

Public Health Emergency Leave*

Digest by the Ballot Simplification Committee

Status: Draft for Consideration
On: Wednesday, March 2, 2022
Members: Packard, Anderson, Merrill, Patterson

Deadline to Request Reconsideration: TBD

The Way It Is Now: The City's paid sick leave law generally requires private employers to provide employees with one hour of paid sick leave for every 30 hours worked in San Francisco. This paid sick leave begins to accrue on the first day of employment. Employers with 10 or more employees must allow employees to accrue up to a minimum of 72 hours of paid sick leave.

Employees may use paid sick leave for their own, or their family member's, illness, injury, medical condition, need for medical examination, preventive care, or treatment. An employee who is a victim of domestic violence, sexual assault, or stalking may also use paid sick leave to obtain relief, such as a restraining order.

Any unused paid sick leave carries over to the next year.

The Proposal: Starting on October 1, 2022, Proposition ___ would generally require private employers to provide leave to employees for public health emergencies in certain circumstances, in addition to paid sick leave. This requirement would apply to employers with more than 100 employees worldwide and would cover only their employees working in San Francisco. The amount of leave provided each year would be equal to the number of hours that each employee regularly works over a two-week period, up to a maximum of 80 hours. If any other local, state or federal law requires them to provide paid sick leave to address public health emergencies, employers can reduce the amount of leave required under this Proposition ___.

A public health emergency includes:

- a local or State health emergency relating to any infectious disease, as declared by either the local or State health officer, or
- an air quality emergency, meaning any day for which the Bay Area Air Quality Management District issues a Spare the Air Alert.

Employees may use public health emergency leave in several circumstances, including when:

- the employee or their family member is unable to work due to the recommendations or requirements of a health order addressing the emergency;
- the employee or their family member is experiencing symptoms of or has a positive test for the disease causing the emergency; or
- in an air quality emergency, the employee primarily works outdoors and has heart or lung disease, has respiratory problems, is pregnant, or is at least 60 years old.

An employee may choose to use either paid sick leave or public health emergency leave in circumstances where both could apply. Any unused public health emergency leave does not carry over to the next year.

A "YES" Vote Means: If you vote "yes," you want to require employers with more than 100 employees worldwide to provide public health emergency leave, not to exceed 80 hours year, in addition to paid sick leave, for their employees in San Francisco.

A "NO" Vote Means: If you vote "no," you do not want to make these changes.

**Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*

