KNOW YOUR RIGHTS: California Paid Sick Time

This fact sheet covers California’s statewide paid sick time law. Some California cities have their own sick time laws, which may provide additional rights.

1) What does the California Paid Sick Time law do?
It gives workers sick time that can be used to recover from physical/mental illness or injury; to seek medical diagnosis, treatment, or preventative care; to care for a family member who is ill or needs medical diagnosis, treatment, or preventative care; or to address needs that may arise if the worker is a victim of domestic violence, a sexual offense, or stalking.

2) Am I covered?
If you work as an employee in California for at least 30 days in a year, you are probably covered, whether you are a full-time, part-time, or temporary worker. However, the law does not cover federal employees, certain state and municipal employees, and certain flight deck or cabin crew employees.

3) How much paid sick time can I earn?
You earn 1 hour of sick time for every 30 hours worked, up to a maximum of 48 hours or 6 days per year. However, your employer may limit your use of paid sick time at 24 hours or 3 days in a year.

All covered employees are protected against being fired or punished for using or requesting their sick time (including threats, discipline, demotion, reduction in hours, termination, etc.).

4) What if my work or my child’s school or daycare is closed for a health emergency?
You cannot use your sick time because your work or your child's school or day care is closed unless you would otherwise be able to use your sick time (for example, if you are sick or caring for a sick family member).

5) Which of my family members are covered by the law?
Under the law, you can take sick time to care for yourself or a child, spouse, registered domestic partner, parent, parent of a spouse or registered domestic partner, grandchild, grandparent, or sibling.

6) What if I already have paid leave or paid time off?
If you already get any paid leave (vacation, paid time off, etc.) that you can use as sick time and it’s at least the same amount you would earn under this law, the law does not give you any additional paid time off.
7) When can I begin using my sick time?
You start earning sick time immediately but cannot use it until 90 days after the start of your employment.

The California Labor Commissioner’s Office is in charge of enforcing this law.

All covered workers are protected against being fired or punished for using or requesting sick or safe time. If you have a problem—or want more information—call A Better Balance’s free legal clinic at 1-833-NEED-ABB.

Please note that this fact sheet does not represent an exhaustive overview of the paid sick time law described, and it does not constitute legal advice. It is possible that additional provisions not described in this fact sheet may apply to a worker’s specific circumstances or category of employment.