



# Webinar Series: Guidance on State and Local Paid Sick Leave and Paid Time Off Laws

## Part 16: 2025 Mid-Year Checkup

June 25, 2025

**Seyfarth Shaw LLP**

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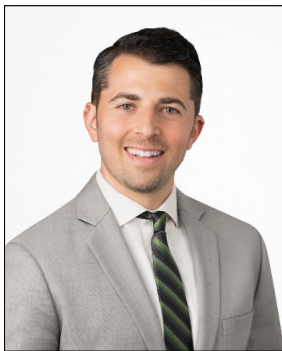
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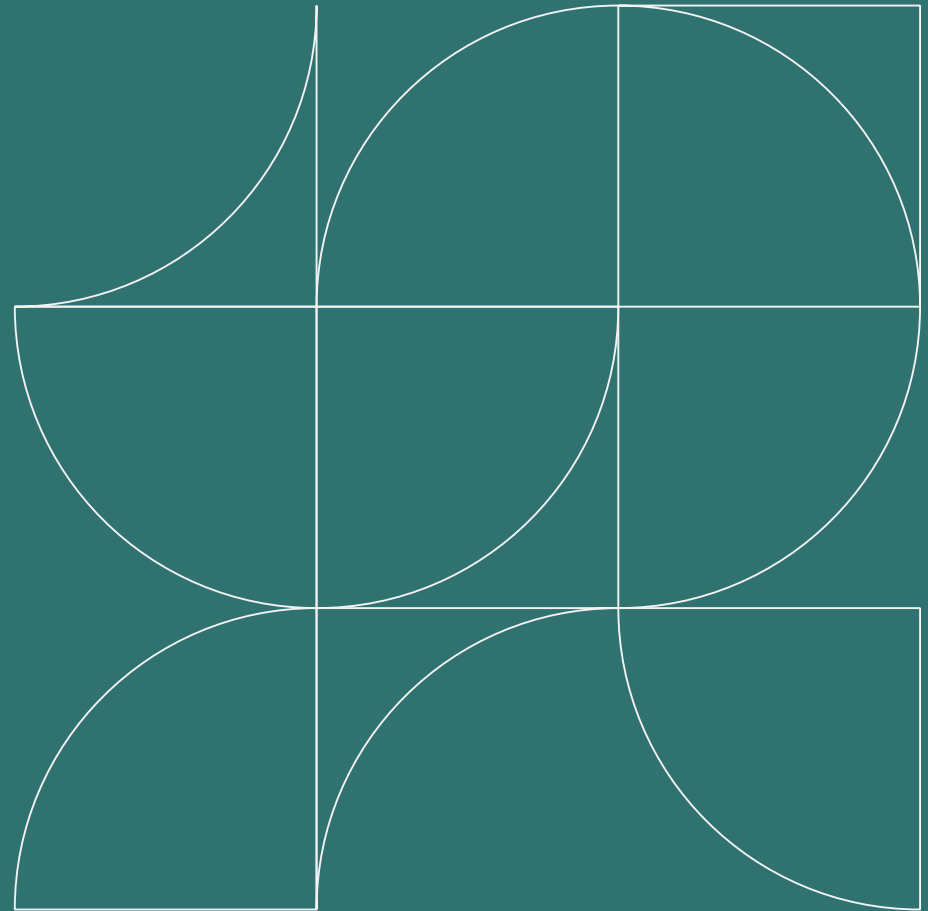
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# Agenda

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01	Nationwide Paid Sick Leave (PSL) and Paid Time Off (PTO) Overview
02	Missouri Paid Sick Leave Law Repeal
03	Alaska Paid Sick Leave Law – Effective July 1, 2025
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# Nationwide PSL and PTO Law Overview



# Mandatory Paid Sick Leave (PSL) and PTO Laws

## Total Mandates

**As of June 2025:**  
**58 TOTAL PSL & PTO Mandates in the U.S.**

- **Why?** Several jurisdictions have enacted multiple mandates.

**Ex:** General PSL Law + COVID-19 Temporary PSL Law

**But number constantly changing due to COVID PSL laws + Sunset of Standard Laws.**

**As of Dec. 2020:**  
**Approx. 69 TOTAL Mandates in U.S.**

## Federal

- **Executive Order 13706**  
PSL for many EEs of certain federal contractors
- **Families First Coronavirus Response Act**  
Emergency PSL for EEs of certain sized ERs (**sunset** as of 12/31/2020; reimbursement for voluntary leave option for select ERs **ended** 9/30/2021)

## 22 States + DC

### PSL:

- AK (7/1/25)
- AZ
- CA (1/1/25 amendment)
- CO
- CT (1/1/25 amendment)
- DC
- MD
- MA (11/21/24 amendment)
- MI (2/21/25 amendment)
- MN (1/1/25 amendment)
- MO (5/1/25)
- NE (10/1/25)
- NJ
- NM
- NY (1/1/25 amendment)
- OR (9/28/25 amendment)
- RI
- VT
- VA
- WA (7/27/25 amendment)

### PTO:

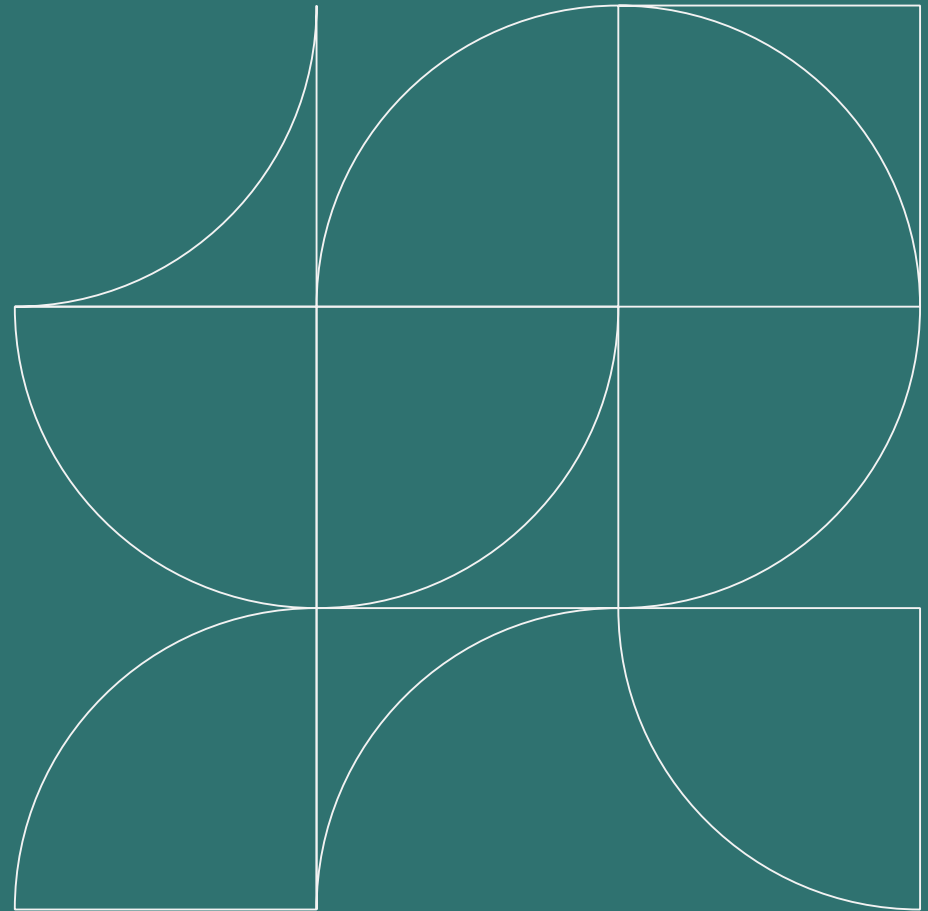
- IL
- ME
- NV

## 25 Municipalities

(1) San Francisco, CA; (2) Seattle, WA; (3) Long Beach, CA; (4) SeaTac, WA; (5) New York City, NY; (6) Los Angeles City, CA; (7) Oakland, CA; (8) Philadelphia, PA; (9) Tacoma, WA; (10) Emeryville, CA; (11) Montgomery County, MD; (12) Pittsburgh, PA; (13) Santa Monica, CA; (14) Minneapolis, MN; (15) San Diego, CA; (16) Chicago, IL (PTO/PSL); (17) Berkeley, CA; (18) Saint Paul, MN; (19) Cook County, IL (PTO); (20) Westchester County, NY; (21) Bernalillo County, NM (PTO); (22) Allegheny County, PA; (23) West Hollywood, CA (PTO); (24) Bloomington, MN; (25) Orland Park, IL (PTO)

# Missouri Paid Sick Leave Law Repeal

Effective August 28, 2025



# Key Provisions

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- **MO PSL Law**

- Following a successful ballot initiative in November 2024 known as Proposition A, the Missouri Earned Paid Sick Time Law went into effect as scheduled on **May 1, 2025**.
- **Employee Threshold:** The Missouri paid sick time law applies broadly to all private employers with at least one employee in Missouri with a few niche exceptions.
- **Accrual and Year-End Carryover:** Accrual began on May 1, 2025, or upon commencement of the employee's employment, whichever is later. Eligible employees must accrue at least one hour of paid sick time for every 30 hours worked. There is no cap on accrual.
- **Annual Usage Cap:** Regardless of the amount of paid sick time accrued or carried over, an employer with 15 or more employees is not required to permit an employee to use more than 56 hours of paid sick time in a benefit year. Small businesses (employers with fewer than 15 employees) may limit the use to 40 hours of paid sick time per benefit year.

## MO PSL Law Key Provisions – Reasons for Use

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- Illness, injury or health condition of a covered employee or covered employee's family member;
- The medical diagnosis, care or treatment for mental or physical illness, injury or health condition of a covered employee or a covered employee's family member;
- Closure of the employee's place of business by order of a public official due to a public health emergency, or an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency;
- Care for the employee or a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or family member's presence in the community may jeopardize the health of others because of his or her exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease;
- Absence necessary due to domestic violence, sexual assault, or stalking, provided the leave is to allow the employee to obtain for the employee or the employee's family member: **(i)** Medical attention needed to recover from physical or psychological injury or disability caused by domestic violence, sexual assault, or stalking; **(ii)** Services from a victim services organization; **(iii)** Psychological or other counseling; **(iv)** Relocation or taking steps to secure an existing home due to the domestic violence, sexual assault, or stalking; or **(v)** Legal services, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic violence, sexual assault, or stalking.

## MO PSL Law Legal Challenges

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- On December 9, 2024, Missouri business groups filed a lawsuit seeking to stop the voter-approved paid sick leave law from November 2024 from going into effect. The business groups asked the MO Supreme Court to find the law unconstitutional.
- On March 13, 2025, the Missouri House of Representatives passed a bill (HB 567), repealing the paid sick leave requirement.
- On April 29, 2025, the MO Supreme Court upheld the MO paid sick leave law.
- On May 14, 2025, the Missouri Senate voted and approved HB 567.
- Assuming Governor Mike Kehoe either signs or takes no action on HB 567, which is expected, the Missouri Earned Sick Time Act **will be repealed, effective August 28, 2025.**

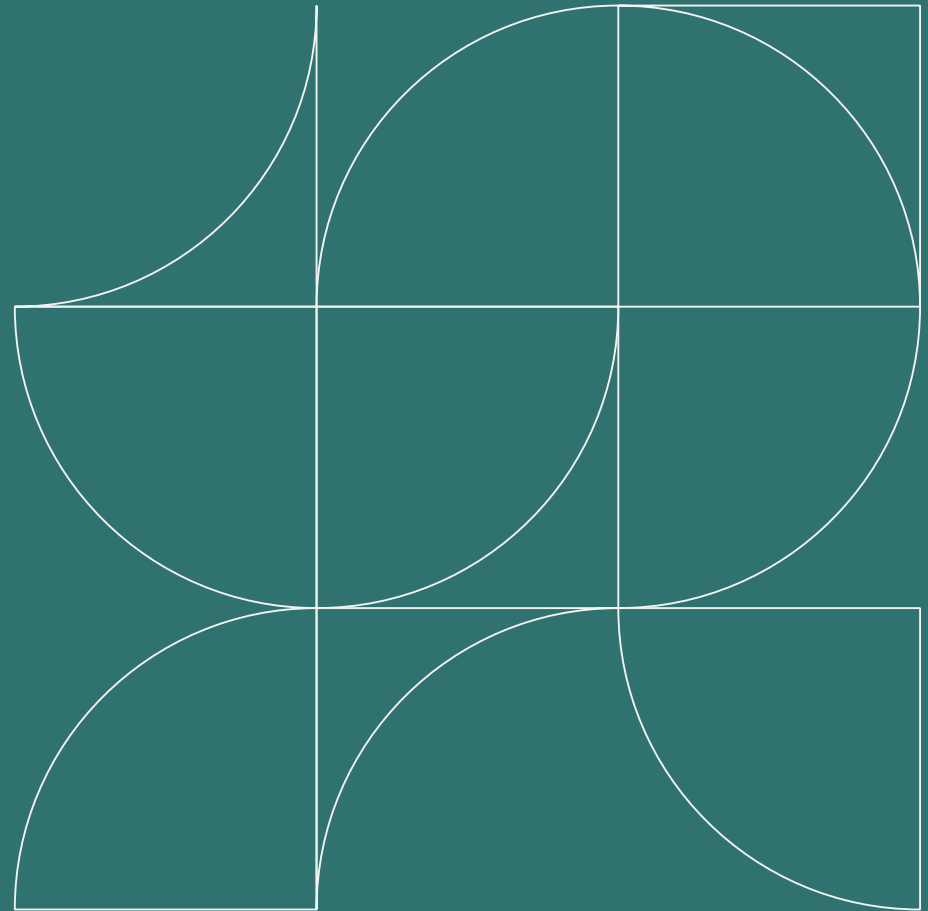
## MO PSL Law – What Employers Should Do Now

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- Given that the law will likely be repealed August 28<sup>th</sup>, employers must decide what to do in the meantime.
- **Here are several practical considerations:**
  - MO PSL must be provided to employees from May 1 to August 28, 2025;
  - Although the law will be repealed, it could be problematic for employers to discontinue the benefits mid-year.
  - Employers should consider whether they want to discontinue MO paid sick leave benefits on August 28, or continue benefits through December 31, 2025, or through their current benefit year, if different.
  - There are penalties for non-compliance: the law creates a **private right of action** for violations. Willful failure to comply is a class C misdemeanor and each day of violation constitutes a separate offense.
    - Employers may also be **fined up to \$500/day** for violations.
    - ***Legal risk should be measured against practical considerations (i.e., looming repeal; system challenges; employee relations; etc.)***

# Alaska Paid Sick Leave Law

Effective July 1, 2025



## AK PSL Law Key Provisions & FAQs

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- **Effective Date:** Following a successful ballot initiative in November 2024, known as Ballot Measure 1, Alaska’s new Paid Sick Leave Law will go into effect on **July 1, 2025**.
- **Repeal Restriction (FAQ):** “State law does not allow for the governor to veto laws passed by initiative, and the legislature is prohibited from repealing said laws for a two-year period.”
- **Employee Threshold:** No provision—FAQs confirm all employers in AK are required to provide PSL, except for certain employees who are exempt from the requirements.
- **Accrual:**
  - Begins July 1, 2025, or upon commencement of the employee's employment, whichever is later.
  - One hour of PSL for every 30 hours worked.
  - Capped at 40 or 56 hours of PSL per year (depending on employer size).
  - No provision on frontloading.

## AK PSL Law Key Provisions & FAQs (continued)

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- **Year-End Carryover:** No cap.
- **Year-End Cash Out (FAQ):** Can allow employees to request a cash out but cannot mandate this—must allow accrued PSL to carry over.
- **Annual Usage Cap:** 40 or 56 hours of PSL per year (depending on employer size).
- **Increments of Use:** The smaller of hourly increments or the smallest increment the employer’s payroll system uses to account for absences or use of other time.
- **Usage Waiting Period:** None.
- **Balance Reinstatement for Rehires:** 6 months.
- **Universal PTO Plan (FAQ):** “If an employee with a combined PTO/sick leave plan uses their entire leave balance for a vacation and later falls ill, they are not entitled to any additional paid leave.”

## AK PSL Law Key Provisions - Reasons for Use

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1. An employee's own mental or physical illness, injury, or health condition; need for medical diagnosis, care or treatment; or need for preventative medical care.
2. Care or assistance to a family member relating to mental or physical illness, injury, or health condition; need for medical diagnosis, care, or treatment; or need for preventative medical care.
3. Absences necessary due to domestic violence, sexual assault, or stalking, provided the leave is to allow the employee to obtain for the employee or family member:
  - medical or psychological attention;
  - services from a victim's aid organization;
  - relocation or steps to secure an existing home; or
  - legal services, including participation in any investigation or civil or criminal proceeding.

## AK PSL Law Key Provisions – Covered Family Members

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1. An “immediate family member,” as defined pursuant to AS 39.52.960(11).
2. Domestic partner.
3. Foster child, legal ward, or person to whom an employees stands in loco parentis.
4. Foster parent, adoptive parent, legal guardian, or a person who stood in loco parentis when the employee was a minor child.
5. Any other individual related by blood or whose close association is the equivalent of a family relationship.

## AK PSL Law Key Provisions – Notice & Documentation

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- **Foreseeable Absences:** Employees must make a good faith effort to provide notice in advance and make a reasonable effort to schedule the use of PSL in a manner that does not disrupt the employer’s operations.
- **Unforeseeable Absences:** No provision.
- **Reasonable Documentation:** Allowed after PSL absence of more than 3 consecutive workdays.
  - **Sick Leave:** Documentation signed by a health care provider indicating the PSL is/was necessary.
  - **Safe Leave:** (1) police report; (2) written statement from witness advocate; (3) court document; or (4) written, non-notarized statement from employee.
  - Employers cannot require the documentation to explain the nature or details of the illness or underlying health needs or details of an employee’s or family member’s health or safety information.

## AK PSL Law Key Provisions – Employer Notice Requirement

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– **Notice Standard:** Employers must provide written notice of the following at the commencement of employment or within 30 days of effective date of PSL law (whichever is later):

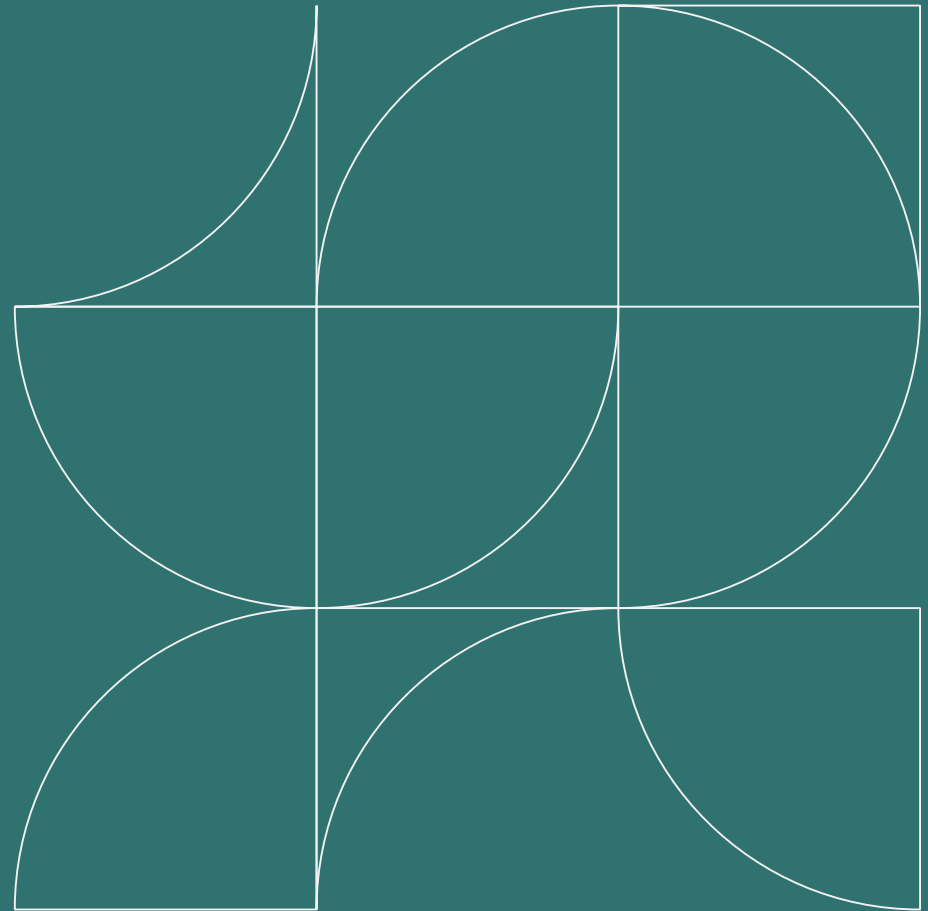
1. That beginning 7/1/2025, employees are entitled to PSL and the amount of PSL;
2. The terms of its use guaranteed under the PSL law; and
3. That retaliation against employees who request or use PSL is prohibited.

– **FAQs:**

- Notice period for current employees runs June 1 – July 31, 2025.
- The state is not providing a model notice—employers **MUST** generate and provide their own compliant notice.

# Nebraska Paid Sick Leave Law

Effective October 1, 2025



## Key Provisions

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- **Effective Date:** October 1, 2025
  
- **Employer Coverage:** An employer is any individual, partnership, limited liability company, association, corporation, business trust, legal representative, or organized group of persons who employs one or more employees.
  - Does Not Include: The United States and the State of Nebraska, including any agencies, departments, or political subdivisions are excluded.
  
- **Employee Eligibility:** Any individual employed by an employer, **except:**
  - individuals who work in Nebraska for fewer than 80 hours in a calendar year
  - individuals subject to the federal Railroad Unemployment Insurance Act

## Key Provisions (continued)

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- **Accrual:**
  - Begins 10/1/2025, or upon start of EE’s employment, whichever is later.
  - 1 hour of PSL for every 30 hours worked.
  - Capped at 40 hours per year for small businesses and 56 hours of PSL per year for other businesses.
  
- **Frontloading:** Employers may provide all PSL that an EE is expected to accrue in a year at the beginning of the year.
  
- **Year-End Carryover:** No cap.
  - **Year-End Cash Out:** Can provide cash out of PSL at year-end **and** frontload time available for an EE’s immediate use at the beginning of the subsequent year.

## Key Provisions (continued)

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- **Annual Usage Cap:** 40 or 56 hours of PSL per year (depending on ER size).
- **Increments of Use:**
  - Law: PSL may be used in the smaller of hourly increments **or** the smallest increment the employer's payroll system uses to account for absences or use of other time.
  - FAQs: EE may use PSL in either hourly increments or smaller increments if ER payroll system accounts for absences in those smaller increments. ER **must** allow at least hourly increments.
- **Usage Waiting Period:** None.
- **Balance Reinstatement for Rehires:** 12 months.
- **Existing Plans:** Can be used for compliance if certain conditions are met.

## Key Provisions - Reasons for Use

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1. An employee's or covered family member's mental or physical illness, injury, or health condition.
2. An employee's or covered family member's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care;
3. To attend a meeting necessitated by an employee's child's mental or physical illness, injury, or health condition, at a school or place where the child is receiving care;
4. Closure of the employee's place of business by order of a public official due to a public health emergency;
5. An employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or
6. An employee's need to self-isolate or care for the employee or a family member when it has been determined by the health authorities having jurisdiction or by a health care professional that the employee's or family member's presence in the community may jeopardize the health of others because of exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

## Key Provisions – Covered Family Members

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1. Child;
2. Parent of an employee or an employee's spouse;
3. A person who stood in loco parentis to the employee or the employee's spouse when the employee or employee's spouse was a minor child;
4. A person to whom the employee is legally married under the laws of any state;
5. A grandparent, grandchild, or sibling of the employee or the employee's spouse; or
6. Any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship.

## Key Provisions – Notice & Written Policy

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- **Notice of Absences:** Paid sick time under this section shall be provided upon the oral request of an employee. When possible, the request shall include the expected duration of the absence.
  - Written policy of procedures required.
  
- **Written Policy Requirement:** An employer that requires notice of the need to use paid sick time must provide a written policy that contains reasonable procedures for employees to provide notice.
  - An employer that has **not** provided to the employee a copy of such written policy cannot deny paid sick time to the employee based on noncompliance with such a policy.

## Key Provisions – Reasonable Documentation & Available Balance Notification

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- **Reasonable Documentation:** Permitted after PSL absence of more than 3 consecutive workdays.
  - document signed by a healthcare professional or
  - a written statement by the employee
- **Available Balance Notification:** The following information must be recorded in, or on an attachment to, the employee's regular paycheck.
  - The amount of paid sick time available to the employee,
  - The amount of paid sick time taken by the employee to date in the year, and
  - The amount of pay the employee has received as paid sick time.

Note: Per FAQs, this requirement **can** be satisfied with an online system to which the employees have access.

## Key Provisions – Employer Notice & Poster Requirement

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- **Notice Standard:** Employers must provide written notice at the commencement of employment or by September 15, 2025 (whichever is later).
- **Poster:** Employer must post notice in a conspicuous and accessible place in each establishment where such employees are employed.
  - If an employer does not maintain a physical workplace or an employee teleworks or performs work through a web-based or app-based platform, the employer must provide notice via electronic communication or a conspicuous posting in the web-based or app-based platform.
- Department will create and make available to employers model notices and posters that contain the information required under the law.

## Key Provisions – Select Employer Prohibitions

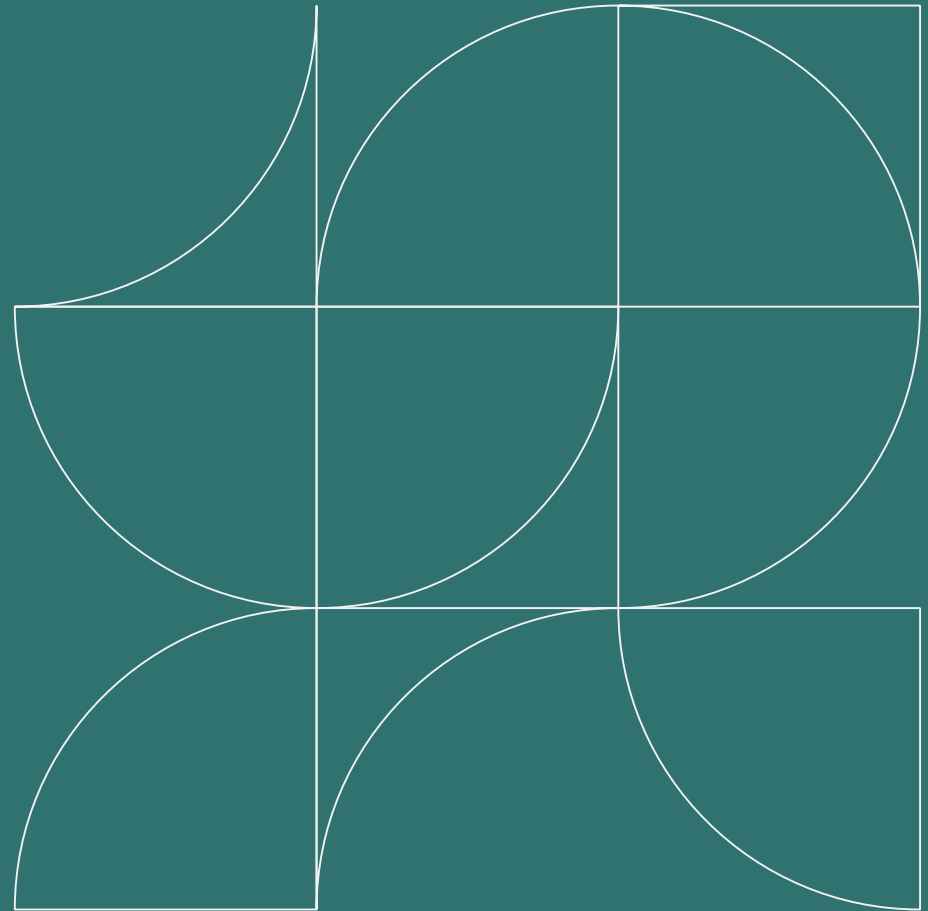
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### – Employer Cannot:

- Interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under the Nebraska Healthy Families and Workplaces Act.
- Require employee to find replacement.
- Take retaliatory personnel action against an employee or former employee because the person has exercised or attempted to exercise rights protected under the act.
- Set an employer's absence control policy to count paid sick time taken under the act as an absence that may lead to or result in a retaliatory personnel action or any other adverse action.

# Michigan Earned Sick Time Act Amendments

Effective February 21, 2025



## MI ESTA – A Brief Lookback

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- The Michigan Earned Sick Time Act (“ESTA”) became **effective February 21, 2025**.
- The ESTA replaced the state’s long-time PSL mandate, the Paid Medical Leave Act (“PMLA”) following the Michigan Supreme Court’s July 2024 decision in *Mothering Justice et al. v. Attorney General et al.*
- The ESTA **was amended** on February 20, 2025.

## MI ESTA Key Changes – Narrowed Employee Eligibility

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- **Original ESTA:** “Employee” means an individual engaged in service to an employer in the business of the employer, with the only carveout being an individual employed by the United States government.
- **Amended ESTA:**
  - Added carveouts for:
    - an individual employed by the United States government;
    - an individual who works in accordance with a policy of an employer if both of the following conditions are met: (a) the policy allows the individual to schedule the individual's own working hours and (b) the policy prohibits the employer from taking adverse personnel action against the individual if the individual does not schedule a minimum number of working hours;
    - an unpaid trainee or intern; and
    - an individual who is employed in accordance with the Michigan youth employment standards.

# MI ESTA Key Changes – Usage Waiting Period, Year-End Carryover, & Frontloading

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- **Original ESTA:**

- 90-day usage waiting period.
- No cap on year-end carryover.
- No provision on frontloading.

- **Amended ESTA:**

- 120-day usage waiting period.
- Year-end carryover capped at 72 hours per year (40 hours for small employers).
- Frontloading (72 or 40 hours, depending on employer size) eliminates accrual and year-end carryover requirements.
- Prorated frontloads are permissible for part-time employees if employers meet certain criteria.

**Reminder: Accrual and Usage:** The Amended ESTA did **not** change the PSL accrual rate, accrual cap, and usage cap as compared to the Original ESTA. However, the ESTA generally **did** update these topics as compared to the PMLA. [See Seyfarth PSL Webinar Part 15 \(Dec. 2024\) for more info.](#)

## MI ESTA Key Changes – Notice & Documentation

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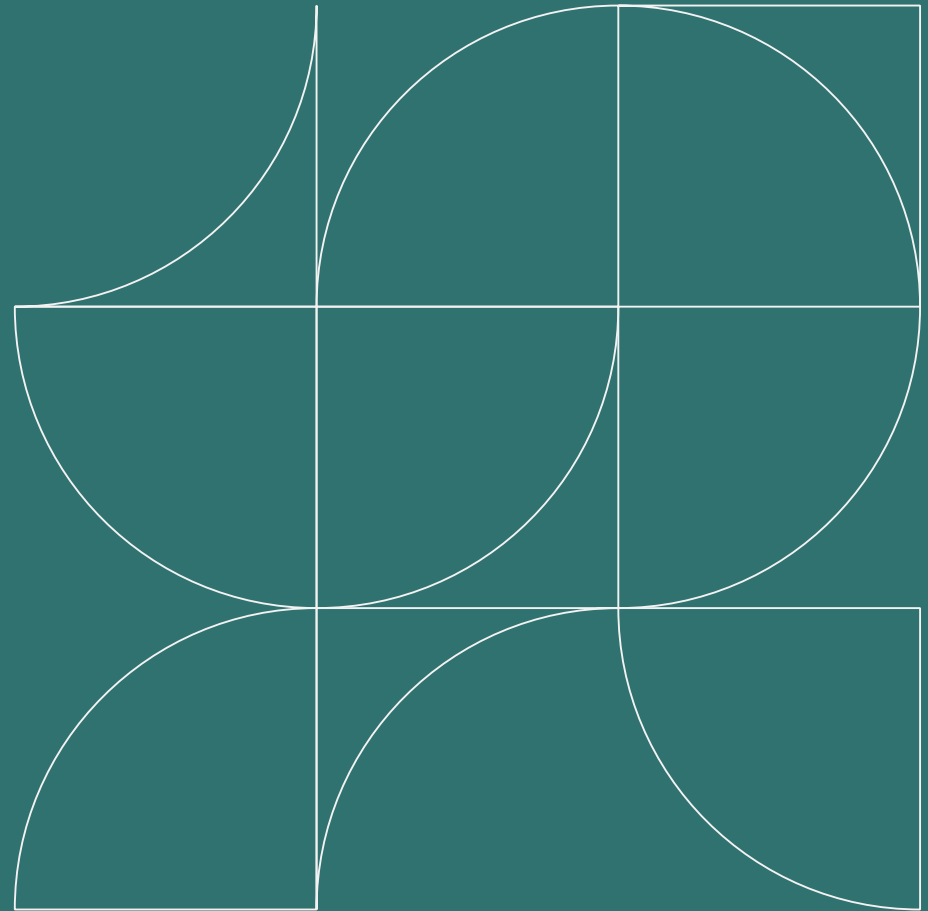
- **Original ESTA:**

- **Foreseeable Absences:** 7 days' advance notice.
- **Unforeseeable Absences:** As soon as practicable.
- **Documentation:** Must be provided in a timely manner.

- **Amended ESTA:**

- **Foreseeable Absences:** Unchanged.
- **Unforeseeable Absences:** Either as soon as practicable or in accordance with the employer's policy related to requesting or using sick time or leave if two conditions are met: **(a)** on the later of February 21, 2025, the employee's hire date, or the date the employer's policy goes into effect, provide the employee with a written copy of the policy that includes procedures for how the employee must provide notice, and **(b)** the notice standard allows the employee to provide notice after the employee is aware of the need for the earned sick time.
- **Documentation:** Must be provided within 15 days of employer's request.

# Cook County PTO and Chicago PTO / PSL Updates



# Cook County Paid Leave Ordinance – Key Changes from Amended Rules

- **Amended Rules (October 2024):**

- Required employees to accrue paid leave while using paid leave hours.
- Generally prohibited employers from requiring employees to use paid leave but clarified that it is not prohibited for an employer to require that an employee use leave in accordance with FMLA rules and regulations.
- Added written policy requirements.

- **Amended Rules (April 2025):**

- Removed requirement for employees to accrue paid leave while using paid leave.

# Chicago Paid Leave and Paid Sick Leave Updates

- **Model Notice/Posting:**

- Updated notice available from Office of Labor Standards.

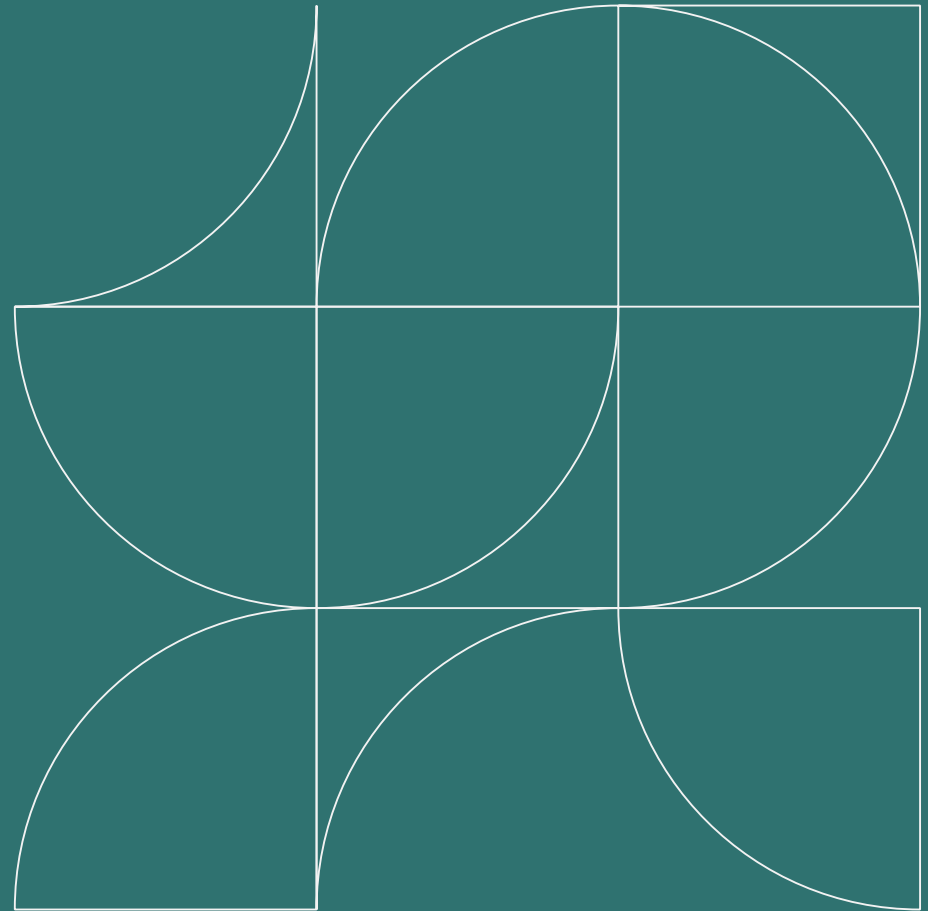
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- Must be **posted** July 1, 2025 – June 30, 2026.
- Must be **distributed** to current employees by July 30, 2025, and given to new hires with first paycheck.

- **Reminder – Private Right of Action:**

- Private cause of action for paid leave effective July 1, 2025.
- Private cause of action for paid sick leave already in effect (July 1, 2024).

# Oregon and Washington Paid Sick Leave Updates



- **Overview:** 1 hour of PSL for every 30 hours worked by an employee; 40-hour caps on annual accrual, annual usage, and year-end carryover; Frontloading gets rid of carryover and accrual tracking.
- **PSL Localities:** None.
- **Recent OR State PSL Developments:**
  - 5/14/2025 amendments to PSL law go into effect on approx. 9/28/2025 (SB 69)
    - Impacted Topic: covered reasons for use (although changes already addressed via prior amendments to OR PSL Rules).
  - 5/28/2025 amendments to PSL law go into effect on 1/1/2026 (SB 1108)
    - Impacted Topic: covered reasons for use.

## Oregon PSL

- **Reasons for Use – Post May 2025 Amendments:**

- EE or family member illness, injury, health condition, preventive medical care
- Reasons covered under Oregon Family Leave Act (OFLA) or Paid Leave Oregon (PLO)
  - Care for a covered child who requires home care
  - Bereavement leave
  - Bonding with new child following birth, adoption, or foster care placement
  - Family member or employee's serious health condition
  - Safe leave
- Safe time absences related to EE or EE's minor child or dependent being victim of domestic violence, harassment, sexual assault, bias or stalking
- Donate accrued PSL to coworker if ER allows such donations
- Certain public health emergency related absences
- New: Blood donation (effective 1/1/2026)

# Oregon PSL

# Washington State PSL

- **Overview:** 1 hour of PSL for every 40 hours worked by an employee; No cap on accrual or usage; 40-hour carryover cap; Frontloading does not get rid of carryover or accrual tracking
- **PSL Localities:** Seattle; Tacoma; SeaTac (limited to certain ERs)
- **Recent WA State PSL Developments:**
  - Law amended in April 2025 (through HB 1875)
    - Amendments go into effect on **July 27, 2025**
  - Law amended in May 2025 (through SB 5101)
    - Amendments go into effect on **January 1, 2026**

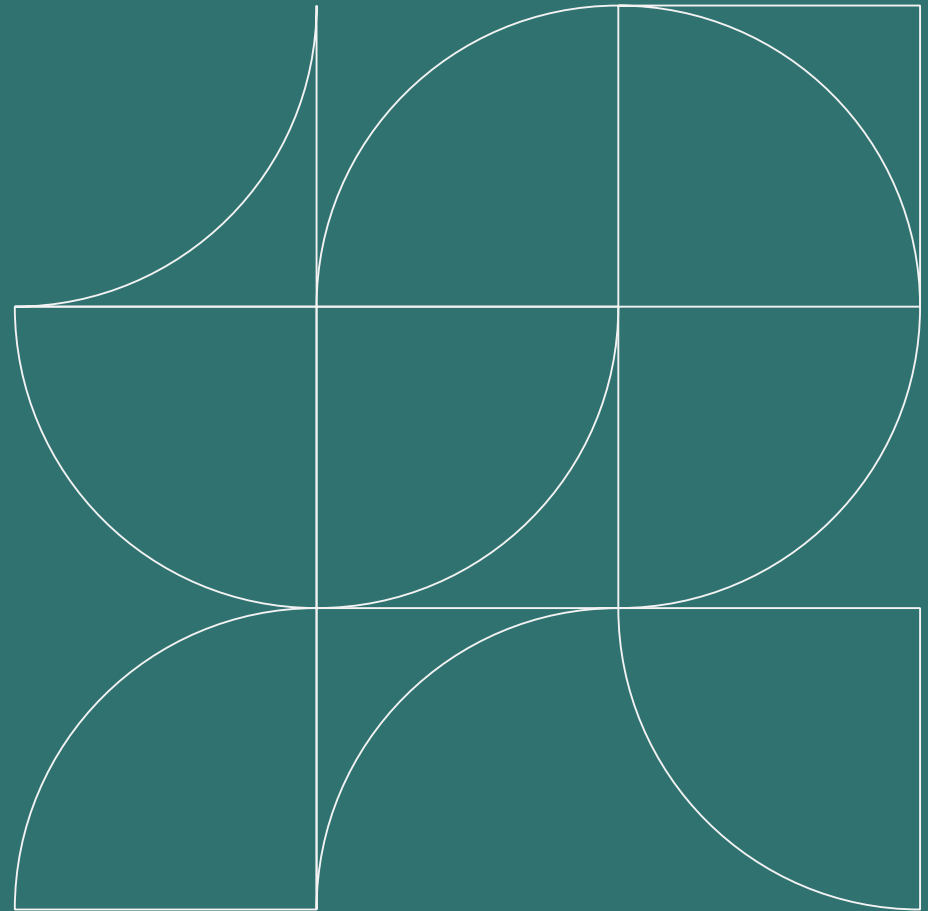
# Washington State PSL

- **Topics Impacted by April 2025 Amendments (effective July 27, 2025):**
  - **Reasons for Use:** Workers can use paid sick leave to cover absences from work to prepare for, or participate in, any judicial or administrative **immigration proceeding** involving the worker or their covered family member.
  - **Note:** applies to **both** employees and transportation network company drivers

# Washington State PSL

- **Topics Impacted by May 2025 Amendments (effective January 1, 2026):**
  - **Reasons for Use:** Eligible workers can use paid sick leave to cover absences from work when the worker or their covered family member is a **victim of a hate crime**, including offenses committed online or through internet-based communication.

# Pittsburgh Paid Sick Days Act Amendments



# Pittsburgh Paid Sick Days Act Amendments

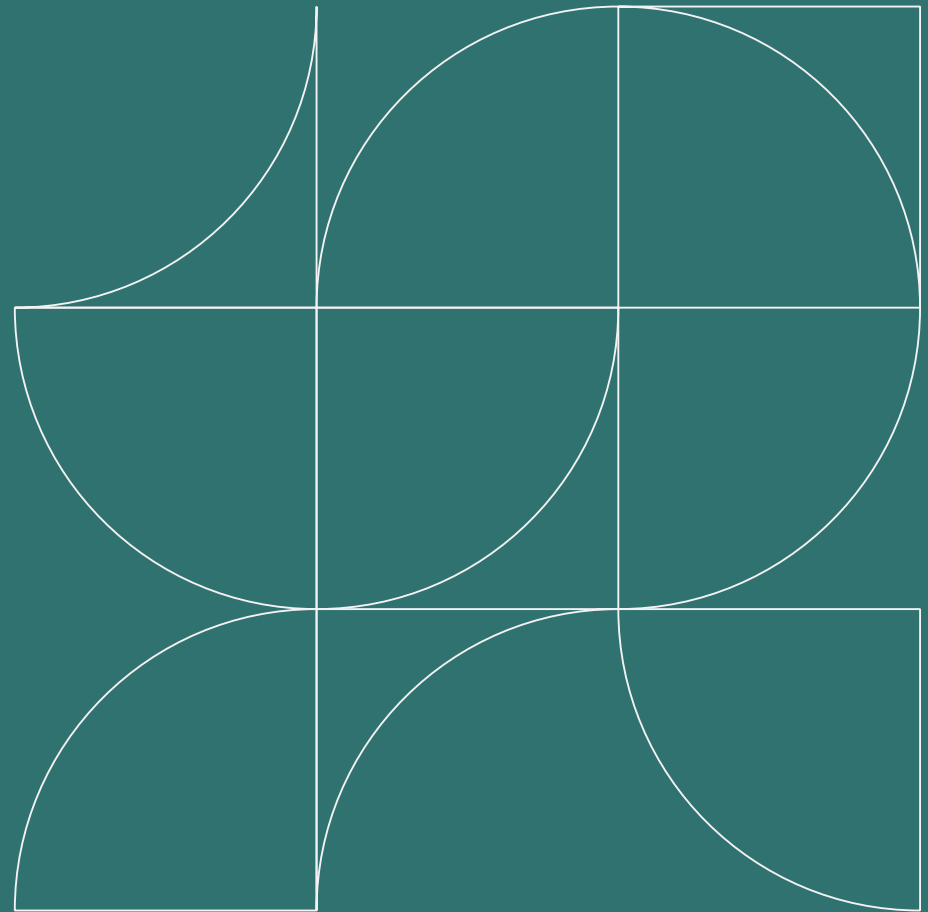
- Amendments go into effect on January 1, 2026.

		Current Law	Amendments
Employee Eligibility		Employee who performs work within the geographic boundaries of the City of Pittsburgh for <b><u>at least 35 hours in a Calendar Year.</u></b>	All employees.
Accrual Rate		1 hour for every 35 hours worked	1 hour for every 30 hours worked
Accrual Cap (both annual and point-in-time)	15+ EEs	40 hours	72 hours
	Fewer than 15 EEs	24 hours	48 hours

## Pittsburgh Paid Sick Days Act Amendments (Continued)

		Current Law	Amendments
Frontloading	15+ EEs	40 hours	72 hours
	Fewer than 15 EEs	24 hours	48 hours
Carryover		EEs can carry over all accrued, unused time <u>unless</u> employer frontloads 24/40 hours (depending on ER size)	EEs can carry over all accrued, unused time <u>unless</u> employer frontloads 48/72 hours (depending on ER size)

# Philadelphia Promoting Healthy Families and Workplaces Ordinance Amendments



# Employee Coverage Standard and Impact on CBAs

## Prior to Amendment

“Employee” means any individual employed by an employer who performs work within the geographic boundaries of the City of Philadelphia for at least 40 hours in a year; **but excluding** independent contractors, seasonal workers, adjunct professors, employees hired for a term of less than six months, interns, pool employees, State and Federal employees, and employees covered by a bona fide collective bargaining agreement.

vs.

## Amended Law

“Employee” means any individual employed by an employer who performs work within the geographic boundaries of the City of Philadelphia for at least 40 hours in a year; **but excluding** independent contractors, seasonal workers, adjunct professors, employees hired for a term of less than six months, interns, pool employees, Federal, State and **City** employees, and **non-probationary** employees covered by a bona fide collective bargaining agreement.

## Notice and Posting

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- Employers must provide notice to Workers setting forth the rights and privileges provided under any applicable Worker Protection Ordinance, including information on how to file a complaint for violations of such rights, stating that retaliation against Workers for exercising such rights is prohibited, and providing such other information as the Worker Protection Ordinance or Enforcement Agency may require.
- No updated notice/poster as of earlier today.
- Removed handbook requirement.

## Notice and Posting

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**Notice and Posting Violations.** If the Enforcement Agency determines that an Employer has violated any of the requirements set forth in Section 9-6607(2), the Enforcement Agency is **authorized to seek penalties and fines for noncompliance and to provide or obtain other appropriate remedies to or for the worker or workers.** Such remedies may include:

- (a) A civil monetary penalty of no more than \$2,000 for **each** violation;
- (b) Injunctive or equitable relief, if applicable, such as ordering that the Employer provide the required notice to **former and current** workers.

## Notice and Posting

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- **Extension of Statute of Limitations for Notice Violations.** If an Employer fails to provide notice as required by this Section, the statute of limitations for filing an administrative complaint or civil action under the relevant Worker Protection Ordinance **shall be equitably tolled during the time period in which the Employer has failed to comply with this Section.**
- A **Worker** seeking equitable tolling under this **subsection shall have the burden of proving** that the required notice was not provided during the period for which the statute of limitations is extended.

# Anti-Retaliation

## Prior to Amendment

It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this Chapter.

vs.

## Amended Law

It shall be unlawful for an employer or any other person to interfere with, restrain, deny the exercise of, or the attempt to exercise, any right set forth in this Chapter, **or to retaliate against an employee for exercising any rights protected by this Chapter, as provided in Chapter 9-6500.]**

**No employer *or any person associated with the employer* shall engage in unlawful retaliation.**

## Penalties for General Violations

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If the Enforcement Agency determines that a violation under this Chapter has occurred:

- the Enforcement Agency may seek a civil monetary penalty of \$2,000 for each violation, payable to the City.
- the complaining employee shall be entitled to liquidated damages in a separate amount equal to the other monetary damages determined to be owed to the employee by the Enforcement Agency, payable to the employee.

## Private Right of Action

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- Employees may bring a civil action.
- No requirement to exhaust administrative remedies.
- BUT the employer must be put on notice of the alleged violation and provided 15 days to remedy the harm.
  - This 15-day waiting period provision does **not** apply to claims involving willful misconduct or retaliation.
- SOL is 3 years from the date complainant knew or should have known of the alleged violation, subject to certain exceptions.

## Other Notable Amendments

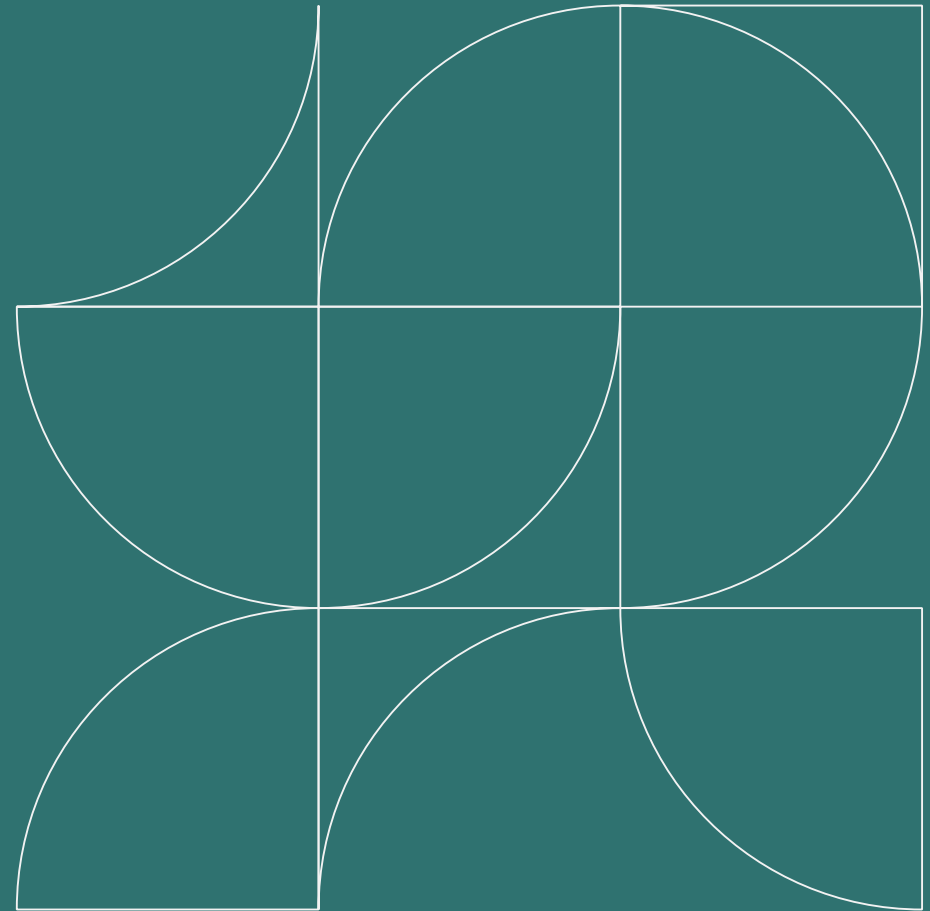
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- **Recordkeeping** period increased from 2 years to 3 years.
- Changed definition of **tipped workers** and method of calculating the rate of pay for tipped workers.



# New York City Paid Prenatal Leave Updates

Effective July 2, 2025



## New York State Paid Prenatal Leave – Recap

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- **Effective Date:** January 1, 2025
- **Website:** Yes - <https://www.ny.gov/programs/new-york-state-paid-prenatal-leave>
- ***Paid Prenatal Leave is part of the NYS Paid Sick Leave law in NYLL Sec. 196-B***
- **Amount of Paid Prenatal Leave:** NY employers required to provide employees with **20 hours of paid prenatal leave during any 52-week calendar period.**
- **Benefit Year:**
  - **Statute:** 20 hours of PPPL must be provided “during any fifty-two week calendar period.”
  - **FAQs:** “the first time the employee uses Paid Prenatal Leave begins the 52-week period for that employee. For example, the triggering date is the date that the leave is first recorded on an employee’s timesheet.”

## New York City Paid Prenatal Leave – Overview

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- **What Happened:** NYC amended its PSL Rules to include **new** paid prenatal leave conditions, **many of which differ from and go beyond the NYS standards.**
- **Effective Date:** July 2, 2025 (**i.e., one week from today!**)
- **Website:** Yes - <https://www.nyc.gov/site/dca/about/paid-sick-leave-law.page>
- **FAQs:** Yes - <https://www.nyc.gov/site/dca/about/paid-sick-leave-FAQs.page>
- **Amount of Paid Prenatal Leave:** Same as NYS → **20 hours of PPL during any 52-week calendar period.**
  - *Very likely **can** be combined with NYS benefit as long as apply most generous standards.*
  - **Cannot** comply by increasing PSL allotment by 20 hours **or** reducing amounts of other leave (per FAQs).
  - **Note – Benefit Year:** Per FAQs, “the 52-week period begins on the first day an employee uses paid prenatal leave.”

## NYC PPL – Who Can Use / Reasons for Use

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- **Who Can Use NYC PPL:** Per FAQs:
  - **Only** EEs directly receiving health care for their pregnancy can use PPL.
  - Employees who are **not** the pregnant parent **cannot** use PPL to attend the other parent’s prenatal appointments.
- **Types of Leave Covered:** Leave taken for health care services received by an employee during their pregnancy or related to such pregnancy, including:
  - Physical examinations;
  - Medical procedures;
  - Monitoring and testing; and
  - Discussion with a health care provider related to the pregnancy.
  - Per FAQs: **Can be used for: (a)** fertility treatment, and **(b)** end-of-pregnancy care.

## NYC PPL – Written Policy Requirement

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- Is there a NYC PPL written policy requirement? YES
- What are the details?
  - **When to Distribute:** (a) upon start of employment, (b) within 14 days of when any changes to that policy go into effect, and (c) upon EE request.
  - **How to Distribute:** Through a method that reasonably ensures personal receipt.
  - **Content of Written Policy:** PPL policy “must meet or exceed all of the requirements” of ESSTA and Rules.
  - **Written Policy Topics Expressly Identified in Rules:**
    - availability of PPL
    - amount of PPL and benefit year
    - separate from other leaves / time off
    - any limits or conditions placed on use of PPL
    - notice practices and procedures
    - documentation practices and procedures
    - increments of use
    - confidentiality

## NYC PPL – Balance Notification

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- Is there a NYC PPL balance notification requirement? YES
- What are the details?
  - **Timing of Notice:** Each pay period that an employee uses PPL
  - **Content of Notice:** Employer must provide the following information:
    - the amount of PPL used during the pay period; **and**
    - the total amount of PPL still available for use in the 52-week period.
  - **Method of Notice:**
    - employee paystubs
    - separate written documentation
    - electronic system IF conditions are met

## NYC PPL – Notice and Posting

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- Is there a NYC PPL notice / posting requirement? **YES**
- Is there a model notice? **YES**
  - **Link:** <https://www.nyc.gov/site/dca/about/Paid-Safe-Sick-Leave-Notice-of-Employee-Rights.page>
- **What are the details?**
  - **Overall:** Covers both NYC PSL and PPL.
  - **Posting:** Must conspicuously post in workplace.
  - **Notice:**
    - **New Hires:** Provide during onboarding.
    - **Existing Employees:** Must provide. Likely by 8/1/2025
    - **How to Deliver:** Method that reasonably ensures personal receipt.
    - **Records:** Must maintain proof of distribution and receipt for at least 3 years

## **NYC PPL – Additional Details**

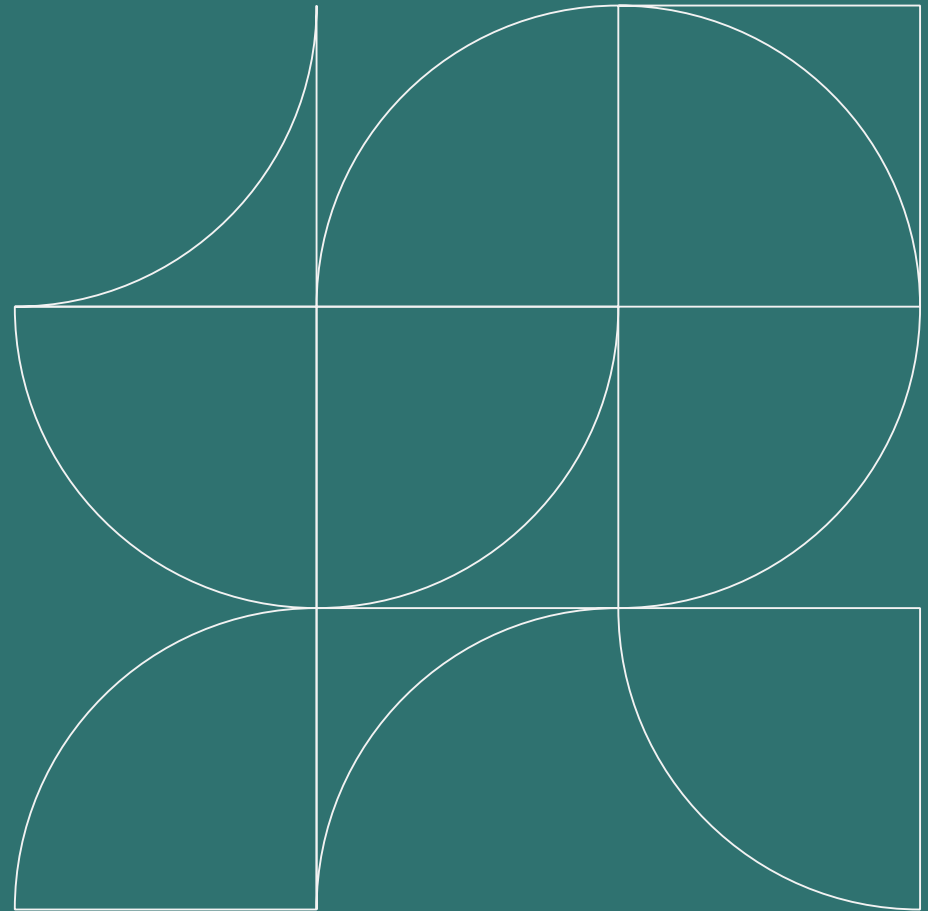
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**NYC PPL Amendments Address MANY Other Substantive Topics. Nonexclusive examples include:**

- **No accrual; No carryover**
- **Increments of Use**
- **Documentation**
- **Employee Notice for Foreseeable and Unforeseeable Absences**
- **Coordination With Other Time Off / Leaves**
- **Rate of Pay**
- **Recordkeeping**
- **No Retaliation**
- **Potential Penalties**

**TIP: Don't forget to compare to the NYS PPL standards and assess which to apply.**

# New York State COVID-19 Emergency Paid Sick Leave

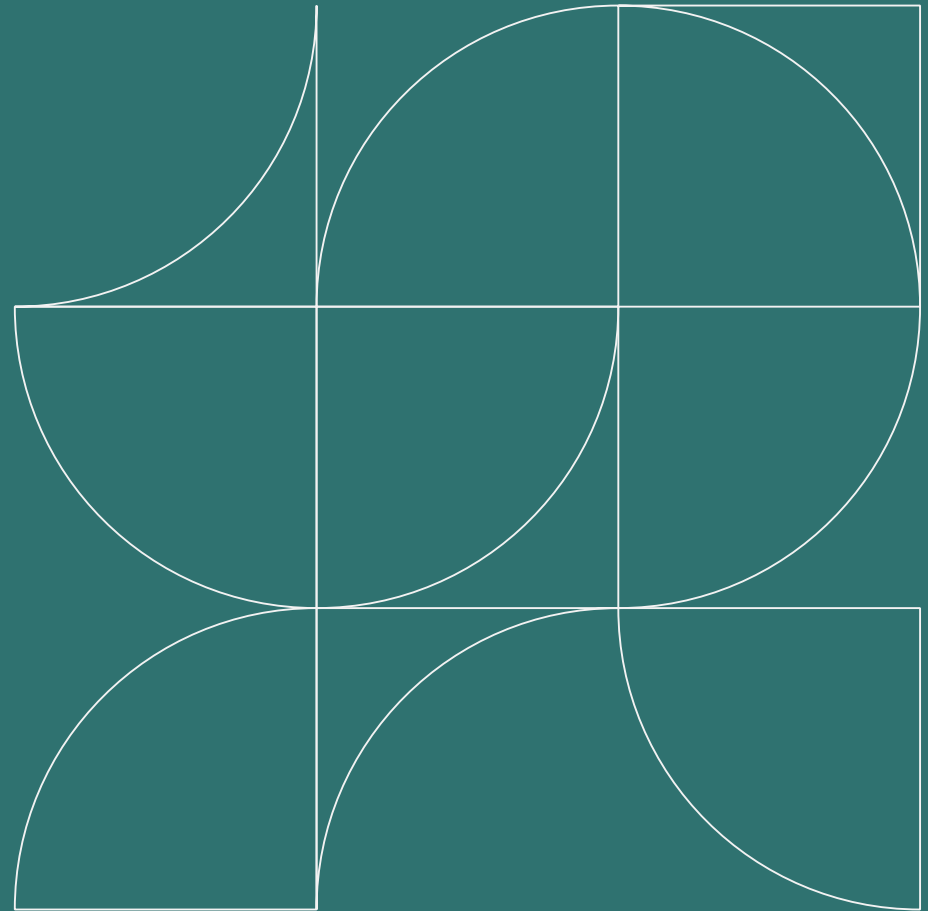


# NYS COVID-19 Emergency Paid Sick Leave

*FINALLY*  
*SUNSETS*  
*July 31, 2025*

Photo: View from  
Seyfarth NYC Office  
– Dec. 2018.

# Paid Sick Leave and PTO Law Outlook





## Paid Sick Leave and PTO Outlook – 2025 and On

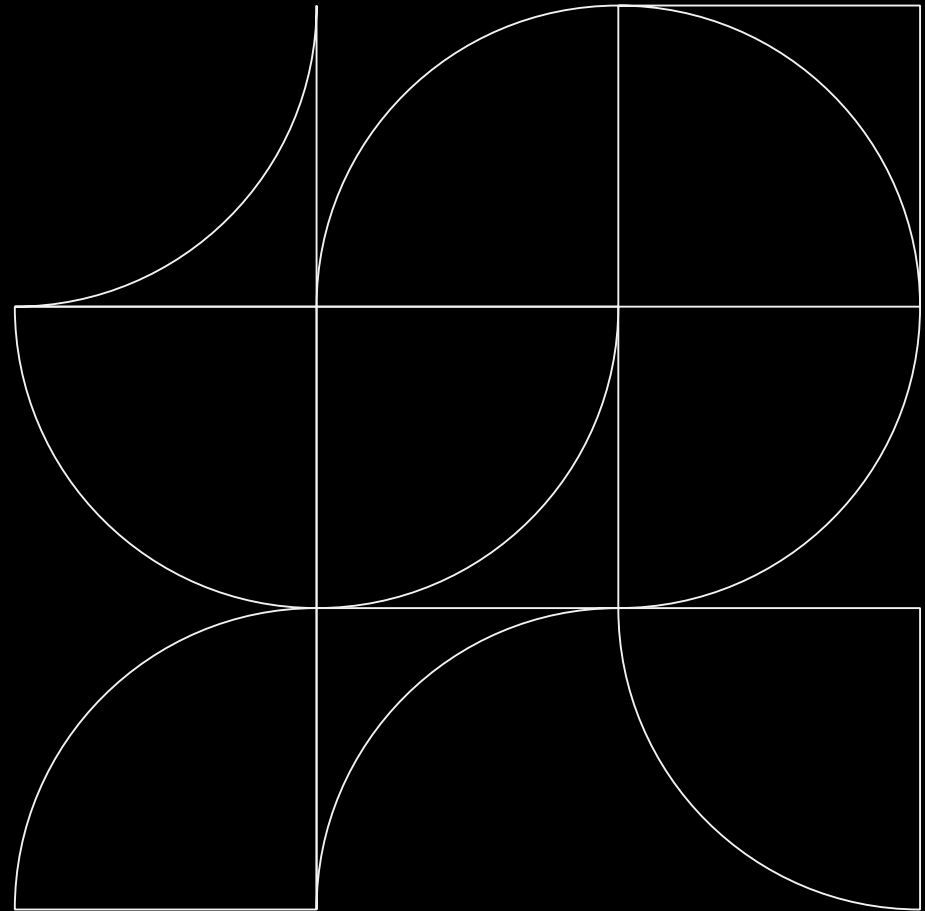
### Laws scheduled to go into effect or that recently became effective:

- 1/1/2025 Amendments – CA PSL, CT PSL, MN PSL, NY Paid Prenatal Leave
- Post 1/1/2025 Amendments – MI PSL, WA PSL, OR PSL, Philadelphia PSL, Pittsburgh PSL, Cook County PTO, Chicago PTO
- NYC PSL – Adds Paid Prenatal Leave (7/2/2025)
- NYS COVID-19 Emergency Paid Sick Leave (7/31/2025 Sunset)
- Alaska (7/1/2025)
- Missouri (5/1/2025 effective; 8/28/2025 repeal)
- Nebraska (10/1/2025)

### Next locations likely to adopt:

- **Federal:** Potential for nationwide PSL mandate. Key 2023 legislation – The Healthy Families Act (S.1664)
- **State:** **(1)** Delaware; **(2)** Virginia (for all private ERs); **(3)** Hawaii; **(4)** Pennsylvania;
- **Municipal:** **(1)** New York City, NY (PTO law? Pet care?); **(2)** CA localities with prior COVID-19 PSL laws that may seek to adopt general non-COVID PSL laws

# Seyfarth Paid Leave Resources



## Seyfarth Paid Leave Resources



If you have questions about or would like assistance with the country's **Paid Sick Leave “Patchwork”** here are some ways Seyfarth can help:

**(A) Premium PSL Survey**: Seyfarth maintains a ***comprehensive PSL survey*** breaking down the specific requirements of ***each*** existing state and local PSL law.

For more information contact: [\*\*paidleave@seyfarth.com\*\*](mailto:paidleave@seyfarth.com)

**(B) Paid Leave Mailing List**: Seyfarth regularly publishes Legal Updates and Blog Posts on PSL and other paid leave law developments.

You can sign up here:

[\*\*https://connect.seyfarth.com/9/7/landing-pages/subscription.asp\*\*](https://connect.seyfarth.com/9/7/landing-pages/subscription.asp)

## Seyfarth Paid Leave Resources



**(C) Webinar Series - Guidance on PSL:** This webinar series is a great tool for you!

- Part 1 – NY State and Local PSL at the end of 2020
- Part 2 – CO, ME and NY PSL updates
- Part 3 – COVID-19 Supplemental PSL mandates
- Part 4 – Prospects for Federal Paid Leave
- Part 5 – Practical tips on navigating the PSL “patchwork”
- Part 6 – NY COVID and General PSL in 2022
- Part 7 – Two Years of COVID-19 Paid Leave Laws, Plus Recent Developments
- Part 8 – NM and West Hollywood, CA
- Part 9 – PSL Law Impact on CBAs Under RLA and NLRA
- Part 10 – What’s New with Paid Sick Leave in 2023
- Part 11 – 10 Year of PSL
- Part 12 – CA, IL, Chicago, and MN 2023 Year-End Activity
- Part 13 – IL and MN Updates
- Part 14 – Updates from Coast to Coast
- Part 15 – PSL in 2025: Legislative Updates and State-Specific Strategies
- Part 16 – Today!

**Note:** We have a separate Webinar Series on Paid Family Leave guidance.

**(D) “Take It or Leave It” Podcast:** In late 2021, Seyfarth launched a podcast focused exclusively on workplace leaves, absence management, and accommodations. Episodes streaming on Spotify, SoundCloud, and Apple Podcasts, and available on Seyfarth’s website.

**More info at:** <https://www.seyfarth.com/trends/take-it-or-leave-it-podcast.html>



## CLE: NEW PROCESS

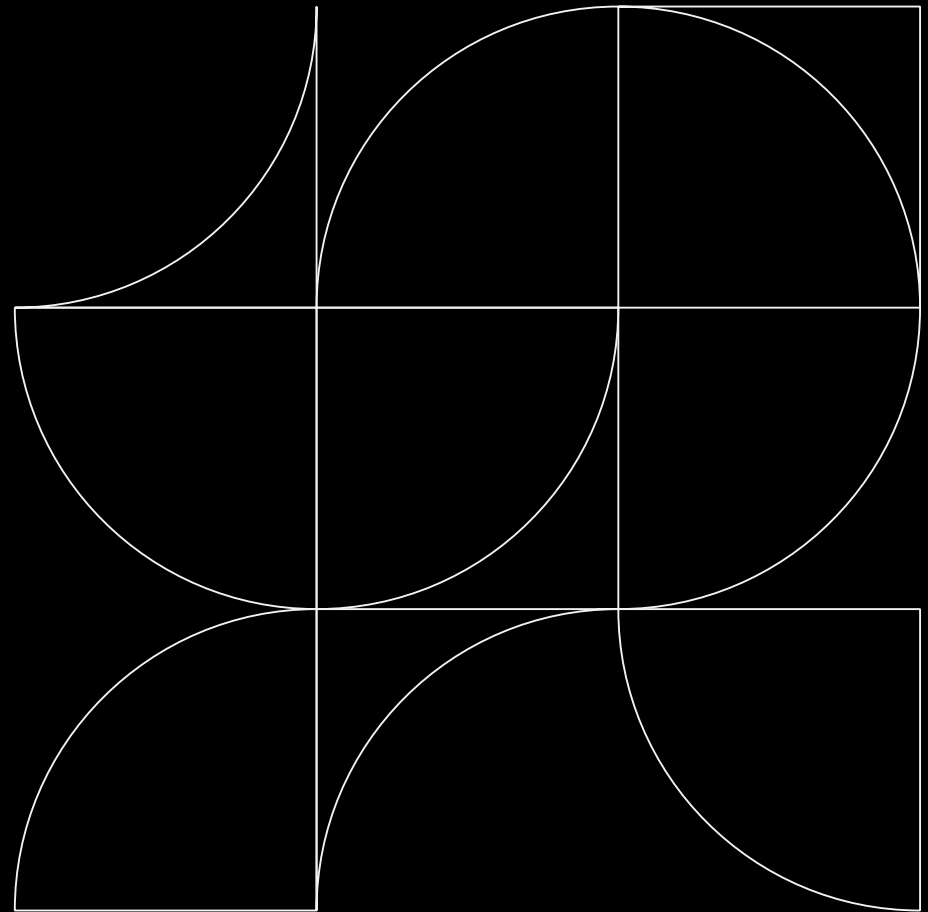
Please scan the QR code and complete the digital attendance verification form to receive CLE credit for this program.

### You will need:

1. **Title:** State and Local Paid Sick Leave and Paid Time Off Laws, Part 16: Midyear Checkup
2. **Date Viewed:** June 25, 2025
3. **Attendance Verification Code:** SS\_\_\_\_\_

State-specific CLE credit information can be found in the form.

**Questions?**



**thank  
you**

For more information, please contact:

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