Reminders

Juneteenth SCLS Update
❖ On September 29th, 2022 Governor Newsom signed Assembly Bill 1655, which adds Juneteenth (June 19th) to the list of state holidays in the Education code. This requires all community colleges and K-12 school districts to close on Juneteenth or pay classified employees who work that day 2.5 times their regular rate of pay.

❖ This law goes into effect on January 1, 2023. Please Note that this will be in effect for the 2022-23 school year, and districts are reminded to review their calendars in light of this change.
  o Please contact Helpdesk@scoe.org to update the calendar for your LEAs.
  o Please see Legal Update on September 30, 2022

Supplemental Paid Sick Leave (SPSL) extended to 12/31/2022
❖ Governor Gavin Newsom signed Assembly Bill (AB) 152 on September 29, 2022, extending the final date that current COVID-19 supplemental paid sick leave can be used. Previously, September 30, 2022, would have been the end of the use of those hours; however, under AB 152, existing leave can be used until December 31, 2022.
  o Please note this is not a new bank of COVID leave. If an employee has already exhausted their leave they are not entitled to more. (See attached)

EDD SDI Online Reporting Instructions
❖ New instructions have been created for the State Disability Online Reporting on the EDD website
  o https://www.scoe.org/files/Quarterly_Return_-_EDD_-_How_to_file_SDI_online.pdf
  Note: Do not file the Wage Report, SCOE does this on behalf of each LEA
  o https://www.scoe.org/files/Quarterly_Return-EDD-How_to_create_an_online_account_for_SDI.pdf

Update to Errors in payroll
❖ No active tax records
  o When an employee is paid and the tax record is not opened in Employee Management it automatically populates State Disability Insurance taxable earnings. In order to avoid errors like this, the tax record field is now mandatory.
If an employee does not have an open tax record, it will generate a labor error in pay 22 report. This error will need to be corrected before processing payroll.

❖ Pay hold
  If an employee does not have a valid credential, a “pay hold” error will come up. If you see the “pay hold” error show up on your error list, please note that this particular employee will receive a paper check instead of an ACH. If they have questions about this, they can contact SCOE credentials at credentials@scoe.org.

Electronic Transfers – please notify the exact amount you are expecting to receive
  When notifying the county about an electronic deposit the County Treasury needs to know the exact amount to verify who the funds belong to. Therefore, notify the exact amount of what will be transmitted to the County Treasury, so there is no confusion.
  https://www.scoe.org/files/ElecDepositRequest_08.16.22.pdf
On Friday, September 30, 2022, Governor Gavin Newsom signed Assembly Bill 1655 into law, making Juneteenth a state holiday and requiring K–12 schools and community colleges to close every June 19th. This legislation takes effect January 1, 2023, meaning that the first Juneteenth holiday affected by the bill will be in 2023 and after. Similar to other state holidays, if June 19th falls on a Saturday or Sunday, the following applies:

- When any of the holidays on which the schools would be closed falls on Sunday, the public schools shall close on the Monday following (Education Code Section [EC §] 37220[b]).

- When any of the holidays on which the schools would be closed falls on Saturday, the public schools shall close on the preceding Friday, and that Friday shall be declared a state holiday (EC § 37220[c]).

Local educational agencies (LEAs) are provided time to plan for Juneteenth 2023, unlike when President Joe Biden signed S. 475, the “Juneteenth National Independence Day Act” into law on June 17, 2021, designating Juneteenth as a federal holiday. At that time, there were many questions about how the new federal law would impact LEAs in California, and because the law was signed just days before Juneteenth, many employers were forced to make quick decisions about employee work schedules and instructional calendars, which had significant fiscal, operational, and instructional impacts. Of note is that decisions of this magnitude typically take place a year (or more) in advance, and many LEAs were challenged with dealing with the unknown implications related to instruction and operations with little time to evaluate the impacts of the calendar change on their local school community.

While many LEA instructional calendars are in summer recess on Juneteenth, there are also year-round schedules, and extended school year calendars that will be impacted by this new holiday, in addition to the work calendar for some classified employees. It is important that the business services, human resources, and educational services departments communicate about the instructional, fiscal, and employment implications of this new state holiday. In addition, depending on the language of an LEA’s collective bargaining agreement provisions regarding employee holidays, there may be bargaining implications. It is critically important that LEAs review their current collective bargaining agreements and instructional schedules to determine how this change may impact employees and students.
LEGAL UPDATE

October 4, 2022

To: Superintendents, Member School Districts (K-12)

From: Nancy L. Klein, Senior Associate General Counsel

Subject: Expiration date for Supplemental Paid Sick Leave extended to December 31, 2022 (AB 152)  
Memo No. 23-2022

The expiration date for Supplemental Paid Sick Leave (“SPSL”) has been extended from September 30, 2022, to December 31, 2022. (Lab. Code sec. 248.6(f).) For the period from October 1 to December 31, 2022, an employer’s obligation to provide SPSL and an employee’s right to take SPSL remain the same,¹ except as follows:

1. If the Qualifying Reason for taking SPSL is the employee’s positive COVID-19 test, in addition to a diagnostic test on after the fifth day is positive, the employer may “require the employee to submit to a second diagnostic test within no less than 24 hours.” (Lab. Code sec. 248.6(b)(2)(ii)); and

2. If an employee refuses to submit to either of the diagnostic tests, the employer is not obligated to provide SPSL to the employee. (Lab. Code sec. 248.6(b)(2)(iv).)

Employers must make the diagnostic tests available at no cost to the employee.

Assembly Bill 152, the legislation extending the expiration date, does not increase the total allotment of SPSL² available to employees. Employees who have used some SPSL on or after January 1, 2022, are only entitled to take up to the remaining balance of their total allotment.

Please contact our office with questions regarding this Legal Update or any other legal matter.

The information in this Legal Update is provided as a summary of law and is not intended as legal advice. Application of the law may vary depending on the particular facts and circumstances at issue. We, therefore, recommend that you consult legal counsel to advise you on how the law applies to your specific situation.

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¹ See Legal Update 08-2022 Revised
² Up to two 40-hour banks of SPSL for full-time employees. See Footnote 1.
Instructions – How to create an online EDD account for SDI

1) Locate the SDI account number for your LEA
   • Escape → System → Setup → Organizations
     ▪ Note – only Escape users who are Org Manager or above can see the Org Record, ask if you need assistance obtaining this account number
   • Click into your LEA
   • The tax account numbers are located under section #6 – HR/Payroll Setup
     ▪ SDI = State Tax Id (DI)

2) Create a login with the Employment Development Department
   • https://eddservices.edd.ca.gov/tap/secure/eservices
   • Choose Enroll for a username and password to access Employer Services online
   • Once the login is created, click on Add Access to Another Account
3) Choose account type: Employment Tax
   - Enter SDI account number gathered from Escape
   - Enter Zip Code
   - Choose one of the security questions to answer *(Recommended: Total Subject Wages Reported)*
     - Run a Pay91 in Escape to find the Subject Wages for SDI for prior quarters (SDI Wages)
Instructions – How to file SDI online

1) Login to: https://eddservices.edd.ca.gov/tap/secure/eservices

2) Choose Employment Tax (Make sure to choose the correct one if you have both SDI and SUI online)

3) Click on File Return under the correct period or click on the period(date) in blue

4) The quarterly return LEAs are required to file for SDI is the Tax Return (Do not file the Wage Report, SCOE does this on behalf of each LEA)
   - Click file now under Tax Return
   - Do you have payroll to report? Click yes and hit next
5) Go to Escape and **run** a Pay91A under: HR/Payroll → Reports → Payroll → Pay91
   - Choose the calendar year
   - Choose the tax quarter you are reporting
   - Print/Save this report

6) Enter Subject Wages from the Pay91 – Positive Wages (SDI Wages) under the Total Subject Wages Paid this Quarter

7) Enter the same Subject Wages from the Pay91 – under the SDI Wages box
   - This will calculate the SDI contributions for the current quarter

8) Hit next and finish filing the report for the current quarter for SDI
9) Make sure to check the Pay91 for negatives (If there are none – Make payment)
   - **To check for negatives** - Run Pay91 – Option B
     - This will show which employee wages need to be adjusted
   - If there are negatives, it is **necessary** to move these negative wages/deductions to a prior quarter
     - Run Pay91 for the prior quarter and deduct the negative wages and deductions from the specific employee’s prior quarter totals

10) **How to adjust for Negatives:** Go to EDD and click on the prior period quarter you need to adjust
    - **Click on View or Adjust return** (Please note you have to adjust both the Tax Return and the Wage Report when there are negatives)
    - **Print out** the Tax Return and the Wage Report for backup as to what was originally reported

11) **Tax Return Adjustment:** Click Adjust Return under Tax Return
    - Reduce the Tax Return - Total Subject Wages paid this quarter by the negative wages – See below:

![Image of a Tax Return Form]

**Enter the same subject wages above to calculate what the SDI contribution should be with the negative included**

**Fill in the contributions paid for the quarter - This would be the amount paid to EDD for the quarter you are correcting**

**The amount shown may not include all payments. Review and update, if needed.**

**This number should change to the negative contributions on the Pay91**
12) **Wage Report Adjustment:** Click Adjust Return under Wage Report
   - Do you have payroll to report – yes
   - Do you want to import a file – no
   - Make sure to gather the SSN and full name of employee who needs the adjustment to enter into this adjustment report

   **Wage Information: 31-Mar-2022 Wage Report for**

   Report only the wage lines being corrected in the wage detail table.

   You may report multiple Wage Plan Codes on the same return if your account is subject to both Unemployment Insurance and Disability Insurance.

   **Instructions**

   **Wage Detail**

<table>
<thead>
<tr>
<th>SSN</th>
<th>First Name</th>
<th>M.I.</th>
<th>Last Name</th>
<th>Subject Wages</th>
<th>PIT Wages</th>
<th>PIT Withheld</th>
<th>Wage Plan Code</th>
</tr>
</thead>
</table>

   **Complete Wage Information**

   - Enter SSN, First Name, Last Name and Subject Wages – *This should be the original subject wages for this employee minus the negative wages that are being applied to this quarter*
   - Hit next – The last page will ask for the total subject wages of all employees (*This is the original total subject wages of all employees for the quarter minus the negative wages being applied to this quarter*)
   - Hit next and enter a reason and submit (Possible reason could be employee was overpaid)_

13) Make a payment to SDI electronically through your outside bank account, credit card or by check (*Payment should be positive contributions minus negative contributions on the Pay91 for current quarter*)
   - In order to pay by check, make sure to fill out a waiver

   **Note:** Contact helpdesk@scoe.org for assistance in setting up SDI to automatically create a check to your LEA’s outside bank account each month.

   Any Questions: Carend@scoe.org, Jliu@scoe.org, helpdesk@scoe.org