



URGENCY ORDINANCE COVID RELATED PAID SICK LEAVE

CITY COUNCIL | FEBRUARY 2, 2021

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EMERGENCY PAID SICK LEAVE ACT (expired)

Employers with <500 employees who:

1. Were subject to a Federal, State or local quarantine or isolation order
2. Had been advised to self-quarantine by a health care provider
3. Were experiencing COVID-19 symptoms and is seeking medical diagnosis
4. Were caring for an individual subject to an order described in (1) or (2)
5. Were caring for a child whose school or place of care is closed due to COVID

Compensation with Eligible Tax Credit

- Employee caring for self:
\$511/day up to \$5,110 max
- Employee caring for someone else:
2/3 regular rate of pay up to
\$200/day and \$2,000 max



ORD-2020-006 (expired)

Added City Code Chapter 10-47

- Applied benefits similar to the federal act to employers with 500+ employees and employers with health care providers and emergency responders
- Created one benefits cap of \$510/day/employee up to \$5,110
- Modified the scope of benefit for employees caring for another or a child
- Allowed an employer offset for COVID-related leave already given to employees
- Enforced by an employee bringing an action in Superior Court
- Tax credit applied only for <500 employees; only up to federal act limits



CONSIDERATIONS New Santa Rosa Ordinance

- **Federal tax credit**
Available through 3/31/2021
- **Size of business**
500 + employees / under 500 employees
- **Healthcare providers & emergency responders**
Optional in Federal Act; mandatory in City Ordinance
- **Inclusion of City**
- **Leave bank and offsets**
- **Compensation caps**
Tiered vs. single higher cap



URGENCY ORDINANCE ELEMENTS

Replaces Expired City Code Chapter 10-47

- Requires private employers and City provide COVID-related paid sick leave benefits similar to those previously required by federal law
- No new leave bank for employees who already used their leave
- Effective upon adoption through March 31, 2021, in alignment with tax credits
- Applies tiered rate of pay and compensation cap
 - Caring for self: \$511 per day not to exceed an aggregate of \$5,110
 - Caring for other: 2/3rd of regular rate of pay up to \$200 per day up to \$2,000 aggregate



URGENCY ORDINANCE APPLICATION

All Private Employers and City of Santa Rosa whose employee:

1. Is subject to quarantine or isolation by Federal, State or local order
2. Has been advised to self-quarantine by a health care provider
3. Is experiencing COVID-19 symptoms and is seeking medical diagnosis
4. Is caring for someone who is quarantined or isolated, or otherwise unable to receive care due to COVID-19
5. Is caring for a minor child because a school or place of care is closed, or the childcare provider is not available due to COVID-19

Compensation

- Employee caring for self:
\$511/day up to \$5,110 max
- Employee caring for someone else:
2/3 regular rate of pay up to
\$200/day and \$2,000 max



FEDERAL PROPOSAL American Rescue Plan

Restoration of Emergency Paid Leave:

- Would reinstate the paid sick and family leave benefits until September 30, 2021.
- Would extend to workers employed at businesses with more than 500 employees and less than 50, as well as federal workers who were excluded from the original program.
- Would provide 14 weeks of paid leave to people who are sick or quarantining, or caring for a child whose school is closed. The government will reimburse employers with fewer than 500 workers for the full cost of providing this leave.



URGENCY ORDINANCE

- Declared to be necessary for preserving the public peace, welfare, health or safety.
- 5 affirmative votes required.
- Takes effect immediately upon passage.



RECOMMENDATION

It is recommended by the Economic Development Subcommittee that Council adopt an urgency ordinance to require employers to provide COVID-related paid sick leave benefits through March 31, 2021, to replace the expired ORD-2020-006 previously adopted by Council.

