



September 2020

Reminder: New York State Paid Sick Leave Effective September 30

By Jason B. Jendrewski

All New York employers should be mindful that the State's new paid sick leave law goes into effect on September 30, 2020. Employees begin accruing sick leave on September 30, 2020, at a rate of one hour of sick leave for every 30 hours worked up to a maximum amount of sick leave per year (unless an employer decides to frontload the leave). However, employees are not entitled to use any accrued sick leave pursuant to this law until January 1, 2021.

The amount of sick leave that an employer is required to provide and whether it must be paid depends on the number of employees and, in certain, limited circumstances, the employer's net income. Employers are required to ensure that their payroll records show the amount of sick leave provided to each employee. For a detailed discussion regarding the new law's requirements, please review our [prior alert](#).

The New York State Department of Labor is expected to promulgate regulations and issue guidance in the near future that will answer many unresolved questions that employers may have. In the meantime, employers are urged to review the statute's requirements and ensure that their policies are compliant. Employers located in jurisdictions with existing municipal paid safe and sick leave laws, like New York City and Westchester County, should be mindful of the differences between State and municipal

paid leave law requirements and ensure compliance with all applicable laws.

For more information about this alert, please contact Jason B. Jendrewski at jjendrewski@foxrothschild.com or 212.878.7952, or any member of the firm's New York Labor & Employment Group.

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