March 18, 2020

The San Francisco Office of Labor Standards Enforcement (OLSE) has issued the following guidance regarding the use of Paid Time Off (PTO) and Unpaid Time Off (UTO) during the current local health emergency:

**Employer Verification of Paid Time Off and Unpaid Time Off**

Employers may not require a doctor’s note or other documentation for the use of Paid Time Off or Unpaid Time Off taken pursuant to the Minimum Compensation Ordinance during the duration of the Local Health Emergency regarding Novel Coronavirus Disease 2019.

This guidance is temporary, effective only for the duration of the above-referenced Local Health Emergency.

**Employee Use of Paid Time Off and Unpaid Time Off**

Employers covered by the Minimum Compensation Ordinance must allow covered employees to use accrued PTO or UTO in the following situations:

- The employee takes time off work because public health officials or healthcare providers require or recommend an employee isolate or quarantine to prevent the spread of disease;

- The employee takes time off work because the employee falls within the definition of a “vulnerable population” under the San Francisco Department of Public Health’s (DPH) March 6, 2020 guidelines or any subsequent updates. As of March 6, 2020, a “vulnerable population” is a person who is 60 years old or older or a person with a health condition such as heart disease, lung disease, diabetes, kidney disease, or weakened immune system;

- The employee takes time off work because the employee’s business or a work location temporarily ceases operations in response to a public health or other public official’s recommendation;

- The employee takes time off work because the employee needs to provide care for a family member who is not sick but who public health officials or healthcare providers have required or recommended isolate or quarantine; or

- The employee takes time off work because the employee needs to provide care for a family member whose school, child care provider, senior care provider, or work temporarily ceases operations in response to a public health or other public official’s recommendation.

**Background**

The San Francisco Minimum Compensation Ordinance, which covers most City service contractors and tenants at the San Francisco International Airport, requires employers to provide PTO and UTO to covered employees. Employees may use PTO for sick leave, vacation, or personal necessity, and may use UTO as sick leave for the illness of the employee, or of the employee’s spouse, domestic partner, child, parent,
sibling, grandparent, or grandchild.

Further guidance on the use of PTO and UTO is available at [www.sfgov.org/olse/mco](http://www.sfgov.org/olse/mco), or call OLSE’s multilingual Minimum Compensation Ordinance hotline at (415) 554-7903.