



MARIN COUNTY

OFFICE OF EDUCATION

building the future... one student at a time

1111 Las Gallinas Avenue/P.O. Box 4925
San Rafael, CA 94913-4925
marincoe@marinschools.org

MARY JANE BURKE
MARIN COUNTY
SUPERINTENDENT OF SCHOOLS

(415) 472-4110
FAX (415) 491-6625
TDD (415) 491-6611

Updated October 2022

Employee Paid Leave Rights During COVID-19 (“Coronavirus”) Pandemic

This memorandum summarizes leave rights available to Marin County Office of Education (MCOE) employees during the COVID-19 (“Coronavirus”) Pandemic.

Leave Entitlement

During the COVID-19 pandemic, employees have access to the same leaves they would typically. Additional emergency leave benefits granted under the Families First Coronavirus Response Act (FFCRA- HR 6201) in effect from April 1, 2020 - December 31, 2020 and the California Supplemental Paid Sick Leave (SPSL) from January 1, 2021- September 30, 2021 are no longer available. However, the Governor did sign into law Supplemental Paid Sick Leave (SPSL) in February 2022 and an extension in September 2022 which grants additional COVID-19 related leave retroactive to January 1, 2022 and is effective through December 31, 2022.

Leaves granted under the California SPSL include up to 80 hours of leave total (prorated for employees working less than 40 hours per week; total of two workweeks for a maximum of \$511/day and \$5,110 total) for employees who are unable to work for one of the following reasons:

Up to 40 hours (prorated for employees working less than 40 hours per week) are available for:

1. The employee is subject to a quarantine or isolation orderⁱ related to COVID-19 by federal, state, or local government; or
2. The employee has been advised to self-quarantine related to COVID-19 by a healthcare provider; or
3. The employee is attending an appointment to receive a vaccine or booster for protection against contracting COVID-19 for themselves or a family memberⁱⁱ; or
4. The employee is experiencing, or caring for a family member who is experiencing symptoms related to a COVID-19 vaccine or booster that prevent them from working or teleworking (limited to 3 work days, unless verification from a health care provider that the employee or family member is continuing to experience symptoms); or
5. The employee is experiencing COVID-19 symptoms and seeking medical diagnosis; or
6. The employee is caring for a family member who is subject to (1) or (2); or
7. The employee is caring for a childⁱⁱⁱ whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.

An additional 40 hours (prorated for employees working less than 40 hours per week) are available for:

8. The employee, or a family member for whom the employee is providing care, tests positive for COVID-19.

Important note: Supplemental Paid Sick Leave (SPSL) may not exceed a total of two (2) weeks. SPSL leave can be applied retroactively to qualifying leaves taken on or after January 1, 2022 (see COVID-19 Submitting a Leave Request Memo). Employees who used Emergency Paid Sick Leave (EPSL) in 2020 and SPSL in 2021 are eligible to access an additional two (2) weeks of leave under the 2022 SPSL, but any FFCRA leaves not used in 2020 and SPSL not used in 2021 expired and are no longer accessible. Employees are able to use other available leaves to remain in paid status and are encouraged to work with Personnel to understand their total leave rights.

Leave Chart

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Employee is subject to a quarantine or isolation order related to COVID-19 by federal, state, or local government Employee has been advised to self-quarantine related to COVID-19 by a healthcare provider Employee is attending an appointment to receive a vaccine or booster for protection against contracting COVID-19 for themselves or a family member Employee is experiencing symptoms or caring for a family member who is experiencing symptoms related to a COVID-19 vaccine or booster that prevent them from working or teleworking^{iv} Employee is experiencing COVID-19 symptoms and seeking medical diagnosis Employee is caring for a family member who is subject to (1) or (2) Employee is caring for a child whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises Employee, or a family member for whom the employee is providing care, tests positive for COVID-19.^v								
Color key: Available for use Allowed by MCOE Not applicable								
(SPSL) California Supplemental Paid Sick Leave	Up to 40 hours of employer-paid sick leave ^{vi} for full-time employees; average hours per two-week period for part-time employees	Up to 40 hours of employer-paid sick leave ^{vi} for full-time employees; average hours per two-week period for part-time employees	Up to 4 hours or ½ day of employer-paid sick leave ^{vi} ;	Up to 24 - 40 hours of employer-paid sick leave ^{vi} for full-time employees; average hours per two-week period for part-time employees	.25 hours/ 15 minutes (duration of rapid test) of employer-paid sick leave ^{vi} for full-time hourly employees; ½ day (minimum leave increment) for exempt	Up to 40 hours of employer-paid sick leave ^{vi} for full-time employees; average hours per two-week period for part-time employees	Up to 40 hours of employer-paid sick leave ^{vi} for full-time employees; average hours per two-week period for part-time employees	Up to 80 hours of employer-paid sick leave ^{vi} for full-time employees; average hours per two-week period for part-time employees
Sick Leave			When employee is sick (allowed for family member with	When employee is sick (allowed for family member with approved		Allowed with approved leave request	Allowed with approved leave request	

			approved leave request)	leave request)				
Differential Leave			When employee is sick only	When employee is sick only				
Personal Necessity (up to 7 days of available Sick Leave)								
Vacation (as applicable)								
Industrial Accident/ Illness^{vii}	Available if employee tests positive for COVID-19 and submits Workers Compensation paperwork (available through supervisor or Personnel)	Available if employee tests positive for COVID-19 and submits Workers Compensation paperwork (available through supervisor or Personnel)			Available if employee tests positive for COVID-19 and submits Workers Compensation paperwork (available through supervisor or Personnel)			Available if employee tests positive for COVID-19 and submits Workers Compensation paperwork (available through supervisor or Personnel)

ⁱ Order must be specific to you; the Marin County Public Health Officer to shelter at home would not apply

ⁱⁱ Family member is defined as child; parent; spouse; registered domestic partner; grandparent; grandchild; sibling.

ⁱⁱⁱ Child is defined as biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. regardless of age or dependency status

^{iv} Documentation required for absence relating to symptoms resulting from a vaccine or booster greater than three (3) days

^v Documentation of positive test results required

^{vi} Leave at full pay, up to a maximum of \$511 per day and \$5,110 total

^{vii} Requires Workers' Compensation paperwork be submitted