

KNOW YOUR RIGHTS:

New York City Earned Safe and Sick Time Act

What does the New York City Earned Safe and Sick Time Act do?

It gives workers sick time to recover from physical/mental illness or injury, seek medical treatment, or care for a sick family member including a child, spouse, domestic partner, parent, parent of a spouse or domestic partner, grandchild, grandparent, sibling or for any blood relative (such as an aunt, cousin, etc.) or any other individual whose close association with you is the equivalent of a family relationship (such as a close friend who is like family, a significant other, etc.).

Am I covered?

If you work as an employee in New York City, you are probably covered, whether you are a **full-time**, **part-time**, or **temporary** worker.

How much sick time can I earn?

You earn **1 hour** of sick time for every 30 hours worked. The amount of time you can use depends on the size of your employer. If your employer has **99 or fewer workers**, you can use up to **40 hours per year**. If your employer has **100 or more workers**, you can use up to **56 hours per year**. If your employer has **fewer than 5 workers** and a net income of less than \$1 million in the last tax year, your sick time may be unpaid—but you can't be fired or punished for taking it. If you are a **domestic worker**, your time must be paid, regardless of how many employees your employer has.

What if I already have paid leave or paid time off?

If you already get any paid leave (vacation, paid time off, etc.) that you can use as sick time **and** it's **at least** the same amount you would earn under this law, the law does **not** give you any additional paid time off.

When can I begin using my sick time?

You start earning sick time immediately and can use it as soon as it's earned.

Do I need a doctor's note?

Only after more than 3 consecutive days of absence (and the note does not have to specify your illness). However, if your employer requests a doctor's note, they must reimburse you for any fee your health care provider charges you to provide documentation.

What is "safe time" and can I use it?

Your sick time under the law can also be used for "safe time" purposes to address certain non-medical needs that may arise if you or a family member are victims of domestic violence, a sexual offense, stalking, or human trafficking. For example, you may be able to use safe time to meet with a lawyer or social worker or to relocate your family for safety.

What if I have a personal emergency?

Most workers in New York City have the right under a separate law to **two additional unpaid, job-protected days** off per year. These days can be used to care for a child under 18; care for a family member or someone who lives with you who has a disability and relies on you for care; attend a legal proceeding or hearing for certain benefits; or for any "sick time" or "safe time" purpose.




All covered workers are protected against being fired or punished for using or requesting sick time. If you have a problem—or want more information—call A Better Balance's free legal clinic at 1-833-NEED-ABB.



the work and family legal center

abetterbalance.org 1-833-NEED-ABB

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