
NY State: NYS Paid Sick Leave

Description of Program and Relief

The New York Legislature passed legislation, which the Governor signed into law on March 18, 2020, guaranteeing access to Paid Family Leave and disability benefits for all employees who are subject to a mandatory or precautionary order of quarantine or isolation for COVID-19, as follows:

- Employees of employers with ten or fewer employees as of January 1, 2020 and \$1 million or less of net income in the previous tax year will receive unpaid leave until the termination of any mandatory or precautionary order of quarantine or isolation and shall be eligible for paid family leave benefits and benefits due to disability.
- Employees of employers with eleven to ninety nine employees, and employees of employers with ten or fewer employees and more than \$1 million of net income, will also receive five days of paid sick leave and then unpaid leave.
- Employees of public employers or employers with 100 or more employees will also receive fourteen days of paid sick leave and then unpaid leave.

Government or Lead Agency

New York State Legislature and Governor's Office

Effective Date

March 18, 2020

Eligibility Requirements/Restrictions

An employee is eligible if he or she is subject to a mandatory or precautionary order of quarantine or isolation issued by the state of New York, the department of health, local board of health, or any governmental entity duly authorized to issue such order due to COVID-19.

If an employee is subject to such order because the employee knowingly traveled to a country for which the Centers for Disease Control and Prevention (CDC) has issued a level two or three travel health notice, and that travel was not part of his or employment or at the request of the employer, that employee shall not be provided with paid sick leave under this program.

This program shall not apply in cases where an employee is deemed asymptomatic or has not yet been diagnosed with any medical condition and is physically able to work while under a mandatory or precautionary order of quarantine or isolation, whether through remote access or other similar means.

Any employee who receives federal government sick leave and/or other benefits to employees in response to COVID-19 will have such leave and benefits counted toward the amounts of guaranteed leave and benefits under the State law.

The paid sick leave requirements do not apply to private employers that voluntarily close business operations due to health and safety concerns regarding COVID-19.

List of Additional Information

Additional information is available on the Governor's Office website here:

<https://www.governor.ny.gov/news/governor-cuomo-announces-three-way-agreement-legislature-paid-sick-leave-bill-provide-immediate>

The text of the bill is available here: https://legiscan.com/NY/text/S08091/id/2173810/New_York-2019-S08091-Introduced.html