



COVID-19 Paid Sick Leave Legislation

Chapter 25 of the Laws of 2020 (S.8091 – Ramos / A.10153 – Nolan) provides for paid sick leave and the provision of certain employee benefits when an employee is subject to a mandatory or precautionary order of quarantine or isolation.

The New York State Department of Labor's guidance on these provisions can be found at: <https://www.governor.ny.gov/paid-sick-leave-covid-19-impacted-new-yorkers/emergency-covid-19-paid-sick-leave>

Effective Date: Immediately

Provisions Applicable to All Employers / Employees

An employer is required to allow the use of this time for each employee who is subject to a precautionary or mandatory 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.

Upon returning to work following this leave, an employee shall be restored to the position of employment held by the employee prior to any leave taken. An employer shall not discharge, threaten, penalize, or in any other manner discriminate or retaliate against any employee because such employee has taken leave pursuant to this leave provision.

An employee cannot take any time pursuant to this law, or any other paid leave law, if the employee is subject to a mandatory or precautionary order of quarantine because the employee has returned to the country after traveling to a country which the CDC has a level two or three travel health notice and the travel to that country was not taken as part of the employee's employment or at the direction of their employer and the employee was provided notice of the travel health notice and limitations of this subdivision prior to such travel. In this instance, an employee shall be eligible to use accrued leave provided by the employer.

An employee who must be quarantined an additional time will be eligible for these benefits.

Public Employers – Covid-19-Related Quarantine

A public employee that is subject to a mandatory or precautionary order of quarantine, shall be paid their regular rate of pay for 14 days. An employee will not lose any accrued sick leave.

Private Sector – Covid-19-Related Quarantine

This benefit is structured in a way that any person who makes up to \$150,000 per year will be kept financially whole. Paid family leave (PFL) will pay out 60% of a person's wage, up to \$840.70 per week; Temporary Disability Insurance (TDI) will pay out 40% of a person's wage, up to \$2,043.92 per week. All waiting periods for PFL and TDI are waived for this specific paid time.

COVID-19 Paid Sick Time (Quarantine, Private Sector)

<u>Employer Size</u>	<u>Revenue</u>	<u>Employer Paid Time Off</u>	<u>Benefit</u>	<u>Other Notes</u>
1-10	N/A	No employer paid time off, rather, will be compensated by PFL and TDI for as much time as needed until quarantine order is lifted.	PFL¹ Up to \$840.70 / week TDI² Up to \$2,043.92 per week	
1-10	\$1 million or more	5 Employer Paid Days and then compensated by PFL and TDI for as much time as needed until quarantine order is lifted.	Days 1-5 Full pay from employer Days 6-14 PFL Up to \$840.70 / week TDI Up to \$2,043.92 per week	
11-99	N/A	5 Employer Paid Days and then compensated by PFL and TDI for as much time as needed until quarantine order is lifted.	Days 1-5 Full pay from employer Days 6-14 PFL Up to \$840.70 / week TDI Up to \$2,043.92 per week	
100-More	N/A	14 Employer Paid Days	Fully paid by employer	No loss of accrued sick leave

¹ Paid Family Leave

² Temporary Disability Insurance Program