

## UNIVERSITY OF CALIFORNIA 2022 EMERGENCY PAID SICK LEAVE NOTICE AND REQUEST FORM

[Section I](#) of this form provides important information regarding University employees' entitlement to 2022 Emergency Paid Sick Leave (2022 EPSL). **2022 EPSL provides employees with additional leave, and it provides eligible employees with additional time to use any remaining hours from their 2021 Emergency Paid Sick Leave (2021 EPSL) entitlement.**

2022 EPSL is available February 19, 2022 through December 31, 2022. If an employee took any leave between January 1, 2022 and February 18, 2022 for one or more of the qualifying reasons, the employee may request that the University allow them to retroactively use 2022 EPSL as described in [Section I.E.](#) below<sup>1</sup>. If an employee has a block EPSL leave in progress over December 31, 2022, the employee will be allowed to finish that block leave using any remaining 2021 or 2022 EPSL entitlement.

2022 EPSL is available for immediate use effective February 19, 2022. An employee may request this leave orally or in writing by filling out [Section II](#). The signed form should be returned to the employee's supervisor.

Many terms used below have specific meanings. If a term is italicized, it is defined in [Appendix A](#).

### **I. 2022 EPSL – Background Information**

An eligible employee may use EPSL during the 2022 EPSL period if the University has work for the employee and one of the six qualifying reasons below prevents the employee from being able to perform that work, either under normal circumstances at their normal worksite or by means of telework.

#### **A. Qualifying Reasons**

An employee may use EPSL during the 2022 EPSL period if one or more of the following reasons apply:

##### **Reason 1 (Quarantine or Isolation Period):**

The employee is unable to work or *telework* because the employee is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidance of the California Department of Public Health, the federal Centers for Disease Control and Prevention, or a local public health officer with jurisdiction over the workplace.

##### **Reason 2 (Isolate or Self-Quarantine):**

The employee is unable to work or *telework* because the employee has been advised by a *health care provider* to isolate or self-quarantine due to COVID-19.

##### **Reason 3 (Testing, Diagnosis, and/or Vaccination):**

The employee is unable to work or *telework* because of any of the following:

- a. The employee is experiencing symptoms of COVID-19 and is seeking a medical diagnosis.

<sup>1</sup>If an employee took an eligible leave between January 1, 2021 and September 30, 2021 for one or more of the 2021 EPSL qualifying reasons, the employee may request that the University allow them to retroactively use any 2021 EPSL entitlement for that leave as described in the [Request Form for Retroactive Use of 2021 EPSL](#). Employees must submit these requests by December 6, 2022.

- b. The employee has been exposed to COVID-19 and is seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID-19.
- c. The University has requested that the employee obtain a diagnostic test for, or a medical diagnosis of, COVID-19, and the employee is seeking or awaiting those results.
- d. The employee is attending an appointment for themselves or a *family member* to receive a vaccine or vaccine booster for protection against COVID-19.
- e. The employee is experiencing symptoms, or caring for a *family member* experiencing symptoms, related to a COVID-19 vaccine or vaccine booster.

**Reason 4 (Caring for a *Family Member*):**

The employee is unable to work or *telework* because they are caring for a *family member* who is either subject to a quarantine or isolation period related to COVID-19 (as defined by an order or guidance of the California Department of Public Health, the federal Centers for Disease Control and Prevention, or a local public health officer with jurisdiction over the workplace) or who has been advised by a *health care provider* to self-quarantine or isolate due to COVID-19.

**Reason 5 (Closure of School/Child Care):**

The employee is unable to work or *telework* because the employee is caring for their *child* whose *school, place of care, or child care provider* is closed or otherwise unavailable for reasons related to COVID-19.

**Reason 6 (Positive Test)**

The employee is unable to work or *telework* because the employee tests positive for COVID-19 or because the employee is caring for a *family member* who tests positive for COVID-19.

**B. Eligibility for 2022 EPSL**

All employees are eligible for 2022 EPSL if one or more of the six qualifying reasons apply. Employees hired on or before September 30, 2021 who did not exhaust their 2021 EPSL entitlement are also eligible to use any remaining 2021 EPSL entitlement during the 2022 EPSL period if one or more of the six qualifying reasons apply.

**C. Amount of Potential 2022 EPSL Entitlement**

2022 EPSL provides all employees with new leave, and it also provides eligible employees with additional time to use any remaining hours from their 2021 EPSL entitlement.

1. Potential length of time an employee may take EPSL during the 2022 EPSL period:
  - a. New Leave for All Employees: 80 hours for full-time employees and the two-week equivalent for part-time employees (capped at 80 hours). Under certain circumstances, full-time firefighters may be entitled to more than 80 hours.
  - b. Remaining 2021 EPSL Entitlement: All employees hired on or before September 30, 2021 are entitled to use any hours remaining from their 2021 EPSL entitlement during the 2022 EPSL period.

- c. Examples: If a full-time employee used 40 hours of their 80-hour 2021 EPSL entitlement, that employee may use 120 hours during the 2022 EPSL period (40 remaining 2021 EPSL hours + 80 new hours). If a full-time employee did not use any of their 80-hour 2021 EPSL entitlement, that employee may use 160 hours during the 2022 EPSL period (80 remaining 2021 EPSL hours + 80 new hours). If a full-time employee exhausted their 2021 EPSL entitlement or was never eligible for 2021 EPSL, that employee may use 80 hours of 2022 EPSL.
2. Amount of pay an eligible employee will receive during 2022 EPSL:
  - a. The employee will receive their regular rate of pay when using EPSL during the 2022 EPSL period.

#### **D. How EPSL May Be Taken During the 2022 EPSL Period**

1. Non-exempt employees who are teleworking may take EPSL as a block leave or intermittently in increments of at least one hour.
2. Exempt employees who are teleworking may take EPSL as a block leave or intermittently in whole day increments.
3. Employees working onsite may take EPSL for any reason as a block leave but may only take EPSL intermittently if taking leave for Reason 3(d) (vaccination), Reason 3(e) (vaccine symptoms), or Reason 5 (school closure). When taking EPSL intermittently for any of these reasons, non-exempt employees may take EPSL in increments of at least one hour, and exempt employees may take EPSL in whole day increments.
4. For public health reasons, employees working onsite who are taking EPSL for Reason 1 (quarantine or isolation period); Reason 2 (self-quarantine); Reason 3(a) (diagnosis due to symptoms); Reason 3(b) (diagnosis due to exposure); Reason 3(c) (University-requested diagnosis); Reason 4 (caring for *family member*); or Reason 6 (positive test) must continue using EPSL until the employee either uses the full amount of EPSL or no longer has a qualifying reason for using EPSL.

#### **E. Retroactive Use of 2022 EPSL**

1. Retroactive Payments. If an employee took leave on or after January 1, 2022 for one or more of the qualifying reasons but was not paid their regular rate of pay during that leave, the employee may request that the University provide them with a retroactive payment using their 2022 EPSL entitlement.
2. Retroactive Leave Adjustments. If an employee used any paid leave on or after January 1, 2022 for one or more of the qualifying reasons, the employee may request that the University allow them to retroactively use 2022 EPSL for that leave and that the University credit their leave banks for the time previously debited.

#### **F. 2022 EPSL is Protected Leave**

Retaliation or discrimination against an employee requesting or using this leave is strictly prohibited. Individuals who believe they have been subjected to retaliation or discrimination can submit complaints through their local Human Resources office, Affirmative Action/Equal Employment Opportunity office, Academic Personnel office, Labor Relations office, or the University [Whistleblower Hotline](https://www.universityofcalifornia.edu/whistleblower-hotline) (800-403-4744).

## II. 2022 EMERGENCY PAID SICK LEAVE (EPSL) REQUEST FORM

### University of California

EMPLOYEE INFORMATION		
EMPLOYEE NAME	EMPLOYEE ID	JOB TITLE
REQUESTED EPSL DATES	EPSL START DATE	EPSL END DATE
LOCATION	DEPARTMENT	SUPERVISOR
REASON FOR TAKING EPSL		
I am unable to work or <i>telework</i> during the above period due to the following Reason (as listed in <a href="#">Section I.A</a> above): ___1___2___3___4___5___6		
COMPLETE SECTION BELOW THAT IS APPLICABLE TO THE REASON FOR WHICH YOU ARE REQUESTING EPSL		
<p><b>If requesting EPSL for Reason 1:</b>            I am unable to work or <i>telework</i> because I am subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidance of the California Department of Public Health, the federal Centers for Disease Control and Prevention, or a local public health officer with jurisdiction over my workplace.</p> <p>The following federal, state, or local governmental entity issued this order or guidance:            _____</p>		
<p><b>If requesting EPSL for Reason 2:</b>            I am unable to work or <i>telework</i> because I have been advised by a <i>health care provider</i> to isolate or self-quarantine during these dates _____ due to COVID-19.</p>		
<p><b>If requesting EPSL for Reason 3:</b>            I am unable to work or <i>telework</i> during these dates _____ because of one or more of the following:</p> <ul style="list-style-type: none"> <li>a. I am experiencing symptoms of COVID-19 and am seeking a medical diagnosis.</li> <li>b. I have been exposed to COVID-19 and am seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID-19.</li> <li>c. The University has requested that I obtain a diagnostic test for, or a medical diagnosis of, COVID-19, and I am seeking or awaiting those results.</li> <li>d. I am attending an appointment for myself or a <i>family member</i> to receive a vaccine or vaccine booster for protection against COVID-19.</li> <li>e. I am experiencing symptoms, or caring for a <i>family member</i> experiencing symptoms, related to a COVID-19 vaccine or vaccine booster.</li> </ul>		
<p><b>If requesting EPSL for Reason 4:</b>            I am unable to work or <i>telework</i> because I am caring for a <i>family member</i> who is either subject to a quarantine or isolation period related to COVID-19 (as defined by an order or guidance of the California Department of Public Health, the federal Centers for Disease Control and Prevention, or a local public health officer with jurisdiction over my workplace) or who has been advised by a <i>health care provider</i> to self-quarantine or isolate due to COVID-19.</p> <ol style="list-style-type: none"> <li>1. Name of <i>family member</i> for whom I am caring: _____</li> <li>2. My relationship to this <i>family member</i> is: _____</li> <li>3. Complete one of the following:               <ol style="list-style-type: none"> <li>a. The <i>family member</i> identified above is subject to a quarantine or isolation period related to COVID-19 as defined by an order or guidance issued by the following federal, state, or local governmental entity:                    _____</li> </ol> </li> </ol>		

b. The *family member* identified above has been advised by a *health care provider* to self-quarantine or isolate during these dates \_\_\_\_\_ due to COVID-19.

**If requesting EPSL for Reason 5:**

I am unable to work or *telework* during these dates \_\_\_\_\_ because I am caring for my *child/children* whose *school, place of care, or child care provider* is closed or is otherwise unavailable for reasons related to COVID-19.

1. Name of each *child* for whom I providing care during the period for which I am requesting EPSL:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. During the period for which I am requesting EPSL, my *child's/children's school, place of care, or child care provider* will be closed or unavailable to my *child/children* only on certain days due to their implementation of an alternate day or other hybrid-attendance schedule.

No, this does not apply to me.

Yes, I confirm this is true. My *child's/children's school, place of care, or child care provider* will be closed or unavailable to my *child/children* only on certain days because they are implementing the following alternate day or other hybrid-attendance schedule:

\_\_\_\_\_

\_\_\_\_\_

**For example: "My child's school only permits my child to attend school in person on Tuesdays and Thursdays, and my child participates in remote learning on Mondays, Wednesdays, and Fridays."**

**If requesting EPSL for Reason 6:**

I am unable to work or telework because I tested positive for COVID-19 or because I am caring for a family member who tested positive for COVID-19. Date of positive test result: \_\_\_\_\_ (enter date).

**CERTIFICATION**

I certify that the foregoing is true. I understand that the University may require additional documentation in support of my request for EPSL during the 2022 EPSL period.

EMPLOYEE SIGNATURE	DATE	SUPERVISOR SIGNATURE	DATE
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## APPENDIX A DEFINITIONS

**Child:** The employee’s biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. An employee stands in loco parentis to a child when the employee has day-to-day responsibilities to care for or financially supports the child.

**Child Care Provider:** A provider who receives compensation for providing child care services on a regular basis, including a center-based child care provider, a group home child care provider, a family child care provider, or other provider of child care services for compensation that is licensed, regulated, or registered under State law and satisfies State and local requirements. An eligible child care provider need not be compensated or licensed if they are a family member or friend, such as a neighbor, who regularly cares for the employee’s child.

**Family Member:** Includes the employee’s child; parent (i.e., biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee’s spouse or registered domestic partner, or a person who stood in loco parentis to the employee when the employee was a minor child); spouse; registered domestic partner; grandparent; grandchild; or sibling.

**Health Care Provider:** A doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; a podiatrist, dentist, clinical psychologist, optometrist, chiropractor (limited to the treatment of the spine to correct a subluxation as demonstrated by x-ray to exist), nurse practitioner, nurse mid-wife, physician assistant, or clinical social worker who is authorized to practice in the State and is performing within the scope of their practice as defined under State Law; a Christian Science practitioner; any health care provider that the employee's health plan carrier recognizes for purposes of payment; and a health care provider listed above who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country, and who is performing within the scope of their practice as defined under such law.

**Place of Care:** A physical location in which care is provided for the employee’s child while the employee works for the University. The physical location does not have to be solely dedicated to such care. Examples include day care facilities, preschools, before and after school care programs, schools, homes, summer camps, summer enrichment programs, and respite care programs.

**School:** An “elementary school” or “secondary school” as follows:

- “Elementary school” means a nonprofit institutional day or residential school, including a public elementary charter school that provides elementary education, as determined under State law.
- “Secondary school” means a nonprofit institutional day or residential school, including a public secondary charter school that provides secondary education, as determined under State law, except that the term does not include any education beyond grade 12.

**Telework:** Work the University permits or allows an employee to perform while the employee is at home or at a location other than the employee’s normal workplace. An employee is able to telework if:

- The University has work for the employee;
- The University permits the employee to work from the employee’s location; and
- There are no extenuating circumstances (such as serious COVID–19 symptoms) that prevent the employee from performing that work.