

## **New California Law Increases Paid Sick Leave from 3 to 5 Days**

As of January 1, 2024, California workers will have the right to accrue and use up to 5 days or 40 hours of Paid Sick and Safe Leave (“Paid Sick Leave”). Previously, California law required only 3 paid sick days.

<b>Paid Sick Leave FAQs</b>	
<b>What is Paid Sick Leave?</b>	Paid Sick Leave is fully paid, job-protected time off that can be used for specific reasons.
<b>For what reasons can I use Paid Sick Leave?</b>	You can use Paid Sick Leave: <ul style="list-style-type: none"><li>• to seek diagnosis, care, treatment or preventive care for you or someone close to you. This person can be a parent, sibling, child, spouse, registered domestic partner, grandparent, grandchild or another person designated by the employee in addition to the listed family members (can be limited to one designated person per year).</li><li>• for survivors of domestic violence, sexual assault or stalking to seek medical treatment for injuries, receive services from a shelter, program or crisis center, psychological counseling related to the experience, participate in safety planning, or to relocate.</li></ul>
<b>Who has the right to use Paid Sick Leave?</b>	Full-time, part-time, and temporary workers in California who have completed 90 days on the job may use paid sick days.

	The law does not apply to certain public employees and workers covered by collective bargaining agreements that provide for paid sick leave or paid time off.
<b>How do I accrue Paid Sick Leave?</b>	Workers accrue 1 hour of Paid Sick Leave per every 30 hours worked. Alternatively, employers may offer Paid Sick Leave as a lump sum.
<b>How do I know how much Paid Sick Leave I have accrued?</b>	Your employer is required to include the amount of Paid Sick Leave available in your pay stub or in a separate writing along with your paycheck.
<b>Is there a limit on Paid Sick Leave?</b>	Your employer may limit you to taking only 40 hours or 5 days of Paid Sick Leave per year, unless you are covered by a local ordinance or contract that provides more.
<b>Does Paid Sick Leave carry over to the next year?</b>	Yes, Paid Sick Leave can carry over, but your employer can still limit you to using only 5 days or 40 hours within a year.
<b>What if I have not accrued enough Paid Sick Leave or need more leave?</b>	You may be eligible for additional time off and paid leave under separate laws.  To learn more about your rights, visit Legal Aid at Work's <a href="#">website</a> , or call our <a href="#">Work &amp; Family Helpline</a> to discuss your specific situation with a legal representative.
<b>Can my employer fire me for using Paid Sick Leave?</b>	It is illegal for your employer to discriminate or retaliate against you for using Paid Sick Leave.
<b>Where do I go for help if my employer violates my rights?</b>	If your employer denies you Paid Sick Leave or retaliates against you for using it, you can file a complaint with the California Labor Commissioner.  For free, confidential legal advice about your rights, call Legal Aid at Work's <a href="#">Work &amp; Family Helpline</a> .

## Examples

**Gabriel** just started working for a youth shelter 10 weeks ago. Gabriel works 30 hours weekly, so he has accrued 10 hours of Paid Sick Leave so far. Gabriel can begin using his Paid Sick Leave as soon as he completes 90 days of employment.

**Rory** is a journalist for an online blog, and has accrued 25 hours of Paid Sick Leave so far this year. Rory's daughter Emily was exposed to COVID at school, and has to stay home until she is no longer a risk to other students. Rory can take Paid Sick Leave to care for Emily.

**Tania** and her two children recently fled a violent household, and are staying at a hotel for a night before they can move into a safe apartment. Tania has worked full-time at the local bank for over three years and has 5 days of Paid Sick Leave accrued. Tania can use her 5 Paid Sick Days to care for herself, meet with her domestic violence counselor, and move her family into the new apartment.

## Additional Information

For more information about Paid Sick Leave and related rights, visit [legalaidatwork.org/wf](https://legalaidatwork.org/wf) or contact Legal Aid at Work's Work & Family Helpline at 800-880-8047.

DISCLAIMER: Current as of January 2024. The information provided in this resource does not constitute advice. All content is for general informational purposes only. Do not rely on this information without consulting an attorney or the appropriate agency about your particular situation.

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