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California COVID-19 Supplemental Paid Sick Leave (SPSL) - Fall Update

The State of California has extended the Supplemental Paid Sick Leave Ordinance in response to COVID-19. Please provide the below communication regarding the details to employees who work in California. The ability to use the 2022 COVID-19 Supplement Paid Sick Leave (SPSL) is retroactive to January 1, 2022, and terminates December 31, 2022.

- **Audience:** All employees working in California who cannot work remotely
- **Requested Communication Timing:** Please share ASAP
- **California Field Leader Action Requested:**
 - Read the communication immediately
 - Assist with calculating SPSL available balance using instructions on the [California COVID-19 Supplemental Paid Sick Leave \(CA SPSL\) Request & Notice Form](#)
 - Process new employee requests for SPSL in Kronos using “COVID Emergency Leave” pay code.
- **California Store Manager Action Requested:**
 - Read the communication immediately
 - Assist with calculating SPSL available balance using instructions on the [California COVID-19 Supplemental Paid Sick Leave \(CA SPSL\) Request & Notice Form](#)
 - Process new employee requests for SPSL in Kronos using “COVID Emergency Leave” pay code.
- **California Employee Action Requested:**
 - Read the communication immediately
 - If desired and the SPSL has not been exhausted, submit a request to use for a covered SPSL reason listed in communication.

2022 COVID-19 Supplemental Paid Sick Leave for California

California has extended temporary legislation that requires EssilorLuxottica to provide COVID-19 Supplemental Paid Sick Leave (SPSL) to employees who work in California and are unable to work remotely until **December 31, 2022**.

Please familiarize yourself with the information below, detailing the extended temporary SPSL Policy.

1) Eligibility

All California employees who cannot work or telework due to reasons related to COVID-19

2) Use SPSL may be used if an eligible employee takes off work because:

- Employee is subject to a quarantine or isolation period related to COVID-19 as defined by federal, state, or local orders or guidance.
- Employee is advised by a health care provider to self-quarantine or isolate due to concerns related to COVID-19.
- Employee or family member* is attending an appointment to receive a COVID-19 vaccine or booster.

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- Employee or family member* is experiencing symptoms related to a COVID-19 vaccine or booster that prevent the employee from being able to work or telework.
- Employee is experiencing COVID-19 symptoms and seeking a medical diagnosis.
- Employee is caring for a family member* who is subject to a quarantine or isolation order or guidance or who has been advised to self-quarantine or isolate by a health care provider due to concerns related to COVID-19.
- Employee is caring for a child whose school or place of care is closed or otherwise unavailable for reasons related to COVID-19 on the premises.
- Employee tests positive or is caring for a family member* who tests positive, for COVID-19.

*Family member is defined as a child, grandchild, grandparent, parent, sibling, or spouse

3) SPSL Leave Amount:

Employees may be eligible to use two separate leave banks of up to 40 hours each of SPSL until **December 31, 2022***:

- **Positive Test SPSL*** – available when an employee test positive for COVID-19 or is caring for a family who test positive for COVID-19.
- **General SPSL** – available for all other covered absences until the current SPSL

The number of SPSL hours available in each bank is equivalent to the average number of hours the employee works in a week, reduced by any COVID Emergency Pay or COVID Vaccine Pay used on/after January 1, 2022.

- Managers should work with their Field Manager or HRBP to calculate an employee’s available SPSL for each bank at the time of the employee’s request to use SPSL. Calculation instructions are provided on the enclosed [California COVID-19 Supplemental Paid Sick Leave \(CA SPSL\) Request & Notice Form](#).

Example: A full-time employee would initially have 40 hours available in each bank, for a total of 80 hours. If that employee used 60 hours of COVID Emergency Pay in January 2022, the employee would have 40 hours reduced from the Positive Test SPSL bank and 20 hours reduced from the General SPSL bank, leaving 20 hours available in the General SPSL bank to be used until December 31, 2022.

Leave Bank	Number of Hours Available	Number of Hours Used Previously as COVID Emergency Pay or COVID Vaccine Pay	Number of Hours Available (For Absence)
General SPSL	40	20	20
Positive Test SPSL	40	40	0

4) California COVID-19 Supplemental Paid Sick Leave Request and Notice Form:

- Upon request (verbal or written) for SPSL, the manager should document the reason for SPSL, the initial amount of SPSL available, duration of SPSL requested, and the remaining

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amount of SPSL available using the [California COVID-19 Supplemental Paid Sick Leave \(CA SPSL\) Request & Notice Form](#).

- Managers should maintain the completed form in a confidential file in the store that cannot be accessed by other employees. A copy of the form should be provided back to the employee for the employee's records.
- Employees are required to provide reasonable notice of intent to use SPSL if the absence is foreseeable.
- An employee can be asked to share the reason for requesting SPSL but cannot be required to provide a doctor's note or other documentation to substantiate the absence, except for a positive COVID-19 test result for either the employee or a covered family member. **If an employee refuses to provide positive test documentation, the SPSL request will be denied.**

Other Terms and Conditions:

- Employees cannot be required to find a replacement worker, nor can they be required to change their schedule instead of using SPSL.
- Interfering with an employee's use of SPSL is strictly prohibited, as is counting SPSL use as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.
- A copy of this policy and the [California COVID-19 Supplemental Paid Sick Leave \(CA SPSL\) Request & Notice Form](#) will be posted on the COVID-19 page on [HR Solutions](#).

5) Manager Action Required

- Upon request for SPSL, work with your (field manager of HRBP) to calculate the SPSL amounts available to the employee
- Complete the [California COVID-19 Supplemental Paid Sick Leave \(CA SPSL\) Request & Notice Form](#)
- Code SPSL taken by the employee as "COVID Emergency Pay" pay code in Kronos.
- Maintain completed forms in a confidential file in the store; provide copies of the form to the employees for their record.

QUESTIONS? For questions pertaining to the application of this policy, please contact your Field Manager or HR Business Partner.