Executive Order N-51-20 requires hiring entities with 500 or more employees to provide supplemental paid sick leave to food sector workers for specified reasons related to COVID-19.

Qualifying Reasons for Taking COVID-19 Supplemental Paid Sick Leave

A food sector worker may take leave if the worker is unable to work for any of the following reasons:

1. The worker is subject to a Federal, State, or local quarantine or isolation order related to COVID-19.
2. The worker is advised by a health care provider to self-quarantine or self-isolate due to COVID-19 related concerns.
3. The worker is prohibited from working by the worker’s hiring entity due to health concerns related to the potential transmission of COVID-19.

Workers Are Covered if They Meet the Following Criteria:

- Work for an employer with 500 or more employees nationwide, and
- Qualify as a “food sector worker,” which means that they:
  - Perform work in a certain food-related industry or in the retail food supply chain, including pick-up, delivery, warehousing, packaging, retail, or preparation;
  - Perform work outside the worker’s home; AND
  - Are exempt as critical infrastructure workers from any statewide stay-at-home order
- Workers do not have to be classified by the hiring entity as an employee in order to be covered.
- Examples of covered workers: farm workers, grocery store workers, food pick-up and food delivery workers

Paid Leave Entitlement

- Amount of Hours of COVID-19 Supplemental Paid Sick Leave:
  - 80 hours for those considered full-time workers, in addition to any other accrued paid sick leave.
  - For part-time workers with a normal weekly schedule, the number of hours the employee is normally scheduled to work over two workweeks.
  - For part-time workers with variable schedules, 14 times the average number of hours worked per day over the past 6 months.
- Rate of Pay for COVID-19 Supplemental Paid Sick Leave:
  - Highest of (1) regular rate of pay for last pay period, (2) State minimum wage, or (3) local minimum wage,
  - Not to exceed $511 per day and $5,110 in total

Enforcement:

- Any food sector worker denied COVID-19 supplemental paid sick leave can file a claim with the Labor Commissioner’s Office. Leave must be made available for use immediately upon oral or written requests of the worker.
- Retaliation or discrimination against a food sector worker requesting or using COVID-19 supplemental paid sick leave is strictly prohibited. A worker who experiences such retaliation or discrimination can file a claim with the Labor Commissioner’s Office.

This poster must be displayed where workers can easily read it. If workers do not frequent a physical workplace, it may be disseminated to workers electronically.

For additional information you may contact your employer or the local office of the Labor Commissioner. Locate the office by looking at the list of offices on our website http://www.dir.ca.gov/dlse/DistrictOffices.htm using the alphabetical listing of cities, locations, and communities.