

One Minute Memo®



It's a Date: NYC Sick Leave Law Takes Effect April 1

As we have reported previously ([here](#) and [here](#)), the New York City Council passed the Earned Sick Time Act back in June 2013. But the Act contained some unusual provisions that could have postponed its effective date in case the City's economy took a turn for the worse. If the economy was at or above its January 2012 level, as announced by the City's Independent Budget Office, the law would take effect a few months after the announcement. If not, the effective date would be delayed.

On December 13, 2013, the Budget Office announced ([here](#)) that the most recent measure of economic indicators is above the January 2012 level. As a result, the Act will go into effect on April 1, 2014.

What This Means

Under this law, all private employers must provide employees who work in the City for at least 80 hours in a calendar year with sick leave—either *paid* or *unpaid* depending on the number of City employees.

Starting April 1, 2014, all private employers that employ any employees in New York City must start tracking the accrual of sick time for their City employees—generally at the rate of one hour of sick time for every thirty hours worked by an employee (except for domestic workers who do not have to accrue time). Employers with 20 or more City employees must start providing up to 40 hours of paid sick leave based on earned time by *July 30, 2014*. For employers with less than 20 City employees, this leave can be *unpaid*.

Starting October 1, 2015, this threshold drops to 15 or more City employees. That is, after October 1, 2015, employers with 15 or more City employees must provide these employees with up to 40 hours of *paid* sick leave as accrued (and *unpaid* leave for employers that fall below this number). This threshold will not apply to domestic workers, who generally must be given paid sick leave regardless of the number of domestic workers employed.

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