KNOW YOUR RIGHTS:

New York City Earned Safe and Sick Time Act

What does the New York City Earned Safe and Sick Time Act do?
It gives workers up to 40 hours of sick time a year to recover from physical/mental illness or injury, seek medical treatment, or care for a sick family member (a child, spouse, domestic partner, parent, parent of a spouse or domestic partner, grandchild, grandparent, or sibling). Beginning on May 5, 2018, sick time can also be used to care for any blood relative (such as an aunt, cousin, etc.) or any other individual whose close association with you is the equivalent of a family relationship (such as a close friend who is like family, a significant other, etc.).

Am I covered?
If you work in New York City for more than 80 hours in a year, you are probably covered, whether you are a full-time, part-time, or temporary worker.

How much sick time can I earn?
You earn 1 hour of sick time for every 30 hours worked, up to a maximum of 40 hours per year. If your workplace has 5 or more workers, that time must be paid. If your workplace has fewer than 5 workers, your sick time may be unpaid—but you can’t be fired or punished for taking it. Domestic workers receive 2 days of paid sick time after one year of employment, in addition to the paid “days of rest” they get under state law.

What if I already have paid leave or paid time off?
If you already get any paid leave (vacation, paid time off, etc.) that you can use as sick time and it’s at least the same amount you would earn under this law, the law does not give you any additional paid time off.

When can I begin using my sick time?
You start earning sick time immediately but cannot use it until 120 days after the start of your employment.

Do I need a doctor’s note?
Only after more than 3 consecutive days of absence (and the note does not have to specify your illness).

What is “safe time” and can I use it?
Beginning on May 5, 2018, your sick time under the law can also be used for “safe time” purposes to address certain non-medical needs that may arise if you or a family member are victims of domestic violence, a sexual offense, stalking, or human trafficking. For example, you may be able to use safe time to meet with a lawyer or social worker or to relocate your family for safety.

What if I have a personal emergency?
Beginning on July 18, 2018, most workers in New York City will have the right under a separate law to two additional unpaid, job-protected days off per year. These days can be used to care for a child under 18; care for a family member or someone who lives with you who has a disability and relies on you for care; attend a legal proceeding or hearing for certain benefits; or for any “sick time” or “safe time” purpose.