

e-Alert

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New York City: Additional Paid Sick Time and Vaccination Mandates

Background

COVID-19 remains an imminent risk in New York City, NY. To help reduce these risks, city officials are encouraging everyone age 5 or older within the city limits to get vaccinated and have implemented a city-wide mask mandate as well as a vaccination mandate for private employers.

Summary

NYC Paid Sick Time for Youth Vaccinations

The Center for Disease Control (CDC) approved the [COVID-19 vaccination for children ages 5-11](#) in November of 2021. With this recent guidance, New York City Council amended the City's [Earned Safe and Sick Time Act](#) to include additional paid time off for parents to get their children vaccinated. Employees can now take an additional four hours of leave per dose to take their child to receive the vaccine or care for their child who is experiencing symptoms from the vaccine. Employees get 4 additional hours of sick leave for EACH child; and EACH vaccine injection. Employers may require that employees provide proper notice and documentation when taking leave. **The additional**

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leave applies retroactively back to November 2, 2021 and is set to expire on December 31, 2022.

Vaccination Mandate

New York City's vaccination mandate for private employers went into effect on December 27, 2021 and mandates all private employers to require proof of vaccination from all workers who perform in-person work or interact with the public in the course of business, regardless of size, industry or job duties. A workplace is defined as any location, including a vehicle, where an employee works in the presence of at least one other person. In-person workers will need to provide proof of at least one dose of a COVID-19 vaccine. Workers will then have 45 days to show proof of their second dose (for Pfizer or Moderna vaccines).

Unlike the Emergency Temporary Standard (ETS) issued by the Occupational Safety and Health Administration (OSHA), the NYC Vaccination Requirement does not allow employees the option of weekly testing and/or wearing a face covering in the workplace, in lieu of receiving vaccination.

Mask Mandate

New York State Governor Kathy Hochul declared a state disaster emergency through February 1, 2022, in response to the increased number of positive COVID-19 cases. To prevent further spread of the virus, individuals in New York City, NY must [wear a mask in a public indoor setting](#), unless the business or venue requires proof of vaccination for entry.

Employer Next Steps

- Employers with employees in New York City, NY should ensure their policies are compliant with the new paid sick leave amendments.
- Employers located in New York City, NY should ensure they are aligning their policies and procedures with the Governor's mask mandate and the vaccination mandate.
- 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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