




COUNTY OF TRINITY

Department of Human Resources I Risk Management
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TO: All Employees
 FROM: Shelly Nelson, HR Director/Risk Manager 
 SUBJECT: Protocols for 2022 Supplemental Paid Sick Leave for COVID-19 (SB114)
(Revised)
 DATE: May 13, 2022

***This memo is revised due to Cal/OSHA's Emergency Temporary Standard revisions effective May 06, 2022.**

Governor Newsom signed SB114 effective February 19, 2022. SB 114 requires California private and public employers with 26 employees or more to provide "Supplemental Paid Sick Leave" for qualifying COVID-19 leave events retroactive to January 1, 2022 through September 30, 2022.

Attached is (1) the notice from the California Department of Industrial Relations defining qualifying reasons that an employee may enter a request (orally or in writing) to use this new emergency leave and the amounts of leave allowed for full-time, part-time employees and (2) Trinity County Protocols for 2022 Supplemental Paid Sick Leave.

Departments will be required to obtain verifying documentation to approve the use of the leave and submit to Human Resources to be filed within the employee's medical file:

Reason for Leave:

Documentation Required:

Employee is subject to quarantine or isolation related to COVID-19	Employee provide copy of order from public health or medical provider
Employee has been advised by a healthcare provider to self-quarantine due to concerns related to COVID-19	Employee provide copy of order from public health or medical provider
Employee is attending an appointment to receive a COVID-19 vaccine for protection against COVID-19	Employee provides a copy of the confirmed appointment or copy of vaccine card confirming date of appointment
Employee is experiencing symptoms related to a COVID-19 vaccine that prevents the employee from being able to work to telework	Employee provides a copy of the confirmed appointment or copy of vaccine card confirming date of appointment
Employee is experiencing symptoms related to COVID-19 and is seeking medical diagnosis	Employee provides medical note, *confirmed test or time stamped photograph of self-administered test results only on or after the date of 5/06/2022.
Employee is caring for a family member who is subject to a quarantine or isolation order or has been advised to self-quarantine	Employee provide copy of order from public health or medical provider
Employee is caring for a child whose school or place of care is closed or unavailable for reasons related to COVID-19 on the premises	Employee provide copy of order or notice

**COUNTY OF TRINITY
PROTOCOLS FOR 2022 SUPPLEMENTAL PAID SICK LEAVE (SPSL)**

I. PURPOSE:

The purpose of Senate Bill 114- Supplemental Paid Sick Leave (SPSL) is to provide employees with up to 80 hours of sick leave for certain COVID-19 related reasons from January 1, 2022, through September 30, 2022.

Trinity County will provide eligible employees with leave pursuant to the Senate Bill 114- Supplemental Paid Sick Leave. The following procedures set forth certain rights and obligations with respect to said leave.

II. PROCEDURES:

Section 1. Effective Dates

The protocols for SPSL are retroactive from January 1, 2022 and is set to expire on September 30, 2022. The County will provide the applicable leave to employees who are unable to work or telework due to COVID-19 related reasons.

Section 2. Qualifying Reasons for 2022 SPSL

1. The employee is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidance of the State Department of Public Health, the federal Centers for Disease Control and Prevention, or a local public health officer who has jurisdiction over the workplace.
2. The employee has been advised by a health care provider to isolate or quarantine due to COVID-19.
3. The employee is attending an appointment for themselves or a family member* to receive a vaccine or a vaccine booster for protection against COVID-19, subject to certain limitations.
4. The employee is experiencing symptoms, or caring for a family member* experiencing symptoms, related to a COVID-19 vaccine or vaccine booster that prevents the employee from being able to work or telework.
5. The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
6. The employee is caring for a family member* who is subject to an order or guidance or who has been advised to isolate or quarantine.

7. The employee is caring for a child whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.
8. If the employee, or a family member* for whom the employee is providing care, tests positive for COVID-19.

*A family member includes a child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling.

Section 3. Amount of Supplemental Paid Sick Leave:

Employees are eligible up to 80 hours of leave under two different categories.

- #1: Employees are entitled to up to 40 hours of COVID-19 SPSL for full time employees based on reasons 1 through 7 listed above.
- #2: Employees are entitled up to 40 hours of paid leave for reason number 8 listed above (if they or a family member* test positive for COVID-19).

PART-TIME covered Employees: Part-time covered employees may take as leave up to the amount of hours they worked over two weeks, with half of those hours available only when they or a family member* test positive for COVID-19.

Section 4. Rate of Pay for Supplemental Paid Sick Leave:

Employees are entitled to SPSL at their regular rate of pay, subject to a cap of \$511.00 per day and \$5,110.00 in the aggregate, if they are unable to work or telework for one of the qualifying reasons in *Section 2*.

Section 5. Restoration to Prior Position:

An employee who uses SPSL is entitled to reinstatement to their prior or an equivalent position unless the employees' employment would have ended regardless of whether he or she took leave.

Section 6. Supplemental Paid Sick Leave is Protected Leave:

SPSL is considered protected leave when used for the reasons specified in *Section 2*. The County shall not discharge, discipline, or in any manner discriminate against an employee who utilizes SPSL.

Section 7. Certification of Supplemental Paid Sick Leave:

An employee who seeks SPSL must complete Attachment A and submit it to their supervisor, who will see that payroll is coordinated and forward to Human Resources to be filed in the employee's medical file prior to the commencement of the leave or as soon thereafter as practicable.

Section 8. Retroactive Supplemental Paid Sick Leave:

If a covered employee took leave for a qualifying reason as stated in *Section 2* on or after January 1, 2022, but was not paid, the employee has the right to ask for a retroactive payment equal to the paid sick leave amount required under the new law.

If the employee used sick, vacation, or another paid leave ("leave") for a qualifying reason as stated in *Section 2* on or after January 1, 2022, these leave hours will be restored to their leave banks. For retroactive SPSL, the employee must fill out Attachment A and submit it to their supervisor, who will see that payroll is coordinated and forward to Human Resources to be filed in the employee's medical file. SPSL will be paid by the payday for the next full pay period after the request is submitted.