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California Workplace Law Blog

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San Francisco Voters Approved New Public Health Emergency Leave

By Shannon Bettis Nakabayashi & Julie Y. Zong on July 15, 2022

In June, San Francisco voters passed **Proposition G**, a new Public Health Emergency Leave Ordinance. The ordinance requires private employers to provide paid leave to employees for “public health emergencies.” The leave ordinance will be in addition to employer-provided paid leave, such as paid sick leave.

The leave ordinance will become operative on October 1, 2022.

Covered Employers

The new leave applies to private employers with more than 100 employees worldwide.

Covered Employees

The leave requirement applies to all employees who perform work within the City and County of San Francisco for covered employers.

Reasons for Leave

A Covered employee may use Public Health Emergency Leave during a public health emergency if the employee is unable to work due to any of the following:

- The recommendations or requirements of an individual or general federal, state, or local health order.
- The employee has been advised by a health care provider to isolate or quarantine.

- The employee is experiencing symptoms of and seeking a medical diagnosis or has received a positive medical diagnosis, for a possible infectious, contagious or communicable disease associated with the public health emergency.
- The employee is caring for a family member if the school or place of care of the family member has been closed or is unavailable due to the public health emergency.
- There is an air quality emergency, and the employee is a member of a vulnerable population and primarily works outdoors.

Amount of Leave

Starting on October 1, 2022, and then at the start of each year, employers must provide up to 80 hours of paid leave for Public Health Emergency Leave. Full-time employees or employees on a fixed schedule, must receive an amount equal to the hours they regularly work in a two-week period. For employees with a variable schedule, the ordinance provides two methods of calculating amount required.

Notice Requirement

Employers are required to post a notice that will be developed by the **San Francisco Office of Labor Standards Enforcement**. To date, the required notice has not been posted.

If you have questions about compliance with San Francisco's Public Health Emergency Leave Ordinance or related issues, contact a Jackson Lewis attorney to discuss.