

KNOW YOUR RIGHTS: San Francisco Paid Sick Time

1) What does the San Francisco 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; for purposes related to bone marrow or organ donation when the worker or a family member is donating bone marrow or an organ; or to address needs that may arise if the worker is a victim of domestic violence, a sexual offense, or stalking. Additionally, the San Francisco Office of Labor Standards Enforcement released [administrative guidance](#) clarifying that sick time can also be used for certain COVID-19* related reasons, including when a worker takes off work because:

- Public health officials or healthcare providers require or recommend the worker isolate or quarantine to prevent the spread of disease;
- The worker falls within the definition of a “vulnerable population” under the San Francisco Department of Public Health’s March 6, 2020 guidelines or any subsequent updates—the definition currently includes persons who are 60 years old or older and persons with a health condition such as heart disease, lung disease, diabetes, kidney disease, or weakened immune system;
- The worker’s business or work location temporarily ceases operations in response to a public health official’s or other public official’s recommendation;
- The worker 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 worker 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 official’s or other public official’s recommendation.

** Between April 17, 2020 and April 12, 2021, the San Francisco Public Health Emergency Leave law may have provided certain workers with additional sick time rights in relation to COVID-19. Workers may still be eligible for supplemental sick time in relation to COVID-19 under a statewide law. For more information, click [here](#).*

2) Am I covered?

If you work as an employee in San Francisco, you are probably covered, whether you are a **full-time, part-time, or temporary** worker. However, the law does not cover federal and state employees.

3) How much paid sick time can I earn?

You earn **1 hour** of sick time for **every 30 hours worked**. If your workplace has **10 or more workers**, you can earn up to **72 hours** of paid sick time. If your workplace has **fewer than 10**

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workers, you can earn up to **40 hours** of paid sick time. Once you have earned the maximum hours of paid sick time, you cannot earn more paid sick time until you have used some.

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?

As mentioned above (under Question #1), the San Francisco Office of Labor Standards Enforcement released administrative guidance that clarifies that you can use your sick time when your business or work location temporarily ceases operations in response to a public health official’s or other public official’s recommendation, or to care for a family member whose school, childcare provider, senior care provider, or work temporarily ceases operations in response to a public health official’s or other public official’s recommendation.

5) Which of my family members are covered by the law?

You can take sick time to care for yourself or a child, spouse, legal guardian or ward, registered domestic partner, parent, parent of a spouse or registered domestic partner, grandchild, grandparent, sibling, or, if you don’t have a spouse or registered domestic partner, a designated person of your choice.

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.

8) Do I need a doctor’s note?

Only after more than 3 consecutive days of absence (and the note does not have to specify your illness). However, under a temporary rule in effect from March 24, 2020 until the date the local health emergency regarding COVID-19 ends, you cannot be required to provide a doctor’s note to your employer, even if you’ve been absent from work for more than 3 consecutive days.

The San Francisco Office of Labor Standards Enforcement is in charge of enforcing this law.



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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.