

AMENDED IN ASSEMBLY MARCH 28, 2014

AMENDED IN ASSEMBLY MARCH 13, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1522

Introduced by Assembly Member Gonzalez

(Principal coauthor: Assembly Member Levine)

**(Coauthors: Assembly Members *Alejo*, Ammiano, Bonta, Campos,
Dickinson, Hernández, Lowenthal, Rendon, Stone, Ting,
Wieckowski, and Williams)**

(Coauthor: Senator Hueso)

January 16, 2014

An act to amend Section 226 of, and to add Article 1.5 (commencing with Section 245) to Chapter 1 of Part 1 of Division 2 of, the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1522, as amended, Gonzalez. Employment: paid sick days.

Existing law authorizes employers to provide their employees paid sick leave.

This bill would enact the Healthy Workplaces, Healthy Families Act of 2014 to provide that an employee who works in California for 7 or more days in a calendar year is entitled to paid sick days, to be accrued at a rate of no less than one hour for every 30 hours worked. An employee would be entitled to use accrued sick days beginning on the 90th calendar day of employment. The bill would authorize an employer to limit an employee's use of paid sick days to 24 hours or 3 days in each calendar year. The bill would require an employer to provide paid sick days, upon the request of the employee, for diagnosis, care, or

treatment of health conditions of the employee or an employee's family member, or for leave related to domestic violence, sexual assault, or stalking. The bill would prohibit an employer from discriminating or retaliating against an employee who requests paid sick days. The bill would require employers to satisfy specified posting and notice and recordkeeping requirements. The bill would define terms for those purposes and make conforming changes.

This bill would require the Labor Commissioner to administer and enforce these requirements, including the promulgation of regulations, and the investigation, mitigation, and relief of violations of these requirements. The bill would authorize the Labor Commissioner to impose specified administrative fines for violations and would authorize an aggrieved person, the commissioner, the Attorney General, or an entity a member of which is aggrieved to bring an action to recover specified civil penalties against an offender, as well as attorney's fees, costs, and interest.

The bill would specify that it does not apply to employees covered by a collective bargaining agreement that provides for paid sick days, nor lessen any other obligations of the employer to employees. The bill would not apply to employees in the construction industry covered by a collective bargaining agreement if the agreement contains specified terms and *was either entered into before January 1, 2015, or expressly waives the requirements of the bill in clear and unambiguous terms.* The bill would apply to certain public authorities established to deliver in-home supportive services, except where a collective bargaining agreement provides for an incremental wage increase sufficient to satisfy the bill's requirements for accrual of sick days.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) Nearly every worker in the State of California will at some
- 3 time during the year need some time off from work to take care
- 4 of his or her own health or the health of family members.
- 5 (b) Many workers in California do not have any paid sick days,
- 6 or have an inadequate number of paid sick days, to care for their
- 7 own health or the health of family members.

1 (c) Low-income workers are significantly less likely to have
2 paid sick time than other workers.

3 (d) Providing workers time off to attend to their own health care
4 and the health care of family members will ensure a healthier and
5 more productive workforce in California.

6 (e) Paid sick days will have an enormously positive impact on
7 the public health of Californians by allowing sick workers paid
8 time off to care for themselves when ill, thus lessening their
9 recovery time and reducing the likelihood of spreading illness to
10 other members of the workforce.

11 (f) Paid sick days will allow parents to provide personal care
12 for their sick children. Parental care ensures children's speedy
13 recovery, prevents more serious illnesses, and improves children's
14 overall mental and physical health.

15 (g) Providing paid sick days is affordable for employers and
16 good for business.

17 (h) Employers who provide paid sick days enjoy greater
18 employee retention and reduce the likelihood of employees coming
19 to work sick. Studies have shown that costs of decreased
20 productivity caused by sick workers exceed the costs of employee
21 absenteeism.

22 (i) Many adults have significant elder care responsibilities
23 requiring them to take time off from work or to work reduced
24 hours.

25 (j) Employees frequently lose their jobs or are disciplined for
26 taking sick days to care for sick family members or to recover
27 from their own illnesses.

28 (k) Workers whose jobs involve significant contact with the
29 public, such as service workers and restaurant workers, are very
30 unlikely to have paid sick days. Often, these workers have no
31 choice but to come to work when they are ill, thereby spreading
32 illness to coworkers and customers.

33 (l) Domestic violence and sexual assault affect many persons
34 without regard to age, race, national origin, sexual orientation, or
35 socioeconomic status.

36 (m) Domestic violence is a crime that has a devastating effect
37 on families, communities, and the workplace. It impacts
38 productivity, effectiveness, absenteeism, and employee turnover
39 in the workplace. The National Crime Survey estimates that

1 175,000 days of work each year are missed due to domestic
2 violence.

3 (n) Survivors of domestic violence and sexual assault may be
4 vulnerable at work when trying to end an abusive relationship
5 because the workplace may be the only place where the perpetrator
6 knows to contact the victim. Studies show that up to one-half of
7 domestic violence victims experience job loss. Forty percent
8 reported on-the-job harassment. Nearly 50 percent of sexual assault
9 survivors lose their jobs or are forced to quit in the aftermath of
10 the assaults.

11 (o) Affording survivors of domestic violence and sexual assault
12 paid sick days is vital to their independence and recovery.

13 SEC. 2. In enacting this act, it is the intent of the Legislature
14 to do the following:

15 (a) Ensure that workers in California can address their own
16 health needs and the health needs of their families by requiring
17 employers to provide a minimum level of paid sick days including
18 time for family care.

19 (b) Decrease public and private health care costs in California
20 by enabling workers to seek early and routine medical care for
21 themselves and their family members and to address domestic
22 violence or sexual assault.

23 (c) Protect employees in California from losing their jobs while
24 they use sick days to care for themselves or their families.

25 (d) Provide economic security to employees in California who
26 take time off from work for reasons related to domestic violence
27 or sexual assault.

28 (e) Safeguard the welfare, health, safety, and prosperity of the
29 people of and visitors to California.

30 SEC. 3. Section 226 of the Labor Code is amended to read:

31 226. (a) An employer shall, semimonthly or at the time of each
32 payment of wages, furnish to each employee, either as a detachable
33 part of the check, draft, or voucher paying the employee's wages,
34 or separately if wages are paid by personal check or cash, an
35 accurate itemized statement in writing showing (1) gross wages
36 earned, (2) total hours worked by the employee, unless the
37 employee's compensation is solely based on a salary and the
38 employee is exempt from payment of overtime under subdivision
39 (a) of Section 515 or an applicable order of the Industrial Welfare
40 Commission, (3) the number of piece-rate units earned and the

1 applicable piece rate if the employee is paid on a piece-rate basis,
2 (4) all deductions, provided that all deductions made on written
3 orders of the employee may be aggregated and shown as one item,
4 (5) net wages earned, (6) the inclusive dates of the period for which
5 the employee is paid, (7) the name of the employee and only the
6 last four digits of his or her social security number or an employee
7 identification number other than a social security number, (8) the
8 name and address of the legal entity that is the employer and, if
9 the employer is a farm labor contractor, as defined in subdivision
10 (b) of Section 1682, the name and address of the legal entity that
11 secured the services of the employer, (9) paid sick leave accrued
12 and used pursuant to Article 1.5 (commencing with Section 245),
13 and (10) all applicable hourly rates in effect during the pay period
14 and the corresponding number of hours worked at each hourly rate
15 by the employee and, beginning July 1, 2013, if the employer is a
16 temporary services employer as defined in Section 201.3, the rate
17 of pay and the total hours worked for each temporary services
18 assignment. The deductions made from payment of wages shall
19 be recorded in ink or other indelible form, properly dated, showing
20 the month, day, and year, and a copy of the statement and the
21 record of the deductions shall be kept on file by the employer for
22 at least three years at the place of employment or at a central
23 location within the State of California. For purposes of this
24 subdivision, "copy" includes a duplicate of the itemized statement
25 provided to an employee or a computer-generated record that
26 accurately shows all of the information required by this subdivision.

27 (b) An employer that is required by this code or a regulation
28 adopted pursuant to this code to keep the information required by
29 subdivision (a) shall afford current and former employees the right
30 to inspect or copy records pertaining to their employment, upon
31 reasonable request to the employer. The employer may take
32 reasonable steps to ensure the identity of a current or former
33 employee. If the employer provides copies of the records, the actual
34 cost of reproduction may be charged to the current or former
35 employee.

36 (c) An employer who receives a written or oral request to inspect
37 or copy records pursuant to subdivision (b) pertaining to a current
38 or former employee shall comply with the request as soon as
39 practicable, but no later than 21 calendar days from the date of the
40 request. A violation of this subdivision is an infraction.

1 Impossibility of performance, not caused by or a result of a
2 violation of law, shall be an affirmative defense for an employer
3 in any action alleging a violation of this subdivision. An employer
4 may designate the person to whom a request is made under this
5 subdivision.

6 (d) This section does not apply to an employer of a person
7 employed by the owner or occupant of a residential dwelling whose
8 duties are incidental to the ownership, maintenance, or use of the
9 dwelling, including the care and supervision of children, or whose
10 duties are personal and not in the course of the trade, business,
11 profession, or occupation of the owner or occupant.

12 (e) (1) An employee suffering injury as a result of a knowing
13 and intentional failure by an employer to comply with subdivision
14 (a) is entitled to recover the greater of all actual damages or fifty
15 dollars (\$50) for the initial pay period in which a violation occurs
16 and one hundred dollars (\$100) per employee for each violation
17 in a subsequent pay period, not to exceed an aggregate penalty of
18 four thousand dollars (\$4,000), and is entitled to an award of costs
19 and reasonable attorney's fees.

20 (2) (A) An employee is deemed to suffer injury for purposes
21 of this subdivision if the employer fails to provide a wage
22 statement.

23 (B) An employee is deemed to suffer injury for purposes of this
24 subdivision if the employer fails to provide accurate and complete
25 information as required by any one or more of items (1) to (10),
26 inclusive, of subdivision (a) and the employee cannot promptly
27 and easily determine from the wage statement alone one or more
28 of the following:

29 (i) The amount of the gross wages or net wages paid to the
30 employee during the pay period or any of the other information
31 required to be provided on the itemized wage statement pursuant
32 to items (2) to (4), inclusive, (6), (9), and (10) of subdivision (a).

33 (ii) Which deductions the employer made from gross wages to
34 determine the net wages paid to the employee during the pay
35 period. Nothing in this subdivision alters the ability of the employer
36 to aggregate deductions consistent with the requirements of item
37 (4) of subdivision (a).

38 (iii) The name and address of the employer and, if the employer
39 is a farm labor contractor, as defined in subdivision (b) of Section

1 1682, the name and address of the legal entity that secured the
2 services of the employer during the pay period.

3 (iv) The name of the employee and only the last four digits of
4 his or her social security number or an employee identification
5 number other than a social security number.

6 (C) For purposes of this paragraph, “promptly and easily
7 determine” means a reasonable person would be able to readily
8 ascertain the information without reference to other documents or
9 information.

10 (3) For purposes of this subdivision, a “knowing and intentional
11 failure” does not include an isolated and unintentional payroll error
12 due to a clerical or inadvertent mistake. In reviewing for
13 compliance with this section, the factfinder may consider as a
14 relevant factor whether the employer, prior to an alleged violation,
15 has adopted and is in compliance with a set of policies, procedures,
16 and practices that fully comply with this section.

17 (f) A failure by an employer to permit a current or former
18 employee to inspect or copy records within the time set forth in
19 subdivision (c) entitles the current or former employee or the Labor
20 Commissioner to recover a seven-hundred-fifty-dollar (\$750)
21 penalty from the employer.

22 (g) The listing by an employer of the name and address of the
23 legal entity that secured the services of the employer in the itemized
24 statement required by subdivision (a) shall not create any liability
25 on the part of that legal entity.

26 (h) An employee may also bring an action for injunctive relief
27 to ensure compliance with this section, and is entitled to an award
28 of costs and reasonable attorney’s fees.

29 (i) This section does not apply to the state, to a city, county, city
30 and county, district, or to any other governmental entity, except
31 that if the state or a city, county, city and county, district, or other
32 governmental entity furnishes its employees with a check, draft,
33 or voucher paying the employee’s wages, the state or a city, county,
34 city and county, district, or other governmental entity shall use no
35 more than the last four digits of the employee’s social security
36 number or shall use an employee identification number other than
37 the social security number on the itemized statement provided with
38 the check, draft, or voucher.

39 SEC. 4. Article 1.5 (commencing with Section 245) is added
40 to Chapter 1 of Part 1 of Division 2 of the Labor Code, to read:

Article 1.5. Paid Sick Days

1
2
3 245. This article shall be known and may be cited as the
4 Healthy Workplaces, Healthy Families Act of 2014.

5 245.5. As used in this article:

6 (a) “Employee” does not include the following:

7 (1) An employee covered by a valid collective bargaining
8 agreement if the agreement expressly provides for the wages, hours
9 of work, and working conditions of employees, and expressly
10 provides for paid sick days or a paid leave or paid time off policy
11 that permits the use of sick days for those employees, final and
12 binding arbitration of disputes concerning the application of its
13 paid sick days provisions, premium wage rates for all overtime
14 hours worked, and regular hourly rate of pay of not less than 30
15 percent more than the state minimum wage rate.

16 (2) An employee in the construction industry covered by a valid
17 collective bargaining agreement if the agreement expressly provides
18 for the wages, hours of work, and working conditions of
19 employees, premium wage rates for all overtime hours worked,
20 and regular hourly pay of not less than 30 percent more than the
21 state minimum wage rate, and the agreement either (A) was entered
22 into before January 1, 2015, or (B) expressly waives the
23 requirements of this article in clear and unambiguous terms. For
24 purposes of this subparagraph, “employee in the construction
25 industry” means an employee performing onsite work associated
26 with construction, including work involving alteration, demolition,
27 building, excavation, renovation, remodeling, maintenance,
28 improvement, repair work, and any other work as described by
29 Chapter 9 (commencing with Section 7000) of Division 3 of the
30 Business and Professions Code, and other similar or related
31 occupations or trades.

32 (b) “Employer means any person employing another under any
33 appointment or contract of hire and includes the state, political
34 subdivisions of the state, and municipalities.

35 (c) “Family member” means any of the following:

36 (1) A child, which for purposes of this article means a biological,
37 adopted, or foster child, stepchild, legal ward, or a child to whom
38 the employee stands in loco parentis. This definition of a child is
39 applicable regardless of age or dependency status.

1 (2) A biological, adoptive, or foster parent, stepparent, or legal
2 guardian of an employee or the employee’s spouse or registered
3 domestic partner, or a person who stood in loco parentis when the
4 employee was a minor child.

5 (3) A spouse.

6 (4) A registered domestic partner.

7 (5) A grandparent.

8 (6) A grandchild.

9 (7) A sibling.

10 (d) “Health care provider” has the same meaning as defined in
11 paragraph (6) of subdivision (c) of Section 12945.2 of the
12 Government Code.

13 (e) “Paid sick days” means time that is compensated at the same
14 wage as the employee normally earns during regular work hours
15 and is provided by an employer to an employee for the purposes
16 described in Section 246.5.

17 246. (a) An employee who works in California for seven or
18 more days in a calendar year is entitled to paid sick days as
19 specified in this section.

20 (b) (1) An employee shall accrue paid sick days at the rate of
21 not less than one hour per every 30 hours worked, beginning at
22 the commencement of employment or the operative date of this
23 article, whichever is later.

24 (2) An employee who is exempt from overtime requirements
25 as an administrative, executive, or professional employee under a
26 wage order of the Industrial Welfare Commission is deemed to
27 work 40 hours per workweek for the purposes of this section,
28 unless the employee’s normal workweek is less than 40 hours, in
29 which case the employee shall accrue paid sick days based upon
30 that normal workweek.

31 (c) An employee shall be entitled to use accrued paid sick days
32 beginning on the 90th calendar day of employment, after which
33 day the employee may use paid sick days as they are accrued.

34 (d) Accrued paid sick days shall carry over to the following
35 calendar year. However, an employer may limit an employee’s
36 use of paid sick days to 24 hours or three days in each calendar
37 year.

38 (e) An employer is not required to provide additional paid sick
39 days pursuant to this section if the employer has a paid leave policy
40 or paid time off policy and the employer makes available an

1 amount of leave that satisfies the accrual requirements of this
2 section and that may be used for the same purposes and under the
3 same conditions as specified in this section.

4 (f) (1) Except as specified in paragraph (2), an employer is not
5 required to provide compensation to an employee for accrued,
6 unused paid sick days upon termination, resignation, retirement,
7 or other separation from employment.

8 (2) If an employee separates from an employer and is rehired
9 by the employer within one year, previously accrued and unused
10 paid sick days shall be reinstated. The employee shall be entitled
11 to use those previously accrued and unused paid sick days and to
12 accrue additional paid sick days upon rehiring.

13 (g) An employer may lend paid sick days to an employee in
14 advance of accrual, at the employer's discretion and with proper
15 documentation.

16 246.5. (a) Upon the oral or written request of an employee,
17 an employer shall provide paid sick days for the following
18 purposes:

19 (1) Diagnosis, care, or treatment of an existing health condition
20 of, or preventive care for, an employee or an employee's family
21 member.

22 (2) For an employee who is a victim of domestic violence, sexual
23 assault, or stalking, the purposes described in subdivision (c) of
24 Section 230 and subdivision (a) of Section 230.1.

25 (b) An employer shall not require as a condition of using paid
26 sick days that the employee search for or find a replacement worker
27 to cover the days during which the employee uses paid sick days.

28 (c) (1) An employer shall not deny an employee the right to
29 use sick days, discharge, threaten to discharge, demote, suspend,
30 or in any manner discriminate against an employee for using sick
31 days, attempting to exercise the right to use sick days, filing a
32 complaint with the department or in a court alleging a violation of
33 this article, cooperating in an investigation or prosecution of an
34 alleged violation of this article, or opposing any policy or practice
35 or act that is prohibited by this article.

36 (2) There shall be a rebuttable presumption of unlawful
37 retaliation if an employer denies an employee the right to use sick
38 days, discharges, threatens to discharge, demotes, suspends, or in
39 any manner discriminates against an employee within 90 days of
40 any of the following:

1 (A) The filing of a complaint by the employee with the Labor
2 Commissioner or in a court alleging a violation of this article.

3 (B) The cooperation of an employee with an investigation or
4 prosecution of an alleged violation of this article.

5 (C) Opposition by the employee to a policy, practice, or act that
6 is prohibited by this article.

7 247. (a) An employer shall give each employee written notice
8 of the requirements of this article in English, ~~Spanish, Chinese,~~
9 *the languages set forth in subdivision (b) of Section 1632 of the*
10 *Civil Code*, and any other language spoken by at least 5 percent
11 of the employees. The written notice shall state the following:

12 (1) That an employee is entitled to accrue, request, and use paid
13 sick days.

14 (2) The amount of paid sick days provided for by this article.

15 (3) The terms of use of paid sick days.

16 (4) That retaliation or discrimination against an employee who
17 requests paid sick days or uses paid sick days, or both, is prohibited
18 and that an employee has the right under this article to file a
19 complaint or bring a civil action against an employer who retaliates
20 or discriminates against the employee.

21 (b) In each workplace of the employer, the employer shall
22 display a poster in a conspicuous place containing all the
23 information specified in subdivision (a). The Labor Commissioner
24 shall create a poster containing this information and make it
25 available to employers.

26 (c) An employer who willfully violates the notice and posting
27 requirements of this section is subject to a civil penalty of not more
28 than one hundred dollars (\$100) per each offense.

29 247.5. An employer shall keep for at least five years records
30 documenting the hours worked and paid sick days accrued and
31 used by an employee. An employer shall allow the Labor
32 Commissioner access to these records with appropriate notice and
33 at a mutually agreeable time to monitor compliance with this
34 article. An employer shall make these records available to an
35 employee pursuant to Section 226. If an employer does not
36 maintain adequate records pursuant to this section, it shall be
37 presumed that the employee is entitled to the maximum number
38 of hours accruable under this article, unless the employer can show
39 otherwise by clear and convincing evidence.

1 248. The Labor Commissioner shall coordinate implementation
2 and enforcement of this article and promulgate guidelines and
3 regulations for those purposes.

4 248.5. (a) The Labor Commissioner shall enforce this article,
5 including investigating an alleged violation, and ordering
6 appropriate temporary relief to mitigate the violation or to maintain
7 the status quo pending the completion of a full investigation or
8 hearing.

9 (b) If the Labor Commissioner, after a hearing that contains
10 adequate safeguards to ensure that the parties are afforded due
11 process, determines that a violation of this article has occurred, he
12 or she may order any appropriate relief, including reinstatement,
13 backpay, the payment of sick days unlawfully withheld, and the
14 payment of an additional sum in the form of an administrative
15 penalty to an employee or other person whose rights under this
16 article were violated. If paid sick days were unlawfully withheld,
17 the dollar amount of paid sick days withheld from the employee
18 multiplied by three, or two hundred fifty dollars (\$250), whichever
19 amount is greater, shall be included in the administrative penalty.
20 In addition, if a violation of this article results in other harm to the
21 employee or person, such as discharge from employment, or
22 otherwise results in a violation of the rights of the employee or
23 person, the administrative penalty shall include a sum of fifty
24 dollars (\$50) for each day or portion thereof that the violation
25 occurred or continued.

26 (c) Where prompt compliance by an employer is not
27 forthcoming, the Labor Commissioner may take any appropriate
28 enforcement action to secure compliance, including the filing of
29 a civil action. In compensation to the state for the costs of
30 investigating and remedying the violation, the commissioner may
31 order the violating employer to pay to the state a sum of not more
32 than fifty dollars (\$50) for each day or portion of a day a violation
33 occurs or continues for each employee or other person whose rights
34 under this article were violated. These funds shall be allocated to
35 the Labor Commissioner to offset the costs of implementing and
36 enforcing this article.

37 (d) An employee or other person may report to the Labor
38 Commissioner a suspected violation of this article. The
39 commissioner shall encourage reporting pursuant to this
40 subdivision by keeping confidential, to the maximum extent

1 permitted by applicable law, the name and other identifying
2 information of the employee or person reporting the violation.
3 However, the commissioner may disclose that person's name and
4 identifying information as necessary to enforce this article or for
5 other appropriate purposes, upon the authorization of that person.

6 (e) The Labor Commissioner, the Attorney General, a person
7 aggrieved by a violation of this article, or an entity a member of
8 which is aggrieved by a violation of this article may bring a civil
9 action in a court of competent jurisdiction against the employer
10 or other person violating this article and, upon prevailing, shall be
11 entitled to such legal or equitable relief as may be appropriate to
12 remedy the violation, including reinstatement, backpay, the
13 payment of sick days unlawfully withheld, the payment of an
14 additional sum as liquidated damages in the amount of fifty dollars
15 (\$50) to each employee or person whose rights under this article
16 were violated for each day or portion thereof that the violation
17 occurred or continued, plus, if the employer has unlawfully
18 withheld paid sick days to an employee, the dollar amount of paid
19 sick days withheld from the employee multiplied by three; or two
20 hundred fifty dollars (\$250), whichever amount is greater; and
21 reinstatement in employment or injunctive relief; and further shall
22 be awarded reasonable attorney's fees and costs, provided,
23 however, that any person or entity enforcing this article on behalf
24 of the public as provided for under applicable state law shall, upon
25 prevailing, be entitled only to equitable, injunctive, or restitutionary
26 relief, and reasonable attorney's fees and costs.

27 (f) In an administrative or civil action brought under this article,
28 the Labor Commissioner or court, as the case may be, shall award
29 interest on all amounts due and unpaid at the rate of interest
30 specified in subdivision (b) of Section 3289 of the Civil Code.

31 (g) The remedies, penalties, and procedures provided under this
32 article are cumulative.

33 249. (a) This article does not limit or affect any laws
34 guaranteeing the privacy of health information, or information
35 related to domestic violence or sexual assault, regarding an
36 employee or employee's family member. That information shall
37 be treated as confidential and shall not be disclosed to any person
38 except to the affected employee, or as required by law.

1 (b) This article shall not be construed to discourage or prohibit
2 an employer from the adoption or retention of a paid sick days
3 policy more generous than the one required herein.

4 (c) This article does not lessen the obligation of an employer to
5 comply with a contract, collective bargaining agreement,
6 employment benefit plan, or other agreement providing more
7 generous sick days to an employee than required herein.

8 (d) This article establishes minimum requirements pertaining
9 to paid sick days and does not preempt, limit, or otherwise affect
10 the applicability of any other law, regulation, requirement, policy,
11 or standard that provides for greater accrual or use by employees
12 of sick days, whether paid or unpaid, or that extends other
13 protections to an employee.

14 249.5. (a) A public authority established under Section 12301.6
15 of the Welfare and Institutions Code shall comply with this article
16 for individuals who perform domestic services comprising in-home
17 supportive services under Article 7 (commencing with Section
18 12300) of Chapter 3 of Part 3 of Division 9 of the Welfare and
19 Institutions Code.

20 (b) A public authority may satisfy this article by entering into
21 a collective bargaining agreement that provides an incremental
22 hourly wage adjustment in an amount sufficient to satisfy the
23 accrual requirements of Section 246.