



# New York City Earned Sick Time Act Becomes Effective April 1st, 2014

Beginning April 1, 2014, Employers with Employee's working in New York City will be required to accrue paid sick time. Below is a summary of the relevant portions of the Act:

- Non-union employees working at least 80 hours per calendar year are eligible for sick time accrual. (Employees covered under a collective bargaining agreement are exempt until the expiration of that Agreement.)
- Employees will accrue 1 hour of sick time for every 30 hours of work up to a maximum of 40 hours per year. The accrual begins on the employee's hire date.
- Employees are not eligible to use any of the accrued sick time until they have been employed for 120 days.
- The Employer may choose whether to carry over or pay out unused sick time accrued at the end of the calendar year. Employers are not required to pay for more than 40 hours of sick time per year. The Act has no requirement to pay out the accrual balance upon termination.
- The Act does not require Employers to provide additional paid sick time if their existing paid leave policy meets the requirements and allows employees to take sick time under the conditions required in the Act.
- Employers are required to provide notice to the Employee, in English, upon hire.

**Cast & Crew began accruing sick time for all non-union workers in NYC on April 1, 2014.**

Please use your timecard to report and record all sick time payment requests. Please reach out to us at [info\\_clientservices@castandcrew.com](mailto:info_clientservices@castandcrew.com) should you have any questions.



# New York City Earned Sick Time Act

## Employee FAQ

The NYC city council recently passed the New York City Earned Sick Time Act requiring that all Employers operating with 5 or more Employees provide up to 40 hours paid sick leave to their Non-Union Employees each year and that companies with fewer Employees provide 40 hours unpaid sick leave. Below are answers to some frequently asked questions:

**Who is eligible?** Employees working more than 80 hours for the Employer per calendar year are eligible to accrue sick time.

**How much earned sick time am I eligible for?** An employee will earn 1 hour for every 30 hours worked, to a maximum of 40 hours (or 5 days) per calendar year.

**Am I eligible as soon as I start working?** No. You will begin to accrue sick leave when you start working but your Employer is not obligated to give it to you until your 120th day on the job.

**Can I carry over unused sick leave?** Yes, but your Employer isn't required to give you more than 40 hours (5 days) annually.

**Do I get paid any unused sick accrual when I leave?** The law does not require Employers to pay out any unused accruals.

**What can I use my sick time for?** An Employee shall be entitled to use sick time for absence from work due to:

1. The employee's mental or physical illness, injury or health condition or need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care; or
2. Care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or who needs preventive medical care; or
3. Closure of such employee's place of business by order of a public official due to a public health emergency or such employee's need to care for a child whose school or childcare provider has been closed by order of a public official due to a public health emergency.

**I work under a collective bargaining agreement. Am I qualified to receive paid sick time?** No.

**What do I do if my employer isn't granting me sick time that I am entitled to?** You can file a complaint with the Department of Consumer Affairs. To get the complaint form, go online to [nyc.gov/PaidSickLeave](http://nyc.gov/PaidSickLeave) or contact 311 (212-NEW-YORK outside of NYC).