

CALIFORNIA PAID SICK LEAVE LAW AMENDED AS IT PERTAINS TO ENTERTAINMENT INDUSTRY WORKERS

As a result of The Jacobson Group's request to the author of the California Paid Sick Leave Law, on June 22, 2015, the California Legislature approved an urgent amendment to the California Paid Sick Leave law regarding entertainment industry employers and their employees. Included in the amendment was an extension of time for the reporting requirement portion of the law as regards entertainment industry employers and their workers:

“(h) An employer shall provide an employee with written notice that sets forth the amount of paid sick leave available, or paid time off leave an employer provides in lieu of sick leave, for use on either the employee's itemized wage statement described in Section 226 or in a separate writing provided on the designated pay date with the employee's payment of wages. If an employer provides unlimited paid sick leave or unlimited paid time off to an employee, the employer may satisfy this section by indicating on the notice or the employee's itemized wage statement “unlimited.” The penalties described in this article for a violation of this subdivision shall be in lieu of the penalties for a violation of Section 226. **This subdivision shall apply to employers covered by Wage Order 11 or 12 of the Industrial Welfare Commission only on and after January 21, 2016.**

While this change **does not** absolve an entertainment industry employer from providing the required paid sick leave (minimum of 24 hours) to its employees, it **does** temporarily suspend the requirement of noting accrued and used sick days on each paycheck issued to an employee or in a separate notice included with each paycheck.

We also requested that the definition of “Employee” under the law be amended to exclude non-union entertainment industry workers in the same manner that union entertainment industry workers are excluded from the definition (see Section 245.5 (a) (1) of the California Labor Code). While this was unable to be accomplished before the July 1st effective date of the law, the hope is that the exemption will be put before the Legislature early in its next session and approved. We will keep you updated on the status of this requested exemption.

In the meantime, should you have questions about the California Paid Sick Leave Law, please go to: [https://www.dir.ca.gov/DLSE/Publications/Paid_Sick_Days_Poster_Template_\(11_2014\).pdf](https://www.dir.ca.gov/DLSE/Publications/Paid_Sick_Days_Poster_Template_(11_2014).pdf)