

LEGISLATIVE DIGEST

[Police Code - Domestic Workers' Access to Paid Sick Leave Through a Portable System]

Ordinance amending the Police Code to establish a portable Paid Sick Leave (PSL) system for domestic workers and to require hiring entities that do not directly provide PSL to provide PSL payments to domestic workers using the portable system.

Existing Law

The proposed ordinance does not amend existing law, but it supplements the City's Paid Sick Leave Ordinance (PSLO), Administrative Code Chapter 12W, which requires most employers in the City to provide employees one hour of paid sick leave (PSL) for every 30 hours of work.

Amendments to Existing Law

The proposed ordinance, which would add Article 33N to the Police Code, would establish a portable PSL system. "Hiring Entities" of Domestic Workers would be required to provide PSL through the portable PSL system. The term "Hiring Entities" includes employers as well as those who hire domestic workers as independent contractors.

Hiring Entities that directly provide at least one hour of PSL for every 30 hours of work are exempt from the ordinance, except for recordkeeping requirements. Hiring Entities that comply with the proposed ordinance are deemed to comply with the PSLO as well.

The PSL system will track the accruals of the right to PSL and facilitate the transfer of leave payments from one or more hiring entities to a domestic worker when the domestic worker requests the payment.

The Office of Economic and Workforce Development (OEWD) will develop and administer the PSL system and the Office of Labor Standards Enforcement will administer and enforce the remainder of the ordinance.

Background Information

Although domestic workers who are employees are legally entitled to PSL under the PSLO, few have access to it. The portable PSL system is intended to facilitate access to PSL by allowing domestic workers to accrue and aggregate PSL from multiple employers over time.