

**To:** Teamsters Local 495  
**From:** Jeff Cutler  
**RE:** Coronavirus and California State of Emergency – Additional Sick Leave  
**Date:** March 9, 2020

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On March 4, 2020, Governor Newsom declared a State of Emergency in California to help the state prepare for the broader spread of the novel coronavirus now known as “COVID-19.”

#### Does the Proclamation of State of Emergency Provide Additional Sick Leave?

Governor Newsom’s Proclamation of State of Emergency does not mandate employers to provide or extend sick leave for its employees.

However, California state sick leave law generally provides for twenty-four (24) hours or three (3) days of sick leave annually. Employers may also be subject to local sick leave ordinances. For examples, the City of Los Angeles sick leave ordinance requires that employers provide forty-eight (48) hours of sick leave up front or 1 hour per 30 hours worked if provided on accrual basis.

Please note that there are exceptions under both California and the Los Angeles City sick leave laws for employees covered under a collective bargaining agreement, if the agreement meets certain requirements. This means that an employee covered by a collective bargaining agreement may not be entitled to the state and local sick leave laws.

#### Is There Any Other Legislation That Provides Job Protection for Sick Leave Due to Coronavirus?

On March 5, 2020, a day after Governor Newsom declared a State of Emergency, Assemblywoman Lorena Gonzalez introduced Assembly Bill 3123, which would protect workers who must stay home due to a public official ordering their workplace closed. It also would protect workers who take care of children whose schools have been closed.

If enacted, an employee is complying with an isolation or quarantine order issued by a public official due to a public health emergency, AB 3123 states that an employer may not discharge, discriminate or retaliate against that employee. (Source: <https://www.abc10.com/article/news/health/coronavirus/coronavirus-protection-california-lawmaker-jobs/103-276d3e92-661e-46ac-a1c8-2578df18ae03>)

This proposed legislation is at the early stages of the legislative process. It is not possible to know whether this bill or any like bill will be passed by the legislature and signed by the Governor. We will continue to monitor legislation addressing COVID-19.