

## 1. Most people who work in New York State have the right to job-protected sick time.

- Sick time can be used to recover from illness, seek medical treatment, or care for a sick family member or loved one.
- If your employer has five or more employees, the time must be **paid**.
- If you work as an employee in New York State, you are probably covered, whether you are a full-time, part-time, or temporary worker. Workers are covered regardless of immigration status. However, the law does not cover federal, state, and municipal employees.
- It is **illegal** for your employer to **fire or punish you** for using your sick time, including by assessing “points” or docking your time in a way that may subject you to discipline.

## 2. Most people who work in New York State have the right to paid family leave.

- Paid family leave can be used to bond with a new child, care for a seriously ill family member, or to address certain military family needs.
- You can take up to **12 weeks of leave** in a year and receive **2/3** of your average pay, up to a cap.
- Almost all private-sector employees in New York State are covered, whether they are full-time or part-time workers. State and local government employees are not automatically covered, but their employer or union can opt in to coverage. Federal government employees are not covered.
- You have the **right to return to the same job you had before leave (or a comparable job)**, the right to keep your health insurance, and it is illegal for your employer to fire or punish you for using your paid leave.

## 3. If you are pregnant or have a disability and need accommodations, your employer generally must provide it *unless* it would be very difficult or expensive for them to do so.

- An accommodation could include a temporary transfer to a less physically demanding position, time off, or a modified work schedule.
- Your employer is **required to consider your request in a timely fashion**, which generally includes a conversation and responding to any doctor's notes you may provide.
- Your employer generally **can't punish you for requesting or needing time off** for pregnancy or disability related medical reasons.

## 4. It is generally illegal for your employer to discriminate against you because you have children.

- If you work in New York City, your rights are even broader: your employer cannot discriminate against you because you provide care for certain family members or loved ones who are sick or have a disability.

## 5. Employers are required to give you clear, written notice of the above workplace rights under NY law.

**If you work in New York City, you may have additional rights.**

For more information, contact A Better Balance's free legal helpline at **1-833-NEED-ABB** or visit us [online](#).

A Better Balance uses the power of the law to advance justice for workers, so they can care for themselves and their loved ones without jeopardizing their economic security. We are a national leader in standing up for workers' rights.

*The information contained in this document does not constitute legal advice. It is always advisable to consult with an attorney about your individual circumstances if you have questions or think your rights as a worker have been violated.*