



KD Alert: Mandatory Paid Sick Time is Now the Law in NYC

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The protracted battle over the Earned Sick Time Act ended yesterday evening when the New York City Council voted to override Mayor Bloomberg's veto of the Act. As a result, most employers in New York City will have to provide up to 40 hours per year of paid sick leave to their employees. The law is expected to affect over a million workers.

The new law requires employers to provide written notice to employees explaining their sick leave entitlements, and how the leave is accrued. Notably, employees' rights to sick leave vary, depending upon whether they are exempt or nonexempt (i.e. overtime eligible). The notices must also state that the employer is prohibited from retaliating against workers for using sick time.

Employers who violate the new law may face liability for penalties and money damages.

The effective date of the law varies according to the size of a business. Beginning on April 1, 2014, businesses with 20 or more workers will have to provide five paid sick days annually to employees. On October 1, 2015, these requirements will apply to businesses with 15 or more workers.

If the City economy does not perform as anticipated, as measured by the New York Coincident Economic Index as of December 16, 2013, the law's effective dates will be delayed.

KD attorneys are available to assist employers with creating the notices required under the new law, updating leave policies, training managers on administering the law and any other compliance matters.