

Sonoma County Implementation of OSHA Emergency Leave

On November 30, 2020, the State of California approved emergency temporary Cal-OSHA standards on COVID-19 infection prevention. These new temporary standards apply to most workers in California not covered by Cal-OSHA's Aerosol Transmissible Diseases standard. The regulations include a requirement for employers to continue to pay employees their normal wages (for their regularly scheduled hours) when they must quarantine due to workplace exposure to COVID-19.

If telework is available, the employee may be assigned to telework as long as the telework assignment is reasonably contemplated within the employee's job specification. The regulation allows employers to require employees to use paid sick leave if available.

Effective the pay period which starts on December 29, 2020, and for the duration of the Cal-OSHA temporary standards on COVID-19 infection prevention, employees required to quarantine for a workplace COVID-19 exposure will first be required to use Emergency Paid Sick Leave (EPSL) available under the Families First Coronavirus Relief Act (FFCRA) or similar COVID-19 paid sick leave provided by law or County extension.

After an employee exhausts their EPSL benefits, employees will be eligible to use a new leave, "OSHA Emergency Leave", in lieu of accrued sick leave. Providing OSHA Emergency Leave, instead of requiring employees to use their accrued sick leave provided by the applicable MOU or Salary Resolution, will encourage employees to quarantine and prevent the spread of COVID-19 within the County workforce and the community.

OSHA Emergency Leave will be administered consistent with the accrued sick leave benefit as prescribed in the applicable Memorandum of Understanding (MOU) or Salary Resolution. OSHA Emergency Leave benefit will be applied the same as accrued sick leave for the following benefits: seniority, merit, cash allowance, sick and vacation accruals, non-statutory overtime and any other benefits or pay as identified by the applicable MOU or Salary Resolution.