

San Francisco Military Leave Pay Protection Act

The San Francisco Military Leave Pay Protection Act requires Sodexo to provide to all employees who work in San Francisco (not San Francisco International Airport) supplemental pay while on leave for military duty for up to 30 days in a calendar year.

The law applies to Sodexo employees who are members of the reserve corps of the United States Armed Forces, National Guard, or other uniformed service organization of the United States.

Military duty means:

- active military service in response to the September 11, 2001 terrorist attacks, international terrorism, the conflict in Iraq, or related extraordinary circumstances, or
- military service to provide medical or logistical support to federal, state, or local government responses to the COVID-19 pandemic, natural disasters, or
- engagement in military duty ordered for the purposes of military training, drills, encampment, naval cruises, special exercises, Emergency State Active Duty, or like activity.

Sodexo must pay the difference between the amount of the employee's gross military pay and the amount of gross pay the employee would have received from Sodexo had the employee worked the employee's regular work schedule. The term gross military pay excludes any military allowances, such as combat, clothing, housing, or aviation.

This leave for military duty with supplemental compensation can be taken in daily increments for one or more days at a time, for up to 30 days in any calendar year.

All benefits, such as health and welfare benefits, 401(K), and pension benefits must be paid as if the employee had worked their regular work schedule.

Sodexo may request the employee provide their written military orders which may confirm the pay the employee will receive while on the military leave. Sodexo may also request an employee provide a wage statement verifying the military gross pay paid to the employee during their leave for military duty for which they are seeking supplemental compensation.

Sodexo should notify employees of their right to supplemental compensation within a reasonable time after the employee tells Sodexo they received written military orders and will require time off work.

Sodexo policy provides differential pay to all employees who are called to active duty beyond routine Reserve/Guard commitments for up to 12 months. This law extends that differential pay to routine Reserve/Guard commitments for up to 30 days in a calendar year.