

SB 1471
Sick Leave
Effective 1/1/03

Existing law requires an employer who provides sick leave to employees, to permit an employee to use sick leave to attend to an illness of a child, parent, spouse, or domestic partner. An employer is prohibited from retaliating against an employee who uses sick leave for this purpose. An employee denied this right, may recover legal and equitable relief from his or her employer.'

This bill would provide that if an employer maintains an absence control policy that counts sick leave used to attend to an illness of a child, parent, spouse, or domestic partner as a basis for discipline, demotion, discharge, or suspension, the policy would be a per se violation of the law, entitling an employee working under the policy to appropriate relief.

Employers should review their sick-leave policies and procedures – particularly “no-fault” attendance/absence policies.