



IMPORTANT INFORMATION FOR IN-HOME SUPPORTIVE SERVICES PROVIDERS ABOUT THE NEW PAID SICK LEAVE PROGRAM

On April 4, 2016, Governor Jerry Brown signed Senate Bill 3 into law, allowing In-Home Supportive Services (IHSS) providers to receive annual paid sick leave beginning July 1, 2018. The California Department of Social Services (CDSS) has prepared this notice to provide you with information about this important new benefit.

EARNING PAID SICK LEAVE

Beginning July 1, 2018, (which is the first day of the State Fiscal Year), you, as an IHSS provider, will get eight hours of paid sick leave after being paid for working a total of 100 hours, providing authorized services for one or more IHSS recipient(s). Although you have earned your eight hours of paid sick leave after working 100 hours, you cannot begin using your paid sick leave until you work an additional 200 hours or 60 calendar days, whichever comes first. You have until the end of the State Fiscal Year, June 30, 2019, to use your sick leave hours.

At the start of each fiscal year thereafter, you will get eight hours of paid sick leave. If you do not use all of your sick leave hours by the end of the State Fiscal Year, any unused hours will expire.



ABILITY TO USE PAID SICK LEAVE HOURS

Although you have earned your eight hours of paid sick leave after being paid for working 100 hours, you cannot begin using your paid sick leave until you have been paid for working an additional 200 hours or 60 calendar days, whichever comes first, for any IHSS recipient(s).

EXAMPLE #1: REGULAR PROVIDER

On July 1, 2018, a provider begins working 40 hours a week for his recipient(s). Once the provider has been paid for working a total of 100 hours providing authorized services for his recipient(s) (on approximately July 18), he will earn his eight hours of paid sick leave. The provider can begin using his paid sick leave on approximately August 22, after he has been paid for providing authorized services for his recipient(s) for an additional 200 hours after July 18.

EXAMPLE #2: BACKUP PROVIDER

On July 1, 2018, another provider begins working 10 hours a month as a backup provider for her recipient(s). Once this provider has been paid for working a total of 100 hours providing authorized services for her recipient(s) (on approximately May 1, 2019), she will earn her eight hours of paid sick leave. This provider can begin using her paid sick leave on June 30, 2019, after she has been paid for providing authorized services for her recipient(s) for 60 calendar days after May 1, 2019.

Once you have completed the requirements to work 100 hours and an additional 200 hours (or 60 days), you will not have to repeat these requirements again as long as you continue to work as an IHSS provider.

NUMBER OF PAID SICK LEAVE HOURS

As the state minimum wage increases, you will be eligible to get more paid sick leave hours at the start of the State Fiscal Year,. If this happens, you will receive a notice from the CDSS informing you of an increase in the number of paid sick leave hours you will receive.

USING PAID SICK LEAVE HOURS

You can use these paid sick leave hours if you need to go to a medical appointment; if you are sick; or if you need to get services (such as counseling) because you have been a victim of domestic violence, sexual assault, or stalking.

You can also use these paid sick leave hours if a family member is sick or needs you to take them to a medical appointment. However, you can only use these paid sick leave hours if the family member is your:

- child or child you are legal guardian of,
- parent or legal guardian,
- spouse or registered domestic partner,
- grandparent,
- grandchild, or
- sibling.

SICK LEAVE

It is important for you to let your recipient (employer) know as soon as possible when you will be using paid sick leave so that your recipient can arrange for his/her services for the day when you will not be available.

PLANNED TIME OFF

If you know ahead of time that you will need time off (for a doctor's appointment, for example), you will need to let your recipient know

- at least 48 hours (or **two days**) in advance.

UNPLANNED TIME OFF

If you are sick or have a medical emergency, you need to let your recipient know immediately,

- **at least two hours before the time you should be starting work.**

When you ask for paid sick leave time off, you must take at least one hour off and can take additional time off in 30 minute (half hour) increments.

The hours you use for paid sick leave will **not** be deducted from any of your recipient(s)'s monthly authorized hours.

SUBMITTING FORM TO GET PAID FOR SICK LEAVE TIME

Whenever you need to take paid sick leave time off, you will need to complete a Provider Paid Sick Leave Request form (SOC 2302) and submit it to the address on the form. The form is included which can be photocopied for your future use, or you may obtain additional forms, if needed, from the county IHSS office or the CDSS website at <http://www.cdss.ca.gov/inforesources/Forms-Brochures/Forms-Alphabetic-List/Q-T>. You will need to send it on or before the date you send in your timesheet for the time period in which you took paid sick time off. If you send it in **after** the date you sent in your timesheet, the payment for the paid sick leave may be delayed. If you are using an Electronic Timesheet, you can record your sick leave hours directly on the online sick leave claim form to avoid delay of your paid sick leave payment.

Once the form is received and processed, you will get a payment to cover the number of hours you used for paid sick leave. This will be a separate payment from the pay you receive for providing services to your recipient.

NUMBER OF AVAILABLE PAID SICK LEAVE HOURS

After July 1, 2018, after earning your paid sick leave time, your paycheck will show the number of paid sick leave hours you have earned and used, and the number of hours you have remaining to use. Attached is a sample of a paycheck stub to show you where the information will be printed. If you are using an Electronic Timesheet, the information about the number of paid sick leave hours you have earned and used, and the number of hours you have remaining to use will all be available on that system.

You will also receive a written notification with one of your paychecks in June of each year. This notification will let you know how many hours of paid sick leave you will be getting on July 1 of that year.

LEAVING YOUR JOB

If you leave your job as an IHSS provider for any reason, you can keep your earned paid sick leave if you come back to work as an IHSS provider within one calendar year of leaving. However, if you do not come back to work as an IHSS provider within one calendar year, you will lose your eligibility and must re-enroll in the IHSS program (by completing the provider enrollment process again) to work as an IHSS provider. If this happens, no paid sick leave record will remain and you must begin the paid sick leave process again because you are a newly-enrolled provider.

You cannot be paid for any unused paid sick leave you have earned if you leave your position as an IHSS provider.

QUESTIONS ABOUT PAID SICK LEAVE TIME

You can call your local county IHSS office or Public Authority if you have any questions about any of the information provided in this notice.