an employee have more than 80 hours accrued.
Do I have to notify my employer before taking sick leave?	The employee must notify site/substitute services in advance if the sick leave is planned, as may be the case with scheduled doctors' visits. If the need is unforeseeable, the employee must give notice as soon as practical, as may occur in the case of unanticipated illness or a medical emergency.
How do I request to be paid for my sick leave?	A <i>Substitute Employee Paid Sick Leave Request Form</i> must be submitted to Substitute Services in advance or within 10 days of the absence. The request must be a minimum of 2 hours or half day for day to day certificated substitutes. <i>Note to Substitute Employees:</i> Please ensure all fields are completely filled out on the <i>Substitute Employee Paid Sick Leave Request Form</i> as this is required documentation and must be delivered to the Substitute Services Office no later than the 10 th of each month to be payable on the next available payroll. Failure to do so will result in the absence being considered as unauthorized and a non-paid day. Incomplete forms will be returned via email to the employee. It is the employee's responsibility to resubmit a completed form.
How much will I get paid?	You will receive your normal rate of pay for work performed in the last 90 days (excluding overtime pay)
When will I receive my sick leave pay?	Properly completed <i>Substitute Employee Paid Sick Leave Request Forms</i> are due by the 10 th of the month to be paid on the next normal payroll. If received after the 10 th of the month, it will be paid on the following payroll.
How will I know how much sick leave I have accrued?	Your total number of sick leave hours will be printed on your paystub. The hours printed will be in arrears by one month's pay period.
Do I have the right to cash out my unused sick leave?	No. Upon resignation/termination any unused sick leave will not be paid to the employee. If an employee returns within one year of resignation/termination date, the unused sick leave will be restored to the employee. If the employee returns after one year, the unused sick leave will not be restored.