e-Alert

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NY Employers Must Provide Paid Leave for COVID-19 Vaccination

Background

Employees Entitle to Four Hours Per Injection

New York has passed a law requiring employers to provide employees with paid leave to receive a COVID-19 vaccine. The law took effect immediately on passage on March 12, 2021, and expires December 31, 2022.

Summary

- Under the new law, employees must be allowed a sufficient amount of paid leave to receive the COVID-19 vaccine, and the paid leave may not be charged against any other leave that the employee is entitled to, including paid sick leave required by state law.
- The employee can receive up to four hours per vaccine injection, so if they are receiving two vaccines, they are entitled to eight hours paid leave.

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- Employees subject to a collective bargaining agreement may be entitled to additional time, and employers are free to provide more time if they choose to.
- Employees are compensated at their regular rate during the leave.
- The law prohibits employers from discriminating against or retaliating against any employee who takes or requests paid COVID-19 vaccination leave, or otherwise exercises their rights under the law.

Employer Next Steps

- HRK will continue to monitor COVID-19-related leave laws.
- If you are a Full-Service or Virtual HR client and would like our assistance with updating your policy, please email us.

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