



**CHANGES TO THE CITY'S COVID-19 COMPENSATION PLAN TO IMPLEMENT THE GOVERNOR'S  
WORKERS' COMPENSATION EXECUTIVE ORDER N-62-20**

May 20, 2020

On May 6, 2020, Governor Newsom signed an executive order that establishes a rebuttable presumption that employees who are required to work outside of the home, and who are diagnosed with COVID-19 within 14 days of the date last worked, contracted the disease at work. These employees are entitled to workers' compensation benefits. However, they must exhaust any COVID-19 sick leave benefits before receiving workers' compensation temporary disability payments.

Prior to the executive order, the Mayor's Supplemental Proclamation established a presumption for City employees who are working in the workplace or in the field and who contract COVID-19, experience symptoms of the disease or must isolate/quarantine. But that presumption was not for workers' compensation purposes, but rather provides paid administrative leave for these employees in lieu of requiring them to use their accrued sick leave or other accrued leaves. Under the Mayor's order, these employees must first exhaust federal Emergency Paid Sick Leave (ESP) and can then supplement with paid administrative leave.

Implementing the Governor's executive order requires amending the Compensation Plan. City employees, working outside in the workplace or in the field, who need time off for COVID-19 illness or exposure, must now use both federal ESP, and the new allocation of sick leave, COV, before receiving paid administrative leave. Both paid sick leave benefits are available to employees in response to the COVID-19 pandemic and must be exhausted under the Governor's executive order. Employees can supplement ESP with COV to receive full salary. Once these COVID-19 sick leave benefits are exhausted eligible employees may receive workers' compensation temporary disability benefits and supplement with paid administrative leave. Employees who are not eligible for workers' compensation benefits will receive paid administrative leave until cleared to return to work.