



STOKES WAGNER

ATTORNEYS AT LAW

ATLANTA • ITHACA • LOS ANGELES • PITTSBURGH • SAN DIEGO • SAN FRANCISCO

City of Los Angeles Enacts COVID-19 Supplemental Paid Sick Leave

Los Angeles Mayor Eric Garcetti issued a Public Order on April 7, 2020, mandating supplemental paid sick leave requirements for large employers within Los Angeles and nationwide. This Order expands on the previous ordinance passed by City Council providing supplemental paid sick leave to employers with 500 or more employees nationwide. Please see our previous [article](#) for more information on the City Council ordinance.

For purposes of the Order, eligible employees must have been employed with the same employer from February 3 to March 4, 2020, and perform any work within the geographic boundaries of the City. The Order applies to an employer that has either: (i) 500 or more employees **within the City of Los Angeles**; or (ii) 2,000 or more employees **within the United States**.

The Order provides for eighty [80] hours of supplemental paid sick leave for full-time employees or employees who work at least forty [40] hours per week who are unable to work or telework because:

1. The employee takes time off due to COVID-19 infection or because the employee is required to isolate or self-quarantine by order or recommendation from a public health official or healthcare provider.
2. The employee is at least 65 years old or has a health condition such as heart disease, asthma, lung disease, diabetes, kidney disease, or weakened immune system.
3. The employee needs to care for a family member who is required to isolate or self-quarantine by order or recommendation from a public health official or healthcare provider.
4. The employee needs to care for a family member whose care provider temporarily ceases operations in response to a public health order or recommendation, and the employee is unable to secure an alternative caregiver.

The amount of paid leave is based on the employee's average two-week pay from February 3, 2020, to March 4, 2020. An employee who is not full-time and works less than forty [40] hours per week is entitled to supplemental paid sick leave in an amount no

Questions? Contact Stokes Wagner.

April 10, 2020

Page 2 of 2

greater than the employee's average two-week pay from February 3, 2020, to March 4, 2020. However, the paid sick leave is limited to \$511 per day and \$5,110 in the aggregate.

Employers may not require a doctor's note for the use of supplemental paid leave and must grant the leave upon oral or written request from the employee. However, employers are entitled to offset the amount of paid sick leave required under the Order if the employer provides the same or greater amount of paid leave to an employee for any of the same reasons or in response to an employee's inability to work because of COVID-19 on or after March 4, 2020. This does not include any previously accrued paid time off, such as vacation or other sick time.

Los Angeles employers should review their current policies related to COVID-19 or create one relating to the provisions of this Order to ensure proper compliance. If you have questions, contact Stokes Wagner.

THIS DOCUMENT PROVIDES A GENERAL SUMMARY AND IS FOR INFORMATIONAL/EDUCATIONAL PURPOSES ONLY. IT IS NOT INTENDED TO BE COMPREHENSIVE, NOR DOES IT CONSTITUTE LEGAL ADVICE. PLEASE CONSULT WITH COUNSEL BEFORE TAKING OR REFRAINING FROM TAKING ANY ACTION.

Questions? Contact Stokes Wagner.