



**CONSTRUCTION INDUSTRY COUNCIL  
OF WESTCHESTER AND HUDSON VALLEY, INC.**

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**BUILDING CONTRACTORS ASSOCIATION  
WESTCHESTER AND MID-HUDSON VALLEY, INC.**



*CIC / BCA Legislative Update:*

## **New York State Passes New Paid Sick Leave Benefits**

TARRYTOWN, NY--The New York State legislature passed and Gov. Andrew M. Cuomo signed into law on March 18, 2020 new paid sick leave benefits for employees impacted by COVID-19 who are subject to mandatory or precautionary order of quarantine or isolation. The law takes effect immediately.

Each employee subject to mandatory or precautionary quarantine or isolation issued by the NYS Department of Health, Local Board of Health or any Governmental Entity is entitled job protection and to the following benefits.

**For Employers with 10 or Fewer Employees and a Net Income Under \$1M**

- As of January 1, 2020, unpaid sick leave until termination of mandatory or precautionary quarantine due to COVID-19. Employees will be eligible for benefits under paid family leave and short-term disability benefits.

**For employers with 10 or Fewer Employees and a Net Income Greater than \$1M and  
Employers between 11 and 99 Employees**

- At least 5 days paid sick leave and unpaid leave until the termination of any mandatory or precautionary quarantine.
- After the 5 days of paid sick leave the employee will be eligible for paid family leave benefits and short-term disability benefits.

**For Employers with More than 100 Employees**

- At least 14 days of paid sick leave during the mandatory or precautionary quarantine.

**Exceptions:**

The bill does not cover an employee that is asymptomatic and is physically able to work through remote access.

This bill also does not cover benefits for employees returning from travel to a destination on the CDC travel advisory list. The employee will be entitled to use accrued leave or unpaid sick leave for the duration of the quarantine.

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**Other Provisions:**

- Workers Comp disability coverage is paid on the first day of disability.
- Disability refers to the inability to perform work as a result of mandatory or precautionary quarantine due to COVID-19.
- Disability and family leave benefits may be paid concurrently.
- The maximum weekly benefit for disability is \$2,043.9

**Collective Bargaining Agreements**

The new provisions do not “impede, infringe, diminish or impair” the rights under a collective bargaining agreement.

**Federal Paid Sick Leave**

If the federal government provides for COVID-19 related sick leave benefits, the state benefits would only apply if they would provide employee benefits in excess of the federal benefits.

The bill originally included a new paid sick leave requirement. It was deleted from the draft and some version of it will be included in the budget bill due at the end of March.

For more information, please contact association headquarters at (914) 631-6070.

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