

# COVID-19 UPDATE

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On September 29, 2022 the Governor signed [Assembly Bill \(AB\) 152](#), which immediately extends the 2022 COVID-19 Supplemental Paid Sick Leave (SPSL) through December 31, 2022. AB 152 extends the obligations and entitlements of California's 2022 COVID-19 SPSL only to December 31, 2022. It does not provide an additional or new leave bank for employees or otherwise create new obligations for the County.

While AB 152 does not create new obligations for employers, it does expand permissible employer-required diagnostic testing of employees. Currently, if an employee uses 2022 SPSL because they test positive for COVID-19 an employer can require the employee to take a diagnostic test on or after the fifth day after the initial test and provide documentation of those results. Under AB 152, in addition to requiring testing on day five after an initial positive test, if the day five test result is positive, an employer is permitted to require the employee to submit to a second diagnostic test within no less than 24 hours. If the employee does not provide documentation of the day five test result or does not submit to the additional test at the employers request, the employer is not required to provide additional SPSL. AB 152 requires employers to provide the additional tests at no cost to employees. Additionally, employers are not required to provide new or additional Supplemental Paid Sick Leave to employees who have already used their 2022 COVID-19 sick pay allotment.

At this time, it's unknown if California will extend this sick leave beyond December 31, 2022. Employees shall not record the 2022 COVID-19 Supplemental paid sick leave on their timesheets after December 31, 2022. However, if an employee who is eligible for the 2022 COVID-19 Supplemental paid sick leave either tests positive or meets the eligibility criteria on December 31 and the resulting leave extends past the December 31 expiration date and they were using their Supplemental leave balance (SPL or SPL2), they can continue to use the 2022 COVID-19 Supplemental (SPL or SPL2) paid sick leave balance beyond December 31, 2022 until they exhaust up to their 80 hours provided under the law.

Additional 2022 SPSL information can also be reviewed [here](#). Should you have any questions, please reach out to your Supervisor/Manager or departmental HR representative for assistance.

