



Los Angeles Will Require COVID-19-Related Paid Sick Leave For Large Employers

March 31, 2020 | [Employee Health Issues](#), [Employee Leave](#), [Labor And Employment](#)



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On Friday, March 27, the Los Angeles City Council passed a new ordinance that provides up to 80 hours of paid, COVID-19-related sick leave to employees. Mayor Eric Garcetti has not yet signed the ordinance. However, once signed and published, the ordinance will take effect immediately and will remain in effect until Dec. 31, 2020. The ordinance only applies to employers with 500 or more employees, and is meant to address the fact that the federal [Families First Coronavirus Response Act](#) (FFCRA) only applies to employers with fewer than 500 employees.

Who Is Covered?

The Los Angeles ordinance will only apply to employers with 500 or more employees nationally. For employees to be covered, they must have worked for the employer from Feb. 3, 2020, to March 4, 2020.

However, employers of healthcare providers or first responders are exempt from the ordinance. Further, the provisions of the ordinance may be expressly [waived in a collective bargaining agreement](#), but only if the waiver is explicitly set out in the agreement in clear and unambiguous terms and the agreement is modified by all parties.

How Much Leave Must Be Provided?

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Full-time employees (those who work 40 or more hours per week) are entitled to eighty hours of supplemental paid sick leave. Part-time employees (those who work less than 40 hours per week) are entitled to their average two-week pay over the period of Feb. 3, 2020, through March 4, 2020. The amount of pay an employee can receive is capped at \$511 per day or \$5,110 total.

What Are the Permitted Uses?

The leave may be used for the following purposes:

- Because a public health official or healthcare provider requires or recommends that the employee isolate or self-quarantine to prevent the spread of COVID-19
- Because 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
- Because the employee needs to care for a family member who is not sick but who public health officials or healthcare providers have required or recommended isolation or self-quarantine
- Because the employee needs to provide care for a family member whose senior care provider or school or child care provider for a child under the age of 18 temporarily ceases operations in response to a public health or other public official's recommendation

Employers must provide the supplemental paid sick leave upon a verbal or written request from the employee, and may not require a doctor's note or other documentation.

Does the Supplemental Paid Sick Leave Run Concurrently with Other Leave?

The supplemental paid sick leave is in addition to other paid sick leave required by the state and city. However, if an employer has already provided some COVID-19-related paid sick leave to employees since March 4, 2020, those hours will be subtracted from the 80 hours required by the ordinance.

What Are the Consequences of Noncompliance?

The ordinance strictly prohibits retaliation against employees for opposing any practice proscribed by this ordinance, for requesting to use or actually using supplemental paid sick leave, for participating in proceedings related to the ordinance, for seeking to enforce his or her rights under the ordinance, or for otherwise asserting rights under the ordinance.

An employee who claims that the ordinance has been violated may bring an action in superior court, and may be awarded reinstatement, back pay, supplemental paid sick leave at the employee's average rate of pay, attorneys' fees and costs, and other legal or equitable relief that the court deems appropriate.