

# NEW YORK STATE EMERGENCY PAID SICK LEAVE

Effective as of April 1, 2020, paid sick leave available under New York law will be available only to the extent it exceeds the leave and benefits provided by federal law.

Is employee or minor dependent subject to a mandatory or precautionary order of quarantine or isolation by New York State, the Department of Health, a local Board of Health, or government entity authorized to issue such an order, for condition related to COVID-19?

(If employee presents a medical document from medical provider, such as doctor or health center, the answer to this question is NO.)

NOT COVERED

NO

YES

Is employee  
(a) asymptomatic or undiagnosed and  
(b) able to work remotely?

NOT COVERED

YES

NO

Is quarantine or isolation after personal travel to places on the CDC travel advisory list?

Unpaid leave is available for the duration of quarantine or isolation.

YES

NO

## EFFECTIVE MARCH 18, 2020

### Private and Not for Profit Employers

Please note, this information is to be used as a guide and is **not to be considered legal advice.**

For additional information, please contact:

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## Paid Sick leave (PSL) is available.

- Amount of leave available is based on number of employees as of 1/1/2020
  - 10 or fewer and net income of less than \$1 million: **unpaid** job-protected leave for duration of quarantine or isolation. Waiting periods for Paid Family Leave (PFL) and Short-Term Disability (DBL) are waived and benefits are available immediately.
  - 11 to 99 or more than \$1 million in net income: 5 days of PSL; protected leave for duration of quarantine or isolation.
  - 100 plus: 14 days of PSL; public: 14 days minimum;
- These benefits are separate from other accruals provided by employer and must be paid first.

## Followed by Enhanced Paid Family Leave (PFL) and Enhanced NY short-term disability (DBL).

- PFL and DBL run concurrently;
- Enhanced PFL benefit paid to the full extent, with additional DBL benefit to a maximum of \$2,043.92.
- PFL is available for own quarantine or isolation, or to provide care for minor dependent in quarantine or isolation.
- Combination of PFL and DBL to pay 100% of pay (through insurance policies, not employer direct cost) to a maximum of \$2,884.62/week.
- Access to benefits through normal application process. **Application should not be made for both programs when paid sick leave is approved.**