

EssilorLuxottica

San Francisco Public Health Emergency Leave Ordinance

The City of **San Francisco, CA**, has passed Public Health Emergency Leave Ordinance (PHELO) to provide paid leave to certain employees who work in San Francisco (excluding those working at San Francisco Airport) only for a declared public health emergency. Please give the communication below to employees in San Francisco and instruct managers to post the enclosed postings as the Ordinance becomes effective on October 1, 2022.

- **Audience:** All employees who work within the boundaries of **San Francisco, CA** (excluding those working at SFO Airport)
- **Requested Communication Timing:** Please share ASAP
- **San Francisco, CA Manager Action Requested:**
 - Read the communication immediately
- **San Francisco, CA Employee Action Requested:**
 - Read the communication immediately

Public Health Emergency Leave Ordinance (PHELO) for San Francisco, CA

San Francisco, CA, has passed new legislation requiring EssilorLuxottica to provide paid leave to certain employees who work in San Francisco, CA (except San Francisco Airport). The paid leave may begin when a “public health emergency” related to any contagious, infectious, or communicable disease (e.g., COVID-19) or an air quality emergency is declared. This Ordinance becomes effective **October 1, 2022** and will remain in effect until the Public Health Emergency Ordinance ends.

Please familiarize yourself with the information below, detailing the Public Health Emergency Leave Ordinance (PHELO) Policy.

1) Eligibility

All San Francisco employees not able to telework who are working within the geographic boundaries of the San Francisco (excluding those working at SFO Airport).

2) Use of PHEL

Eligible employees may use PHEL if they are unable to work due to the following reasons:

- The recommendations or requirements of an individual or general federal, state, or local health order (including an order issued by the local jurisdiction in which the employee resides) related to the public health emergency, or the employee is caring for a family member who is subject to such an order. A covered family member includes the employee’s:

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- Child (including a biological, adopted, foster or stepchild; child of a domestic partner; and child of a person standing in loco parentis),
 - Parent (including a biological, adoptive, foster or stepparent; parent of an employee's spouse or registered domestic partner; and person who stood in loco parentis when the employee was a minor child),
 - Legal guardian or ward,
 - Sibling (including a biological, adopted, foster or stepsibling),
 - Grandparent (including a biological, adoptive, foster or step-grandparent),
 - Grandchild (including a biological, adopted, foster or step-grandchild), and
 - Spouse or registered domestic partner under any state or local law.
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- A health care provider has advised the employee or their family member to isolate or quarantine.
 - The employee or their family member is experiencing symptoms of and seeking a medical diagnosis or has received a positive medical diagnosis for a possible infectious, contagious, or communicable disease associated with the public health emergency.
 - The employee is caring for a family member whose school or place of care has been closed or whose care provider is unavailable due to a public health emergency.

3) Amount of PHEL Allocation

Eligible employees are entitled to the following amounts of PHEL based on their status below, **less any hours of COVID-19 Emergency Pay or California COVID-19 Supplemental Sick Pay received after October 1, 2022:**

- **Full-Time Employees** = 40 hours
- **Part-time, Casual Part-time and Seasonal Employees** = average number of hours paid over a one-week period during the last year, or since the employee's state date to date of taking PHEL

Example: If a full-time employee takes 8 hours of COVID-19 supplemental paid sick leave on October 24, 2022, because the employee is experiencing symptoms of COVID-19, their available balance of PHEL from October 1 through December 31, 2022, would be reduced from 40 hours to 32 hours.

Note: PHEL does not carryover from year to year. A new balance of 80 hours (full-time employees), or the average number of hours paid over a two-week period during the last year, or since the employee's state date to date of taking PHEL, will be provided on **January 1, 2023.**

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4) Requesting & Documenting Leave

- Employees should follow standard notice procedures to use PHEL, provided the need for leave is foreseeable.
- Upon requesting PHEL, employees should identify the basis for requesting PHEL, but they cannot be required to disclose health information.
- Employers can take reasonable measures to verify that an employee's use of PHEL is for a covered purpose if verification does not require employees to disclose more information than necessary to make that determination.

5) Other Terms and Conditions.

- Eligible employees may use if they experience a qualifying event listed above.
- Employees may use other accrued paid leave before using PHEL. Employers cannot require, induce, or encourage employees to use PHEL first.
- An employer may not require, as a condition of taking PHEL, that the employee search or find a replacement worker to cover the hours during which the employee uses PHEL.
- Interfering with an employee's use of PHEL is strictly prohibited, as is counting PHEL 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 required postings will be posted in [HR Solutions](#).

6) Manager Action Required

If an employee requests to use PHEL for one of the covered reasons above, confirm the amount of PHEL available to the employee and code the time away from work using the “**COVID Emergency Pay**” pay code.

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