

New York State Emergency Paid Leave for Workers Affected by the Coronavirus

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Last week, Governor Cuomo signed into law emergency paid sick leave legislation (the “Act”) for workers affected by the coronavirus. The Act covers workers who are themselves subject to an order of mandatory or precautionary quarantine or isolation, as well as those who have a dependent child who is so affected. The table below outlines the Act’s basic provisions categorized by employer size.

To qualify for the Act’s benefits, a worker must: (1) be subject to an order of mandatory or precautionary quarantine or isolation for the coronavirus issued by the state of New York, the Department of Health, local board of health, or any government entity authorized to issue such order; or (2) have a minor dependent child subject to such an order. Paid leave is not available to employees who are able to work through remote access.

<u>New York State COVID-19 Paid Sick Leave Legislation</u>			
<u>Number of Employees as of 1/1/2020</u>	<u>Net Annual Income Last Year</u>	<u>Paid Sick Leave Available to Employees</u>	<u>Paid Family Leave/Disability Benefits Available to Employees</u>
<ul style="list-style-type: none"> 10 or fewer. 	<ul style="list-style-type: none"> Less than \$1 million. 	<ul style="list-style-type: none"> Job protection for duration of order of quarantine/isolation. No paid sick leave. 	<ul style="list-style-type: none"> Compensation for the duration of employees’ quarantine through employer’s existing Paid Family Leave (PFL) and Disability Benefits (DB) policy up to \$2,884.62 per week.
<ul style="list-style-type: none"> 10 or fewer. 	<ul style="list-style-type: none"> More than \$1 million. 	<ul style="list-style-type: none"> Job protection for duration of order of quarantine/isolation. At least 5 days of paid sick leave. 	<ul style="list-style-type: none"> Compensation for the duration of employees’ quarantine through employer’s existing PFL and DB policy up to \$2,884.62 per week.
<ul style="list-style-type: none"> Between 11 and 99. 	<ul style="list-style-type: none"> Any. 	<ul style="list-style-type: none"> Job protection for duration of order of quarantine/isolation. At least 5 days of paid sick leave. 	<ul style="list-style-type: none"> Compensation for the duration of employees’ quarantine through employer’s existing PFL and DB policy up to \$2,884.62 per week.
<ul style="list-style-type: none"> 100 or more. 	<ul style="list-style-type: none"> Any. 	<ul style="list-style-type: none"> Job protection for duration of order of quarantine/isolation. At least 14 days of paid sick leave. 	<ul style="list-style-type: none"> None (presumably because paid sick leave for 14 days should cover entire duration of quarantine).
<ul style="list-style-type: none"> Public employers of any size. 	<ul style="list-style-type: none"> Any. 	<ul style="list-style-type: none"> Job protection for duration of order of quarantine/isolation. At least 14 days of paid sick leave. 	<ul style="list-style-type: none"> None (presumably because paid sick leave for 14 days should cover entire duration of quarantine).