The following guidance supersedes OLSE’s March 9, 2020 guidance

March 16, 2020

The San Francisco Office of Labor Standards Enforcement (OLSE) has issued the following guidance regarding the use of San Francisco paid sick leave during the current local health emergency:

**Employer Verification of Paid Sick Leave**

OLSE Paid Sick Leave Ordinance (PSLO) Rule 2.3 states:

> Policies or practices that require a doctor’s note or other documentation for the use of paid sick leave of three or fewer consecutive work days shall be deemed unreasonable. Policies or practices that require a doctor’s note or other documentation for the use of paid sick leave of more than three consecutive work days (whether full or partial days) shall be deemed reasonable.

Effective immediately, OLSE Rule 2.3 is suspended and replaced with the following:

> Employers may not require a doctor’s note or other documentation for the use of paid sick leave taken pursuant to the Paid Sick Leave 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. Rule 2.3 will revert automatically to the version in effect prior to this guidance upon expiration of the Local Health Emergency.

**Employee Use of Paid Sick Leave**

Employers covered by the Paid Sick Leave Ordinance must allow covered employees to use accrued sick leave 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 Paid Sick Leave Ordinance requires employers to provide paid sick leave to all employees (including temporary and part-time employees) who perform work in San Francisco. Employees may use paid sick leave when they or a family member are ill, injured, or for the purpose of receiving medical care (including preventive care), treatment, diagnosis, or other medical reason.

Further guidance on the use of paid sick leave is available at www.sfgov.org/olse/pslo, or call OLSE’s multilingual paid sick leave hotline at (415) 554-6271.