

<b>POLICY/PROCEDURE TITLE</b>	COVID-19 Paid Leave For California Employees		
<b>POLICY/PROCEDURE NUMBER</b>	COVID-19 103.30		
<b>DEPARTMENT</b>	Human Resources		
Original Issue Date	3/7/2022		
Next Scheduled Review Date	expires 12/31/2022		
Last Review Date	10/5/2022		
CEO Approval Date	10/18/2022		
COO Approval Date	10/18/2022		
Revision Date History	3/2022 COVID-19 103 policy updated to reflect new CA Labor Code Section 248.6; 10/2022 SPSL bank balances extended to 12/31/2022.		
<b>APPLIES TO</b>			
<input type="checkbox"/>	SAP: ReachOut Healthcare America Ltd. dba Smile America Partners	<input type="checkbox"/>	MD: S.K. Pesis D.D.S., Big Smiles Maryland, PC dba Smile Maryland
<input type="checkbox"/>	AZ: Arizona Mobile Dental, PC dba Big Smiles	<input type="checkbox"/>	MI: Michigan Dental Outreach, P.C. dba Michigan Dental Outreach
<input checked="" type="checkbox"/>	CA: Elliot Paul Schlang, DDS, Professional Corporation dba Big Smiles	<input type="checkbox"/>	MO: Nevin K. Waters D.D.S., P.C. dba Big Smiles
<input type="checkbox"/>	GA: Shurett Dental Group, P.C. dba Shurett Dental Group	<input type="checkbox"/>	NC: Theodore F. Mayer, DDS P.A. dba Smile North Carolina
<input type="checkbox"/>	GA: Mark Shurett, DDS, PC dba Help A Child Smile	<input type="checkbox"/>	NY: Big Smiles Dental New York, PLLC
<input type="checkbox"/>	IN: Elliot P. Schlang DDS, Dental Outreach PLLC dba Indiana Dental Outreach	<input type="checkbox"/>	OH: Elliot P. Schlang DDS, Dental Outreach PLLC dba Ohio Dental Outreach
<input type="checkbox"/>	KS: Nevin K. Waters D.D.S., PA dba Big Smiles	<input type="checkbox"/>	PA: Big Smiles Pennsylvania P.C. dba Smile Pennsylvania
<input type="checkbox"/>	KY: Big Smiles Kentucky PSC dba Big Smiles	<input type="checkbox"/>	UT: Big Smiles Utah, P.C. dba Big Smiles
<input type="checkbox"/>	MA: Elliot P. Schlang DDS Big Smiles Massachusetts P.C. dba Smile Massachusetts	<input type="checkbox"/>	VA: Big Smiles Virginia PC dba Smile Virginia
<input type="checkbox"/>		<input type="checkbox"/>	WV: Elliot P. Schlang DDS, Inc. dba Smile West Virginia

## I. POLICY:

Elliot Paul Schlang, DDS, Professional Corporation d/b/a Big Smiles will provide 2022 COVID-19 supplemental California paid sick leave (“SPSL”) to eligible employees working in California. The SPSL is retroactive to 1/1/2022. The amount of paid leave employees already received under COVID-19 103 in 2022 before the new law took effect qualifies as an offset that partially satisfies the employer’s 2022 SPSL obligation. This policy does not preempt local paid sick leave requirements.

## II. ELIGIBILITY:

Employees who are unable to work (or telework) during their scheduled work days can use the new SPSL for the following reasons:

- 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.
- 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.

### III. **COMPENSATION:**

COVID-19 Paid Leave will be paid at an employee's regular rate of pay, subject to a limit of \$511 per day and \$5,110 in total.

### IV. **DURATION:**

The maximum potential amount of SPSL an employee can receive is 80 hours. Leave hours will be awarded based on the average number of hours worked in accordance with SPSL.

There will be two separate "up to 40-hour" leave banks.

- Leave hours from one "up to 40-hour" bank will be available only for other covered reasons (quarantine or isolation, vaccine appointments or recovery, experiencing COVID-19 symptoms and seeking medical diagnosis, dependent closure of school or place of care for reasons related to COVID-19 on the premises). Time off for a COVID-19 vaccine or booster shot is limited to three days or 24 hours. This time includes time spent attending an appointment and/or for COVID-19 vaccine or booster shot-related symptoms (for each vaccine/booster). If a health care provider verifies the individual continues to experience symptoms related to the vaccine/booster, more than three days or 24 hours of time off may be available.
- Leave hours from the second "up to 40-hour" bank will be available only if the employee tests positive for or is caring for a family member who tests positive for COVID-19.

Big Smiles adheres to the Cal/OSHA Emergency Temporary Standards (ETS) for healthcare employees. It is expected that staff return to work after meeting the ETS guidelines to end isolation or quarantine. The COVID-19 Site Supervisor will communicate these guidelines upon notification. A COVID-19 diagnostic antigen test may be required.

### V. **REQUESTING LEAVE:**

Employees must submit the attached SPSL form with applicable medical documentation to substantiate the need for this leave as soon as practicable.

Normal call-in procedures apply to all absences from work.

### VI. **RETALIATION:**

Big Smiles will not retaliate against employees who request or take leave in accordance with this policy.

**VII. RETURN TO WORK CRITERIA:**

Big Smiles adheres to current guidance from CDC, ADA and/or state or local guidance for when employees can safely return to work. Employees are encouraged to visit [cdc.gov](http://cdc.gov) for more information.

**VIII. EXPIRATION:**

This policy expires on December 31, 2022.

**IX. MISCELLANEOUS:**

As with all policies, benefits and programs, Big Smiles reserves the right to interpret and construe any ambiguities and apply the terms of this policy in its sole and absolute discretion, whether or not uniformly, and reserves the right to amend, modify or terminate this policy in its sole and absolute discretion at any time or from time to time.

## EMPLOYEE REQUEST FORM FOR COVID-19 PAID LEAVE

Employees requesting SPSL must complete this form and provide documentation to substantiate the need for this leave to [hrdept@mobiledentists.com](mailto:hrdept@mobiledentists.com) or fax to 800-258-1883 as soon as practicable.

Employee Name: \_\_\_\_\_  
Date of Request: \_\_\_\_\_ State: CA

### Reason for Leave:

#### **SPSL Bank 1 (up to 40 hours)**

- Employee isolating due to testing positive
- Employee ordered to quarantine due to close contact
- Employee vaccine appointment
- Employee vaccination recovery time; doctor's note must be provided if leave is over 3 days
- Employee experiencing COVID symptoms and seeking medical diagnosis
- Closure of dependent's school or place of care for reasons related to COVID-19 on the premises
- Caring for qualifying family member who is either 1) subject to a quarantine or isolation period related to COVID-19 or has been advised by a healthcare provider to quarantine due to COVID-19, or 2) is attending a family member's vaccine appointment or 3) cannot work/telework due to family member's vaccine-related side effects.

#### **SPSL Bank 2 (up to 40 hours)**

Test results through a CDC approved testing site/provider must be included. Details must include name, lab, date, test result. Home tests are not accepted for COVID-19 Paid Leave unless proctor arrangements made by COVID-19 Site Supervisor.

- Employee tests positive for COVID-19
- Employee is caring for a family member who tests positive for COVID-19

### Length of Leave:

Employees are instructed to only include dates that they would **normally have been scheduled** and unable to work or Telework.

Dates Requesting SPSL: \_\_\_\_\_  
If using leave for vaccination appointment, time spent: \_\_\_\_\_ am/pm to \_\_\_\_\_ am/pm

### Certification:

**I certify that the above information is truthful and understand that misrepresenting my need for leave is grounds for discipline, up to and including termination.** If signing electronically, please type your full name, followed by "e-signed."

Employee Signature: \_\_\_\_\_

### Operations Review:

Date: \_\_\_\_\_; Review performed by: \_\_\_\_\_  
SPSL approved for the following: \_\_\_\_\_

# 2022 COVID-19 Supplemental Paid Sick Leave

Effective February 19, 2022



Covered employees in the public or private sectors who work for employers with 26 or more employees are entitled to up to 80 hours of 2022 COVID-19 related paid sick leave from January 1, 2022 through December 31, 2022, immediately upon an oral or written request to their employer, with up to 40 of those hours available only when an employee or family member tests positive for COVID-19.

**A full-time covered employee may take up to 40 hours of leave if the employee is unable to work or telework for any of the following reasons:**

- **Vaccine-Related:** The covered employee is attending a vaccine or booster appointment for themselves or a family member\* or cannot work or telework because they have vaccine-related symptoms or are caring for a family member with vaccine-related symptoms. An employer may limit an employee to 24 hours or 3 days of leave for each vaccination or booster appointment and any consequent side effects, unless a health care provider verifies that more recovery time is needed.
- **Caring for Yourself:** The employee is subject to quarantine or isolation period related to COVID-19 as defined by an order or guidance of the California Department of Public Health, the federal Centers for Disease Control and Prevention, or a local public health officer with jurisdiction over the workplace; has been advised by a healthcare provider to quarantine; or is experiencing COVID-19 symptoms and seeking a medical diagnosis.
- **Caring for a Family Member\*:** The covered employee is caring for a family member who is subject to a COVID-19 quarantine or isolation period or has been advised by a healthcare provider to quarantine due to COVID-19, or is caring for a child whose school or place of care is closed or unavailable due to COVID-19 on the premises.

**A full-time covered employee may take up to an additional 40 hours of leave if the employee is unable to work or telework for either of the following reasons:**

- The covered employee tests positive for COVID-19
  - The covered employee is caring for a family member\* who tested positive for COVID-19.
- \* A family member includes a child, parent, spouse, registered domestic partner, grandparent, grandchild, or sibling.

**Part-Time covered Employees:** Part-time covered employees may take as leave up to the amount of hours they work over two weeks, with half of those hours available only when they or a family member\* test positive for COVID-19.

**Payment:** If an employee took leave for one of the reasons identified above between January 1, 2022 and February 19, 2022, and that leave was either unpaid or compensated at a rate less than the employee's regular rate of pay, the employee may also request a retroactive payment. Payment is at the employee's regular or usual rate of pay, not to exceed \$511 per day and \$5,110 in total.

**Retaliation or discrimination against a covered employee requesting or using COVID-19 supplemental paid sick leave is strictly prohibited.** A covered employee who experiences such retaliation or discrimination can file a claim with the Labor Commissioner's Office. Locate the nearest district office by looking at the [directory on our website](http://www.dir.ca.gov/dlse/DistrictOffices.htm) <http://www.dir.ca.gov/dlse/DistrictOffices.htm> using the alphabetical listing of cities, locations, and communities or by calling 1-833-526-4636.

**This poster must be displayed where employees can easily read it. If employees do not frequent a physical workplace, it may be disseminated to employees electronically.**