

Approved: February 16, 2022
Ordinance: None
Resolution: None

MORAGA-ORINDA FIRE DISTRICT DISTRICT POLICY 20

2022 COVID-19 Supplemental Paid Sick Leave (SPSL) Policy

On February 9, 2022, Governor Newsom signed SB 114 into law. The law reauthorizes COVID-19 SPSL, providing paid leave entitlements to employees who are unable to work or telework due to a number of qualifying reasons related to COVID-19. The law became effective on February 19, 2022 and will require covered employers to provide SPSL to qualifying employees retroactive to January 1, 2022. The District enacts this policy in accordance with the new law.

An employee is entitled to use this policy if, upon an oral or written request to their supervisor or within the chain of command, they advise that they are unable to work or telework for the following reasons:

1. The covered employee is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidance of the California Department of Public Health (“CDPH”), the federal Centers for Disease Control and Prevention (“CDC”), or a local public health officer who has jurisdiction over the workplace.
2. The covered employee has been advised by a health care provider to isolate or quarantine due to COVID-19.
3. The covered employee is attending an appointment for themselves or a family memberⁱ to receive a vaccine or a vaccine booster for protection against COVID-19.
4. The covered employee is experiencing symptoms, or caring for a family member experiencing symptoms, related to a COVID-19 vaccine or vaccine booster that prevent the employee from being able to work or telework.
5. The covered employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
6. The covered employee is caring for a family member who:
 - a. Is subject to a CDPH, CDC, or local health officer order or guidance to isolate or quarantine, OR
 - b. Has been advised by a health care provider to isolate or quarantine.
7. The covered 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. The covered employee, or a family member for whom the covered employee is providing care, tests positive for COVID-19.
 - a. A positive test result (PCR or rapid test) for either the employee or family member is required to confirm that the employee qualifies for SPSL.

SPSL Available for Reasons 1 through 7:

56-hour workweek employees – 56 hours
40-hour workweek employees – 40 hours
Part-time employees – hours in accordance with the manner specified in SB 114

SPSL Available for Reason 8:

56-hour workweek employees – 56 hours
40-hour workweek employees – 40 hours
Part-time employees – hours in accordance with the manner specified in SB 114

SPSL Leave Banks & Wage Statements

Leave provided under this policy will be reflected on employee wage statements as follows:

CA SPSL AVAIL: Existing COVID-19 Leave, if applicable
CA SPSL 2022: SPSL Reasons 1 through 7
CA SPSL 2022 Addl Leave: SPSL Reason 8

SB 114 does not require that employees exhaust SPSL for reasons 1 through 7 before the employee uses SPSL for Reason 8.

Telestaff Codes

SL - COVID-19: used for existing COVID-19 leave, if applicable
SL - COVID-19 REASON 1-7: used for SPSL qualifying Reasons 1 through 7
SL - COVID-19 REASON 8: used for SPSL qualifying Reason 8

Retroactive SPSL Requests

- To submit for a retroactive SPSL request between January 1, 2022 and February 24, 2022, please complete the digital form that is available here: <https://forms.gle/spDis68xcHppFs2N9>
- The deadline for retroactive SPSL submissions is on March 31, 2022.
- An employee’s wage statement will reflect a deduction from their COVID-19 leave bank for payment of retroactive benefits and, if applicable, a credit towards the other from of paid leave used.

Current SPSL Requests

- To submit for a SPSL request effective on or after February 25, 2022, please complete the digital form that is available here: <https://forms.gle/spDis68xcHppFs2N9>
- An employee’s wage statement will reflect a deduction from the appropriate leave bank on the next payroll following the submitted request.

All questions and/or concerns regarding this policy can be directed to:
Christine Russell, Human Resources Manager
crussell@mofd.org
(925) 258-4521

ⁱ For the purposes of SB 114, a “family member” includes an employee’s child, a parent, spouse, registered domestic partner, grandparent, grandchild, or sibling. A “child” is a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands *in loco parentis*. A “parent” includes a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood *in loco parentis* when the employee was a minor child. (Labor Code § 245.5, subd. (c).)