

UPDATED TO INCLUDE STATE & LOCAL COVID-19 PSL LAWS

The following are Paid Sick Leave (PSL) laws and local ordinances, most of which include provisions for collective bargaining agreement (CBA) waivers – this chart shows which UCON CBAs currently have waivers in place if CBA waivers are available under the applicable law. California PSL has also been included here.

“CBA waiver” means that the waiver is contained within the CBA, while a Side Letter is a separate document. Please contact the UCON office if you need copies of any of the executed waivers.

NORTHERN CALIFORNIA

	CARPENTERS	IRON WORKERS	CEMENT MASONS	LABORERS	OPERATING ENGINEERS	PILE DRIVERS	TEAMSTERS
<u>California PSL – Healthy Workplace Healthy Family Act</u> (Effective 7/1/15)	CBA Waiver (Section 43)	CBA Waiver (Section 11)	CBA Waiver (Attachment D)	Side Letter Waiver	CBA Waiver (Section 12.06.01)	CBA Waiver (Section VII-B)	CBA Waiver (Supplemental Agreement No. 5)
<u>California COVID-19 Supplemental Paid Sick Leave [SB 95]</u> (Effective 3/29/21, retro to 1/1/21)	<i>Applies to all employers in California with 26 or more employees. NO CBA WAIVERS ARE AVAILABLE</i>						
<u>Berkeley PSL</u> (Effective 10/1/17)	CBA Waiver (Section 43)	CBA Waiver (Section 11) <i>By inference</i>	CBA Waiver (Attachment D) <i>By inference</i>	Side Letter Waiver	Waiver (Section 12.06.02) <i>By inference</i>	CBA Waiver (Section VII-B)	CBA Waiver (Supplemental Agreement No. 5) <i>By inference</i>
<u>Emeryville PSL</u> (Effective 7/2/15)	CBA Waiver (Section 43)	CBA Waiver (Section 11) <i>By inference</i>	CBA Waiver (Attachment D)	Side Letter Waiver	CBA Waiver (Section 12.06.02)	CBA Waiver (Section VII-B)	CBA Waiver (Supplemental Agreement No. 5)
<u>Oakland PSL</u> (Effective 3/2/15)	CBA Waiver (Section 43)	CBA Waiver (Section 11) <i>By inference</i>	CBA Waiver (Attachment D)	Side Letter Waiver	CBA Waiver (Section 12.06.02)	CBA Waiver (Section VII-B)	CBA Waiver (Supplemental Agreement No. 5)
<u>Oakland COVID-19 Emergency PSL Ordinance</u> (Effective 5/12/20, extended through the duration of Oakland’s Declaration of COVID-19 Emergency)	<i>Applies to all private employers, except for those who employed less than 50 between 2/3/2020 and 3/4/2020, and covers employees who have worked at least 2 hours within the City of Oakland since 2/3/2020. UCON’s position is that current CBA waivers extend to and cover this leave.</i>						
<u>Sacramento Worker Protection, Health, and Safety Act</u> (Effective 7/15/20-3/31/21)	<i>Applies to all employers in the City of Sacramento with 500+ employees nationally, and all employees who work within the City. NO CBA WAIVERS ARE AVAILABLE</i>						

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<u>Sacramento County Worker Protection, Health, and Safety Act</u> (Effective 10/1/20-3/31/21)	<p><i>Applies to all employers in the unincorporated area of the County of Sacramento with 500+ employees nationally, and all employees who work within the unincorporated area of the County.</i></p> <p><i>NO CBA WAIVERS ARE AVAILABLE</i></p>						
<u>San Francisco PSL</u> (Effective 2/5/07)	CBA Waiver (Section 43)	CBA Waiver (Section 24-S)	CBA Waiver (Attachment D)	Side Letter Waiver	CBA Waiver (Section 12.06.02)	CBA Waiver (Section VII-B)	CBA Waiver (Supplemental Agreement No. 5)
<u>San Francisco Public Health Emergency Leave Ordinance</u> (Effective 4/17/20-4/12/21)	Covered under waivers in Section 43 – <u>Confirmed with Union Letter</u>	Covered under waivers in Section 11 – <u>Confirmed with Union Letter</u>	<p><i>Applies to all employers with 500+ employees worldwide and all employees who perform work within the geographic boundaries of the City of San Francisco; for more information see SFOLSE’s <u>PHELO Guidance FAQ</u>.</i></p> <p><i>UCON’s position is that current CBA waivers extend to and cover SFPHELO. UCON will work with our union partners to secure more specific waiver language, as needed.</i></p>				
<u>San Jose Revised COVID-19 Paid Sick Leave Ordinance</u> (Effective 1/1/21 – 6/30/21)	<p><i>SJRCPL applies to all San Jose employers (either subject to the Business License Tax Chapter 4.76 of the Municipal Code or maintain a facility in the City), and covers employees who have worked at least 2 hours within the City of San Jose.</i></p> <p><i>UCON’s position is that current CBA waivers extend to and cover SJRCPL.</i></p>						
<u>San Mateo Emergency COVID-19 PSL Ordinance</u> (Effective 7/8/20-6/30/21)	<p><i>Applies to all employers with 500+ employees nationally, and all employees who have worked within the geographic boundaries of unincorporated San Mateo County since January 1, 2020</i></p> <p><i>UCON’s position is that current CBA waivers extend to and cover this leave. UCON will work with our union partners to secure more specific waiver language, as needed</i></p>						
<u>Santa Rosa Temporary COVID-19 PSL</u> (Effective 2/2/21 – 3/31/21 or until expiration of FFCRA-related federal tax credits)	<p><i>Applies to all employers, and all employees who work at least 2 hours within the City of Santa Rosa.</i></p> <p><i>NO CBA WAIVERS ARE AVAILABLE</i></p>						
<u>Extended Sonoma County Supplemental COVID-19 PSL</u> (Effective 1/26/21 – 6/30/21)	<p><i>Effective 2/9/2021, applies to <u>all employers</u> within unincorporated Sonoma County (prior to that date, those with 500+ employees nationally), and all employees who work at least 2 hours within the unincorporated areas of Sonoma County.</i></p> <p><i>NO CBA WAIVERS ARE AVAILABLE</i></p>						

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Other Current or Future PSL Ordinances with CBA Waiver Provisions (NorCal)	“To the fullest extent permitted by law, this waiver shall apply to any other federal, state, city, county, or other local ordinance requiring mandatory paid sick leave that is currently in effect or may be adopted during the term of this agreement.”	“Provisions of this Section shall supersede any local, state or federal sick leave requirement...”	“...this waiver shall apply to any other city, county, State, Federal or other local ordinance requiring mandatory paid sick leave that may be adopted during the term of this Master Agreement.”	“...to the fullest extent permitted by law, this waiver shall apply to any other Federal, State, City, County or other local ordinance requiring mandatory Paid Sick Leave that may be adopted during the term of this agreement.”	“...to the fullest extent permitted by law, this waiver shall apply to any other Federal, State, City, County or other local ordinance requiring mandatory Paid Sick Leave that may be adopted during the term of this agreement.”	“...to the fullest extent permitted by law, this waiver shall apply to any other federal, state, city, county, or other local ordinance requiring mandatory paid sick leave that is currently in effect or may be adopted during the term of this Agreement.”	“...to the fullest extent permitted by law, this waiver shall apply to any other Federal, State, City, County or other local ordinance requiring mandatory paid sick leave that may be adopted during the term of this Master Agreement. “

SOUTHERN CALIFORNIA

	CARPENTERS/ PILE DRIVERS	CEMENT MASONS	IRON WORKERS	LABORERS	OPERATING ENGINEERS
<u>California PSL – Healthy Workplace Healthy Family Act</u> (Effective 7/1/15)	CBA Waiver (Appendix N)	CBA Waiver (Article XX, 2004)	CBA Waiver (Section 11)	CBA Waiver (Appendix B)	CBA Waiver (Article XIX, Section L-1(c))
<u>City of Long Beach COVID-19 Supplemental Paid Sick Leave Ordinance</u> (Effective 5/19/20 – No expiration date)	<u>Side Letter Waiver</u>	<u>Side Letter Waiver</u>	Arguably covered by general waiver in Section 11	Covered by <u>Se Letter Waiver</u>	<u>Side Letter Waiver</u>
<u>City of Los Angeles COVID-19 Supplemental PSL & Mayor’s Amendment</u> (Effective from date of signing and will remain in effect until two calendar weeks after the expiration of the COVID-19 local emergency period) <u>For LAPSL Legal Guidance click here</u>	<u>Side Letter Waiver</u>	<u>Side Letter Waiver</u>	<u>Waived with Union Letter</u>	<u>Side Letter Waiver</u>	<u>Side Letter Waiver</u>

	CARPENTERS/ PILE DRIVERS	CEMENT MASONS	IRON WORKERS	LABORERS	OPERATING ENGINEERS
<u>Amended Los Angeles County COVID-19 Worker Protection Ordinance</u> (Effective 1/1/21 - two calendar weeks after the county's COVID-19 local emergency ends)	<u>Side Letter Waiver</u>	<u>Side Letter Waiver</u>	Arguably covered by general waiver in Section 11	<u>Side Letter Waiver</u>	<u>Side Letter Waiver</u>
Other Current or Future PSL Ordinances with CBA Waiver Provisions (SoCal)	<i>N/A</i>	CBA Waiver (Article XX, 2004) “...to the fullest extent permitted, the Agreement shall operate to waive any provisions of any Federal, City, County, or other Local paid leave ordinance.”	“Provisions of this Section shall supersede any local, state or federal sick leave requirement...”	<u>Side Letter to MLA</u> (Appendix B) ...this Agreement shall operate to the fullest extent permitted to waive expressly any provisions of any City, County, or other Local paid leave ordinance or other order. This includes those orders and ordinances related to the COVID-19 pandemic..”	CBA Waiver (Article XIX, Section L-1(c)) “...to the full extent permitted, this Agreement shall operate to waive any provisions of any City, County, or other Local paid leave ordinance.”