



COVID-19 LEAVE PROCEDURES

(Updated February 14, 2022)

This Procedure covers entitlements under the City's COVID-19 Paid Sick Leave emergency benefit, and the California state COVID-19 paid sick leave benefits signed into law on February 8, 2022, and effective February 19, 2022. Both benefits are retroactive to January 1, 2022, and entitle employees to take up to a total of 80 hours¹ of paid sick leave for COVID-19 related reasons. These benefits will expire on September 30, 2022.

Employees will receive only one COVID-19 paid sick leave benefit. Pursuant to provisions in the newly enacted state COVID-19 paid sick leave law, an employer providing another COVID-19 supplemental paid sick leave benefit available for the same reasons, and in an amount equal to or greater than the state benefit, may count the hours toward its obligation under the state law. The previously enacted City's COVID-19 paid sick leave benefit will therefore offset the new state leave requirement.

City COVID-19 Paid Sick Leave

- A. Authority:** The Mayor's Compensation Plan effective March 31, 2020, amended last on January 29, 2022, and expiring on June 30, 2022. Labor Code Sections 248.6 and 248.7, effective February 19, 2022 (retroactive to January 1, 2022), and expiring on September 30, 2022.
- B. Purpose:** To protect and support City employees by providing an additional allocation of paid sick leave for specified COVID-19 impacts.
- C. Eligible Employees:**
 - 1. All City and County of San Francisco employees.
 - 2. Available upon appointment.
- D. Criteria for CITY COVID-19 Sick Leave:**

City COVID-19 Sick Leave Pay (Pay Code COV): Employees who are unable to work or telecommute due to the following reasons:

- 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. If the covered employee is subject to

¹ Firefighters who are regularly scheduled to work more than 40 hours in one workweek are entitled to the total number of hours they were regularly scheduled to work during the week they use their COVID-19 sick pay.

more than one of the foregoing, the covered employee shall be permitted to use COVID-19 paid sick leave for the minimum quarantine or isolation period under the order or guidance that provides for the longest quarantine or isolation period.

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. Leave for vaccination appointments is subject to limitations described in section D.4, below.
4. the employee is experiencing side effects, or caring for a family member experiencing side effects, related to a COVID-19 vaccine or vaccine booster that prevent the employee from being able to work or telework. For each vaccination or vaccine booster, an employee may be limited to 3 days or 24 hours of COVID-19 paid sick leave, unless the employee provides verification from a health care provider that the covered employee or their family member is continuing to experience incapacitating side effects related to a COVID-19 vaccine or vaccine booster. The 3-day or 24-hour limitation applies to each vaccine or vaccine booster includes time off used to get the vaccine or vaccine booster.
5. the employee is experiencing symptoms related to COVID-19, or caring for a family member experiencing such symptoms, that prevent the employee from working or teleworking, **AND** seeking a medical diagnosis.
6. the employee is caring for a family member who is subject to an order or guidance described in sections D.1, above, or who has been advised to isolate or quarantine, as described in D.2, above.
7. the employee is caring for the employee's child whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19, which includes time off to supervise remote learning needed as a result of such closure or unavailability.
8. the employee test positive for COVID-19, or is caring for a family member who test positive for COVID-19.

E. Paid Leave Available:

1. Up to 80 hours of paid sick leave for full-time employees. Firefighters who are scheduled to work more than 40 hours in one workweek are entitled to an amount of COV equal to the total number of hours that the employee is regularly scheduled to work in the workweek during which the COV is taken.
2. Prorated for part-time employees to an amount equal to the number of hours worked on average over a 2-week period.

3. Employees may use this new allocation of paid sick leave before using other accrued leave.
4. As-needed employees and employees with irregular work schedules must be prescheduled to work in order to receive COV for a qualifying COVID-19 impact.

F. Procedure:

1. Employees must give notice that they are seeking to use City COVID-19 paid sick leave and should complete and return a COVID-19 LEAVE REQUEST FORM in advance of taking leave, or as soon as practical. Following department call-in procedures is sufficient advance notice of the need for this paid leave.
2. If giving advance oral notice, employees should also submit a completed COVID-19 LEAVE REQUEST FORM to their supervisor, manager, or the department's human resources representative as soon as practical.
3. The department human resources representative shall review each COVID-19 LEAVE REQUEST FORM and confirm: (1) that the employee meets the criteria for receiving COV leave under the state law and the Mayor's Compensation Plan, and (2) how much COVID-19 sick leave pay to approve. If an employee is unable or unwilling to complete the COVID-19 LEAVE REQUEST FORM, a department human resources representative should work with the employee to determine what additional information may be needed. Departments shall not deny an employee COVID-19 sick leave pay solely on the basis that they cannot or are unwilling to complete the form.
4. City COVID-19 Paid Sick Leave under the Mayor's Compensation Plan or the state sick leave laws shall be coded on employee timesheets as COV pursuant to procedures developed by the Controller's Office Payroll and Personnel Services Division.
5. If employees exhaust their available allocation of COV, the department will substitute available accrued paid sick leave, or unpaid sick leave; however, employees may elect to use discretionary paid leaves in lieu of taking unpaid sick leave for COVID-19 identified impacts.
6. Employees may not cash-out the COV benefit and must forfeit any unused COV remaining at the earlier of the date of separation or effective end date for this benefit.
7. All requests for the state COVID-19 paid sick leave benefit will be offset and processed as requests for COV.

G. Documentation or Verification Requirements

1. Employees seeking leave to isolate because they or a family member they are caring for has been diagnosed with or tested positive for COVID-19 must provide a copy of a positive COVID-19 test result or a health care provider certification confirming the diagnosis for themselves or a qualifying family member. Employee test results may be uploaded to People & Pay using the below instructions. Alternatively, employees may submit test results to a designated human resources official, a supervisor, or a manager. Employees who refuse to provide documentation of test results will be denied COV for this purpose.
2. Employees may be required to retest on or after the fifth day after the initial test was taken and provide documentation of those results. The City will make COVID-19 testing available to employees at designated locations or for home use. Employees who refuse to submit to required retesting will be denied additional COV for this purpose.
3. Employees seeking leave to isolate because they have COVID-19 symptoms, but have not yet been diagnosed with COVID-19, must schedule a COVID-19 test or take an at-home test as soon as practical, or otherwise seek a medical diagnosis. Employees taking leave for COVID-19 symptoms must provide proof of positive COVID-19 test results or diagnosis for themselves, or a qualifying family member for whom they are providing care, in order to continue receiving COV leave beyond 5 days. Failure to provide positive test results is grounds for denying COV after 5 days of leave for symptoms.
4. Employees receiving vaccinations or vaccination boosters at their worksite or at City sponsored sites cannot be required to use COV for these appointments. Employees seeking leave to attend vaccination or booster appointments at offsite locations may use a reasonable number of COV hours. Generally, two hours is sufficient time for travel to the appointment and return to work; however, additional time may be approved when supported by the circumstances.
5. Employees seeking leave due to side-effects following vaccination or booster may be required to provide proof of their vaccination or booster.
6. Employees seeking leave to care for a child because their school or place of care of the child has been closed due to COVID-19 are not required to provide additional documentation or verification beyond the information required on the COVID-19 LEAVE REQUEST FORM.
7. Employees who are fully vaccinated for COVID-19 are not required to quarantine as the result of a close contact with a COVID-19 positive person, and are therefore, not entitled to use COV leave for this purpose unless they subsequently develop symptoms or test positive. Employees who fully vaccinated but not up-to-date (i.e., they are booster eligible, but not boosted) must test on day 3 to 5 following a close contact. If these employees do not get tested, then they must

isolate starting day 6 through day 10, before returning to work. Employees may use COV during this isolation period if they are otherwise unable to telework.

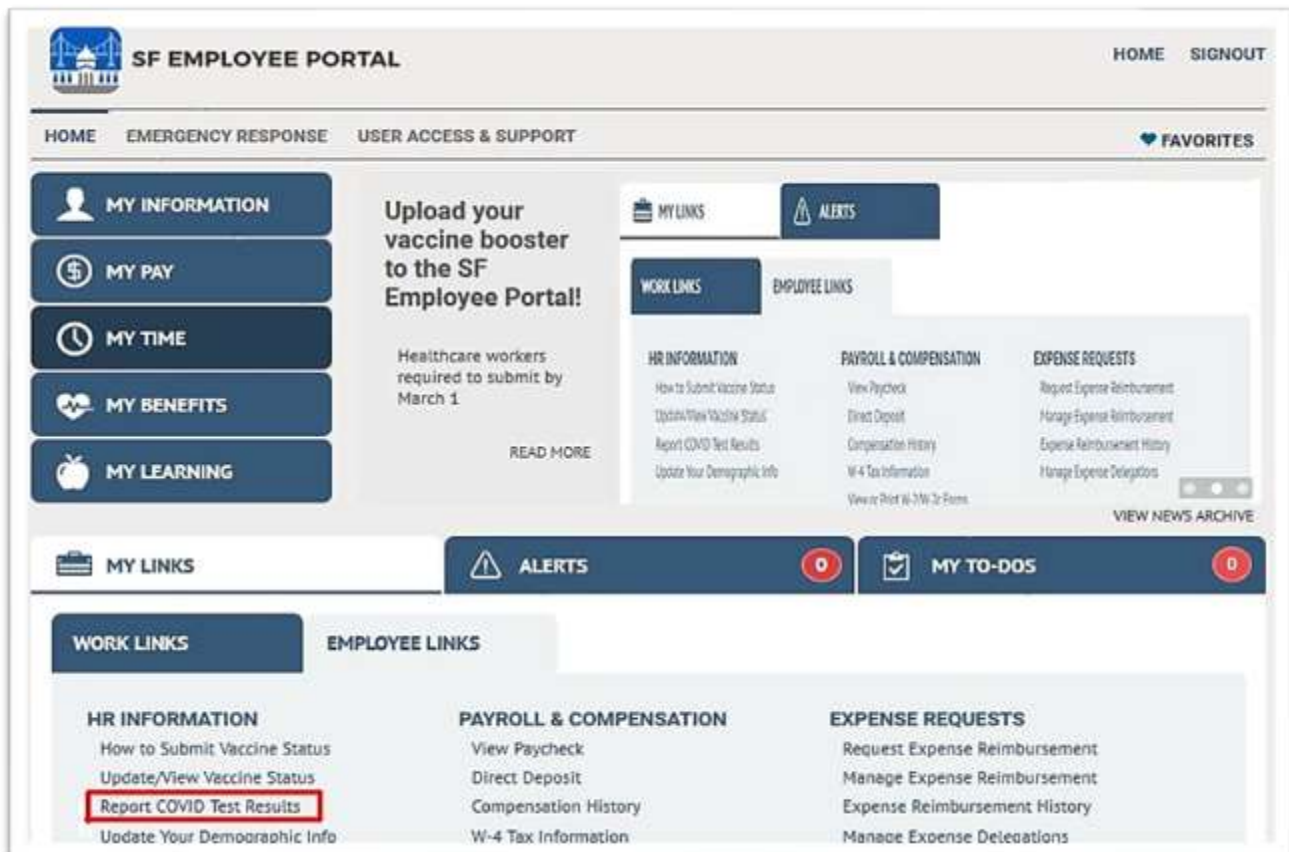
8. Employees who test positive may be required to submit to a diagnostic retest on or after the fifth day following the initial positive test date, and provide documentation of those results. The City will make testing resources available for retesting at no cost to the employee when retesting is requested by the department for early return to work. Employees who refuse retesting are not eligible for COV pay for any period that they must continue to isolate as a result of their refusal.
9. Employees requesting leave to care for a family member who tests positive for COVID-19 may be required to provide documentation of that family member's test results before receiving COV pay.

H. Uploading Proof of COVID-19 Test Results in People and Pay

Employees are directed to self-report COVID-19 test results in the following circumstances:

1. To verify eligibility for certain COV leave benefits requiring proof of a positive test; and
2. To verify proof of a negative test for early return to work from quarantine after a positive result (after Day 5).

To upload COVID-19 test results, go to the Employee Portal and click on Employee Link and choose "Report Covid Test Result."



I. Integration With Other COVID-19 Benefits

1. Except as set forth below, employees must exhaust any available COV and can supplement COV with Paid Administrative Leave provided in the COVID-19 Compensation Plan and the Mayor's Supplemental Proclamations, or workers' compensation benefits payable for COVID-19 related industrial illness or injury.
2. Employees cannot be required to use available COV before receiving Exclusion Pay required under the Cal-OSHA COVID-19 Emergency Temporary Standards (ETS). In such cases, employees will receive paid administrative leave (PAL) during their exclusion period and will **not** be required to first use COV.
3. Employees are entitled to receive Exclusion Pay (rather than use COV) under the following conditions and when they are not otherwise also receiving disability payments or workers' compensation temporary disability payments:
 - a. The employee is excluded from work and is unable to telework as a result of a close contact with a COVID-19 case in the workplace; or
 - b. The employee is excluded from work and unable to telework because they have a confirmed COVID-19 case that is work-related as defined in the Cal OSHA ETS.