

New York State Paid Sick Leave

On April 3, 2020, Governor Cuomo signed legislation establishing the right to paid sick leave for employees in New York. On September 30, 2020, covered employees in New York State began to accrue leave at a rate of one hour for every 30 hours worked. On January 1, 2021, employees may start using that accrued leave.

Entering Time for Employees

Hourly Student Employees – includes all regular student employees and hourly paid Graduate Assistants

- Hours will be entered into Kronos using pay code Sick-Personal
- Student employees can only use the time they have accrued

Graduate Teaching Assistants

- Time will be self-reported (reported by the student) in Employee Self Service
 - Log in to Oracle
 - Click on Employee Self Service
 - Click on My Absences
 - Click on Create Absence Request
 - Enter Absence Type of Paid Sick Leave
 - Enter Start and End date
 - Enter total hours
 - Click Next
 - Review and Click Submit

Frequently Asked Questions

Q.) Does New York's Paid Sick Leave cover student employees?

A.) Yes. Student employees are eligible for paid sick leave under this legislation. Students began accruing leave on September 30, 2020, and may start using it on January 1, 2021.

Q.) What are permitted uses of sick leave?

A.) Employees may use accrued leave for the following reasons impacting the employee or a member of their family for whom they are providing care or assistance with care;

Sick Leave:

- For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or
- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care.

Safe Leave:

- For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
 - to obtain services from a domestic violence shelter, rape crisis center, or other services program;
 - to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
 - to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
 - to file a complaint or domestic incident report with law enforcement;
 - to meet with a district attorney's office;
 - to enroll children in a new school; or
 - to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

Q.) When do student employees begin accruing time?

A.) Accruals began September 30, 2020. Students began accruing on that date, or whatever their hire date was if they were hired after September 30, 2020.

Q.) Is there a minimum period of employment before an employee can use their accrued sick time?

A.) No, there is no minimum period of employment before an employee can use sick time. Once they have accrued it they may begin using it.

Q.) Do I need to request a note from a student employee who is sick?

A.) **All requests for a note must be cleared by SEO prior to making the request.** Employers are permitted to request documentation from an employee who uses sick leave for three or more consecutive scheduled workdays or shifts. You MAY NOT ask for a note is the employee is using less than 3 days consecutively.

Q.) Can accrued sick time be used as vacation time?

A.) No, there are specific uses for accrued sick time as explained above.

Q.) Does unused sick time get paid out when the student leaves their employment?

A.) No, accrued sick time is not paid out at the end of employment.

Q.) What happens to sick time for a student who leaves one RIT job for another RIT job?

A.) As long as the student continues to work for RIT, the sick time goes with them from position to position.

Paid Prenatal Personal Leave

Starting on January 1, 2025, workers in New York who are pregnant may also have additional time off available to them for doctors' appointment, procedures, or other types of prenatal care. Employees will be provided with up to 20 hours of paid leave in a 52-week period for pregnant employees to attend prenatal medical appointments. The time will be made immediately available to employees at the time of hire, can be taken in hourly increments. Paid prenatal personal leave is in addition to paid sick and safe leave and paid family leave that employees in New York are currently entitled to. The statute does not restrict the number of time paid prenatal leave can be taken by a single employee over time, other than to limit the use to 20 hours in a 52-week period.

Entering Time for Employees

Hourly Student Employees – includes all regular student employees and hourly paid Graduate Assistants

- Hours will be entered into Kronos using pay code Paid Prenatal Leave
- Student employees can only use the time they have accrued

Graduate Teaching Assistants

- Time will be self-reported (reported by the student) in Employee Self Service
 - Log in to Oracle
 - Click on Employee Self Service
 - Click on My Absences
 - Click on Create Absence Request
 - Enter Absence Type of Paid Prenatal Leave
 - Enter Start and End date
 - Enter total hours
 - Click Next
 - Review and Click Submit

Frequently Asked Questions

Q.) Does NY's Paid Prenatal Personal Leave cover student employees?

A.) Yes, beginning January 1, 2025, employers will be obligated to offer 20 hours of paid prenatal personal leave within a 52 week calendar period to pregnant employees for healthcare services related to their pregnancy.

Q.) What does the new amendment cover?

A.) This new amendment covers appointments such as physical examinations, medical procedures, monitoring and testing, and consultations with a healthcare provider concerning the pregnancy. Employees can utilize the 20 hours of paid prenatal personal leave in hourly increments.

Q.) Who is eligible to use NYS Paid Prenatal Personal Leave?

A.) Current employees working in New York State, who are pregnant and are using the time to cover pregnancy related appointments.

For more information about New York State's Paid Sick Leave, including additional FAQs, regulations, and more, please visit ny.gov/paidsickleave.