

LEAVE AND DISABILITY REGULATORY COMPLIANCE

Summary of legislative and regulatory changes

Private employer sector | February 2022

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California

SB 114 (COVID-19 supplemental paid sick leave)

Enacted Feb. 8, 2022

Effective Feb. 8, 2022

Informational only — Sedgwick does not administer

In March 2021, California enacted a law to provide employees with supplemental paid sick leave for various COVID-related absences in addition to paid time off benefits employees receive by law or through an employer's internal policy. That law expired on Dec. 31, 2021. The state has now reenacted and amended the [COVID-19 supplemental California paid sick leave \(CPSL\) provisions](#) for 2022. The new law takes effect immediately and is retroactive to Jan. 1, 2022. However, an employer's obligation to provide CPSL did not begin until Feb. 19, 2022.

2022 CPSL applies to employers with 26 or more employees and to some public entities. Employers with 25 or fewer employees are not covered. All employees are eligible for CPSL under the new law. Additionally, employees may use leave to care for family members. "Family member" is defined to include an employee's child, grandchild, grandparent, parent, sibling or spouse.

Employees who are unable to work or telework can use the new CPSL for the following reasons, which expand upon the permissible reasons employees could use California CPSL in 2021:

- Employee is subject to a quarantine or isolation period related to COVID-19 as defined by federal, state or local orders or guidelines.
- Employee is advised by a healthcare provider to self-quarantine due to concerns related to COVID-19.
- Employee or a family member is attending an appointment to receive a COVID-19 vaccine.
- Employee or a family member is experiencing symptoms related to a COVID-19 vaccine or booster that prevent the employee from being able to work or telework.
- Employee is experiencing COVID-19 symptoms and seeking a medical diagnosis.
- Employee is caring for a family member who is subject to a quarantine, isolation order or guideline or who has been advised to self-quarantine or isolate by a healthcare provider due to concerns related to COVID-19. Family members covered under this law include children, grandchildren, grandparents, parents, siblings or spouses; or an employee who is caring for a child whose school or place of care is closed or otherwise unavailable on the premises for reasons related to COVID-19.

The state labor department provided a [model poster](#), and employers must conspicuously display the poster in their workplaces. If employees do not frequent a workplace, employers can distribute the poster electronically, e.g., by email. The California Labor Commissioner has also posted the [2022 FAQs for California Supplemental Paid Sick Leave](#).

District of Columbia

B 610 (COVID-19-related leave)

Enacted Feb. 3, 2022

Effective Feb. 3, 2022

The District of Columbia has extended the [emergency measure](#) that provides paid time off for COVID-19 vaccinations and recovery and extends the provisions in the Accrued Sick and Safe Leave Act and Family and Medical Leave Act enabling employees to use leave for reasons related to COVID-19. The original emergency measure expired 90 days after its approval by the mayor. This emergency measure applies as of Feb. 3, 2022 and expires 90 days after enactment.

Oregon

SB 1515 (paid family and medical leave)

Passed Senate; passed House Feb. 25, 2022

If enacted, effective Jan. 1, 2023

In 2019, Oregon enacted a paid family and medical leave program. Beginning in 2023, eligible employees will be provided with up to 12 weeks of paid family, medical and safe leave benefits. If enacted, [this amendment](#) will modify the definition of “benefit year.” “Benefit year” will mean a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which family leave, medical leave or safe leave commences. The amendment clarifies in the event that the 52-week period would result in an overlap of any quarter of the base year of a previously filed valid claim, a period of 53 consecutive weeks beginning on the Sunday immediately preceding the date on which family leave, medical leave or safe leave commences.

Puerto Rico

PC 3 (vacation and sick leave accrual)

Passed House; passed Senate; to Governor Feb. 22, 2022

If enacted, effective immediately

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Puerto Rico requires that employees are provided with vacation and sick leave. If enacted, [this amendment](#) modifies the formula for calculating vacation and sick leave. Under the current law, employees who work at least 115 hours per month accrue vacation at the rate of 1.25 days per month and sick leave at a rate of one day per month. The amendment raised the minimum hours required to 130 in the month. In addition, it imposed a new structure to be able to accumulate vacation leave, according to the following sequence:

- Half a day a month during the first year of service.
- Three-quarters of a day a month after serving one to five years of service.
- One day a month after serving five to 15 years of service.
- 1.25 days a month after serving more than 15 years of service.

The Information contained within this document is intended to provide summary level information on proposed or enacted laws related to family and medical leave. It is not intended to provide guidance on the application of these legal requirements or as an update to your Company's attendance and/or leave policies. We recommend you consult with Legal Counsel to determine what changes, if any, should be applied to Company Policy.

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