California Paid Sick Leave FAQs

How do I qualify for paid sick leave?
A student employee qualifies for paid sick leave by working for an employer, for at least 30 days within a year and by satisfying a 90 day employment period before an employee can use any sick leave accrued.

When am I entitled to take paid sick leave?
Qualifying student employees begin to accrue paid sick leave on their first day of employment, however cannot use (take) paid sick leave until after 90 days of employment and accruing enough paid sick leave time to use for one of the stated purposes of the law.

What if I work less than 30 days in California within a year?
If you work less than 30 days in California within a year, then you are not entitled to be paid sick leave.

If I qualify, how much paid sick leave am I entitled to take and be paid for?
Employees will earn at least one hour of paid leave for every 30 hours worked. Student employees can use up to 48 hours or 6 days of paid sick leave in one year. Sick leave accrual may not exceed 72 hours or 9 days.

How is the year measured?
Because paid sick leave accrues beginning the first day of employment, the 12 month period will vary by hire date. Therefore, the measurement will mostly be tracked by the employee’s anniversary date.

What can I use sick leave for?
You can take paid leave for you or a family member for preventive care or care of an existing health condition or for specified purposes if you are a victim of domestic violence, sexual assault or stalking. Family members include the student employee’s parent, child, spouse, registered domestic partner, grandparent, grandchild, and sibling. Preventive care would include annual physicals or flu shots.

Do I have to give notice that I need to take my paid leave?
Employers must permit the student employee to use the paid sick leave upon an oral or written request, and the law forbids requiring an employee to find a replacement as a condition for using leave. If the need is foreseeable the employee must give reasonable advance notice, but where the need is unforeseeable the employee need only give notice as soon as practicable.

When I take paid sick leave, will I get paid as I normally do for the applicable pay period?
The new law requires that an employer provide payment for sick leave taken by a student employee no later than the payday for the next regular payroll period after the sick leave was taken. This does not prevent an employer from making the adjustment in the pay for the same payroll period in which the leave was taken, but it permits an employer to delay the adjustment until the next payroll.

How much will I get paid?
You will be paid at your regular hourly rate.

How will I know how much sick leave I have accrued?
Your myTime and/or pay stub/ document issued the same day as your paycheck, how many days of sick leave you have available.

Where do I record sick leave I have used?
Sick leave should be recorded in your myTime assignment. The minimum sick leave you may record is one hour.

If I leave my job, can I cash out my unused sick days?
No, not unless your employer’s policy provides for a payout. But if you leave your job and get rehired by the same employer within 12 months, you can reclaim what you had in your leave bank.