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New York State Issues Paid Sick Leave FAQs Issued

Background

The State of New York has published frequently asked questions (FAQs) on its [website](#) about its new Paid Sick Leave (PSL) law. Under the new law, employees of covered employers will be able to take 40 – 56 hours of leave, depending on the size of their employer. The law takes effect on January 1, 2021. However, employees began accruing this leave on September 30, 2020.

Summary

The FAQs cover 11 different topics:

- Amount of leave
- Definitions (who qualifies, what is a calendar year, etc.)
- Accruals
- Permitted uses
- Who is eligible?
- Leave increments
- Rate of pay
- Alternative accrual system

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- Collective bargaining agreements
- Other leave laws
- Employee rights and protections
- Miscellaneous questions

Answers you can find in the FAQs include how an employee or employer would use the law if an employer is closed due to a public health emergency, and telecommuting as an alternative, which may be of special interest to employers particularly during the COVID-19 pandemic.

The FAQs also inform readers that workers are covered by the PSL law when they are physically working in the State of New York, even if the employer is located somewhere else.

For employees who live in New York City, the FAQs detail that the city may continue to enforce the provisions outlined in the [New York City Paid Safe and Sick Leave law](#), to the extent that they meet or exceed the “end standard” or minimum hour requirements. Please refer to the [FAQs](#) for more information as well as the New York City Paid Safe and Sick Leave law.

Employer Next Steps

- Provide the [FAQs](#) to your employees so that they have further information on how the Paid Sick Leave law affects them, particularly if you have employees who live in New York City as the [New York City Paid Safe and Sick Leave law](#) will be a factor.
- Update any policies as needed, particularly policies that address leaves.
- If you are a Full-Service or Virtual HR client and would like our assistance with updating your policies, please [email us](#).

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