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New York City Amends Earned Safe and Sick Time Act

November 5, 2020

As reported in a previous Cooley alert, New York state recently implemented a paid sick leave law (PSL). In addition to this statue, New York City amended the existing Earned Safe and Sick Time Act (ESSA) to bring it in line with the requirements under the PSL. Under the amended ESSA, employers are now required to document the amount of sick leave an employee accrues and uses, as well as the employee's total balance of accrued sick leave, in the pay stub or in another form of written notice provided to the employee each pay period. The paystub requirement (or any document issued each pay period) went into effect September 30, but there is a grace period until November 30 to ensure compliance without a penalty. In addition, under the amended ESSA, employers with 100 or more employees must now provide up to 56 hours of paid sick leave.

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