
NY City: Paid Sick Leave

Description of Program and Relief

Most employees in New York City are eligible for up to 40 hours of sick pay from their employer if (1) they become sick with coronavirus, (2) are caring for a family member who is sick or needs diagnosis, (3) their place of business was ordered shut due to the virus, or (4) they have to stay home to care for a child due to the closure of the City's public schools. This sick leave benefit is available to eligible employees in New York City under the "Paid Safe and Sick Leave Law", which took effect in May 2018.

Government or Lead Agency

This is an employer-paid benefit that is enforced by the New York City Department of Consumer Affairs, Office of Labor Policy & Standards.

Dates Available

Available immediately.

Eligibility Requirements/Restrictions

Under the law, all employers in New York City who employ five or more employees for over 80 hours per year must provide paid sick leave. Employers with few than five employees must provide unpaid sick leave.

The amount of sick leave that is required is based on how many hours an employee works. Employees are eligible for one hour of leave for every 30 hours they work, up to a maximum of 40 hours of leave per calendar year.

The Sick Leave Law applies to full-time employees as well as part-time employees who work more than 80 hours per year. The law extends to employees who live outside of NYC but work in the City, and to undocumented employees.

Eligible employees are entitled to sick leave when they are absent from work because:

- the employee is sick;
- the employee is caring for a family member who is sick or needs to be diagnosed;

- the employee's place of business is ordered to be closed by a public official due to the public health emergency, or
- the employee is caring for a child who is at home due to the closure of the City's school, or because the child's childcare provider has been ordered to close.

Domestic workers who have worked for the same employer for at least a year and who work more than 80 hours in a calendar year are entitled to up to two days of paid sick leave each calendar year.

Employees who believe they are not receiving the sick pay that they are entitled to may file a complaint with the Department of Consumer Affairs. The complaint form is available online at <https://www1.nyc.gov/site/dca/workers/workersrights/office-of-labor-policy-and-standards-for-workers.page> or by contacting 311 (212-NEW-YORK outside NYC). If an employee is absent from work for more than three consecutive days, an employer may require documentation from a licensed health care provider of the employee's need for sick time.

Application Deadlines (If Applicable)

Not Applicable.

Contact for More Information

Email: PSSL@dca.nyc.gov

Call: 311 (212-NEW-YORK outside NYC)

Online Live Chat: nyc.gov/BusinessToolbox

Twitter: <https://twitter.com/NYCDCA>

List of Additional Information

<https://www1.nyc.gov/assets/dca/downloads/pdf/about/PaidSickLeave-FAQs.pdf>

<https://www1.nyc.gov/assets/dca/downloads/pdf/about/PaidSafeSickLeave-MandatoryNotice-English.pdf>

<https://www1.nyc.gov/assets/dca/downloads/pdf/about/Paid-Safe-and-Sick-Leave-Law-Rules.pdf>