

COMPARISON OF FEDERAL AND NYS PAID LEAVE PROGRAMS

Law	# of Employees	Amount of Sick Leave	Rate of Pay for Sick Leave	Acceptable Reasons to Use Sick Leave
New York State Emergency COVID-19 Paid Sick Leave Effective March 18, 2020 Visit New York State website for more information.	1 to 10	Duration of quarantine or isolation	If business income is less than \$1 million in prior year: <ul style="list-style-type: none"> Unpaid (all days) If business income is more than \$1 million in prior year: <ul style="list-style-type: none"> Paid (at least 5 days) Unpaid (remaining days) 	<ul style="list-style-type: none"> Government-ordered quarantine or isolation* *Where the federal and state laws overlap on mandatory quarantine, the federal law applies. State law applies to the extent it gives employees additional benefits beyond what federal law allows. Note: Employees can use Paid Family Leave or disability benefits after they use sick leave for mandatory quarantine or isolation. Paid sick leave under State law is in addition to employees' accrued sick leave under City law.
	11 to 99	Duration of quarantine or isolation	<ul style="list-style-type: none"> Paid (at least 5 days) Unpaid (remaining days) 	
	100+	Duration of quarantine or isolation	<ul style="list-style-type: none"> Paid (at least 14 days) 	
Federal Families First Coronavirus Response Act[†] Effective April 2, 2020 Even if the federal law covers a business, it does not weaken the requirements of City and state laws, which may give employees more rights or better benefits. Visit U.S. Department of Labor (DOL) website for more information.	Up to 500* * US DOL can issue regulations exempting certain employers with 50 or fewer employees	Full time employees: <ul style="list-style-type: none"> 2 weeks (80 hours) 	Regular rate of pay up to: <ul style="list-style-type: none"> \$511 per day and \$5,110 total 	<ul style="list-style-type: none"> Mandatory quarantine or isolation Doctor-recommended self-quarantine Medical diagnosis due to symptoms of COVID-18
		Part-time employees: <ul style="list-style-type: none"> Amount equal to average hours worked over 2-week period 		
		Full time employees: <ul style="list-style-type: none"> 2 weeks (80 hours) 	Part-time employees: <ul style="list-style-type: none"> Amount equal to average hours worked over 2-week period 	

* Adopted from the [Department of Consumer Affairs \(DCA\)](#), see page three

† Employees may be eligible for 2 additional days as unpaid leave under NYC's Temporary Schedule Change Law

^ Employees may be eligible for expanded paid leave under Family Medical Leave Act (FMLA)

