



California Mandatory Sick Time Law Effective July 1, 2015

Following the trend sweeping the nation, the state of California has enacted a Paid Sick Leave Law, requiring that virtually all California employees must be offered paid sick leave. The law takes effect July 1, 2015.

Eligibility

Under this new law, all California employers, regardless of size, must provide paid sick leave to all their employees (except for domestic workers and certain union employees). Once an employee, exempt or non-exempt, has worked 30 hours, he or she is eligible for sick-leave benefits.

Leave Accrual and Carryover

Under the new law:

- Eligible employees will be entitled to begin accruing sick time immediately upon hire (after July 1, 2015); however, employers can prohibit employees from using accrued sick time until after 90 days of employment.
- Employees receive one (1) hour of sick leave for every thirty (30) hours worked.
- Time accrues in one (1) hour increments.
- Maximum accrual required is forty-eight (48) hours per calendar year.
- Employers may limit the use of the sick time to three (3) days per year.
- An employee may carry over up to twenty-four (24) hours of unused sick time to the next calendar year, but employers may limit an employee's use of sick time to forty (40) hours in a calendar year.
- Employers may implement a policy setting a reasonable minimum increment of two hours or more for sick leave to be used.

What Sick Time Can Be Used for

Employees will be able to use accrued sick time for the following reasons:

- for their or a family member's existing health condition,
- for preventive care (such as physical annuals or flu shots), or
- for employees who are victims of domestic violence.

Family member is defined very broadly and includes grandparents and siblings.

Note for restaurants and other hospitality employers: Employers cannot require their employees to find other employees to cover shifts due to illness.

Pay Stub, Recordkeeping, and Poster Requirements

Effective in July 2015, employers must track and display the number of paid sick days or hours available at that time on the employee's pay stub.



The Act also requires employers to keep, for at least three years, records regarding employees' paid sick leave accrued and used. In addition, employers must use a new Wage Theft Prevention Act Notice when hiring non-exempt employees.

Employers must also post the new Paid Sick Leave Employment Poster which can be printed here: [Paid Sick Leave Poster Template](#)

Next Steps for Employers

- You must comply with these changes by July 1, 2015.
- You should update your employee handbooks with this new policy:
 - If you have not previously offered sick time to employees, you will be required to do so and should create a new policy to comply with these provisions.
 - If you already provide sick time, review your current policies to make sure they comply with the provisions of the new law.
 - If you already provide all employees with sick or paid time off (PTO) benefits that exceed the requirements of the law, you do not need to implement a new policy.
- You must post the new Paid Sick Leave Employment poster.
- You are prohibited from taking adverse action (e.g., disciplinary warnings or negative performance evaluations) against your employees for using accrued sick time.
- You should work with your payroll provider to determine how to comply with the pay stub tracking requirement for your California-based employees; if HR Knowledge is your current payroll provider, please reach out to your Client Account Manager.
- If you are one of our full-service clients, we will work with you to review your current PTO policies or provide you with sample language to ensure they are compliant with these new regulations. If you have any questions about how this new law interacts with your existing policies or impacts your business, please contact us at HR@hrknowledge.com

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