

BACKGROUND – IHSS/WPCS SICK LEAVE

SEIU Local 2015 fought for and recently won COVID-19 sick leave benefits from the state for IHSS/WPCS providers. This important victory ensures sick pay for providers who need time off due to the pandemic.

Providers may claim this benefit if they are either (a) under quarantine; (b) caring for a child or someone else under quarantine; or (c) being vaccinated or experiencing vaccination side effects. These benefits are available between January 1, 2021 and September 30, 2021.

HOW MUCH SICK TIME CAN I CLAIM?

The number of hours a provider can claim depends on the number of hours worked per week:

1. Full-time providers (40 hours or more per week) are allowed 80 hours paid sick leave.
2. Part-time providers are allowed the average hours worked in a 2-week pay period. For example, a provider who works 25 hours per week will be allowed 50 hours paid sick leave.
3. All providers may submit a claim for up to 2 hours per COVID-19 vaccination appointment.
4. All providers who miss work due to COVID-19 vaccination side effects may submit a claim for actual time missed.

Providers may submit one claim forms for the entire benefit, or submit multiple claim forms which add up to the total eligible hours

HOW DO I QUALIFY FOR THE SICK LEAVE BENEFIT?

A provider must meet one of the following requirements to be eligible for the COVID-19 sick leave benefit. Providers experiencing substantially similar concerns may also claim the sick leave benefit:

1. Quarantine (any of the following):
 - a. Subject to quarantine or isolation order;
 - b. Advised by a healthcare provider to self-quarantine;
 - c. Experiencing symptoms and seeking medical diagnosis.
2. Care duties (either of the following):
 - a. Caring for an individual who is subject to quarantine or isolation;
 - b. Caring for a child whose school or childcare facility has been closed due to COVID-19 precautions, and no one else is available to care for your child;
3. Vaccination (either of the following):
 - a. Medical appointment to receive a COVID-19 vaccination (2 hrs.);
 - b. Experiencing COVID-19 vaccination related side effects.

If you are sick, potentially sick with, or have been exposed to COVID-19, you should not be providing services for any recipient. Contact your recipient(s) and let them know you are unavailable so they can contact their local office to request assistance finding another provider until you are well.

WHAT IF I ALREADY CLAIMED COVID-19 SICK TIME?

This is a new state benefit signed into law in March 2021. This benefit is different from the federal one-time sick leave benefit provided in 2020 under the Emergency Paid Sick Leave Act (EPSLA). Providers who claimed sick time under EPSLA may also claim sick time under this new California law.

EPSLA applied to the period from April 2, 2020 to March 31, 2021. This new California state sick leave benefit applies to the period from January 1, 2021 to September 30, 2021.

HOW DO I APPLY?

IHSS/WPCS providers who wish to claim the sick leave benefit must complete the form TEMP 3021 (3/21). This form requires provider information, recipient information, claimed dates, and reason for claiming sick time. This form is available online at: <https://cdss.ca.gov/Portals/9/Additional-Resources/Forms-and-Brochures/2019/Q-T/TEMP3021.pdf>