

Client Alert **Employment & Labor**

Impact of Changes to New York City Sick Leave Law on Employers

The New York City Earned Sick Time Act (the “Act”) will go into effect on April 1, 2014, including an amendment passed by the New York City Council (the “Council”) this week, which considerably expands the Act’s provisions. The bill is on its way to Mayor Bill de Blasio’s desk for his signature.

As we reported in our [July 2013 client alert](#), the previous form of the Act required covered employers with 20 or more employees to provide up to five days of paid sick leave per year to covered employees starting on April 1, 2014. Those covered employers with 15 to 19 employees would have needed to comply by October 1, 2015.

The Act was passed last year amidst significant political division between the Council, that favored the Act, and former Mayor Michael Bloomberg, whose veto of the Act was eventually overridden by the Council. On January 17, 2014, Mayor de Blasio announced legislation to expand the Act’s provisions, demonstrating a swift change in the political climate in the mayor’s office only two and a half weeks after he assumed office.

Mayor de Blasio’s recently passed amendment will expand the Act most significantly by:

- Eliminating the staggered implementation of the Act’s provisions by subjecting all covered employers to the Act’s requirements on April 1, 2014.

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- Eliminating the potential delay of implementation based on economic indicators.
- Requiring employers with 5 or more employees to provide paid sick leave.
- Removing exemptions for manufacturing employers.
- Expanding the definition of “family member” who workers could care for using paid sick time, to include grandparents, grandchildren, and siblings.

Tips for Employers

These changes are most impactful to employers with less than 20, but at least 5 employees. All covered employers with 5 or more employees will now be required to provide *paid* sick leave. The changes to the Act leave these smaller employers with a narrow timeframe to either review and revise their current sick leave policies or prepare new policies to assure compliance.

The amendments to the Act signal the likely beginning of further legislation to increase employee protections. All employers with five or more employees should start to review their leave policies immediately so that compliance can be assured by April 1st.

For assistance in drafting revised policies, or in training management on the requirements of such policies, please contact one of the following Sills Cummis & Gross employment attorneys:

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