

# STATE OF NEW YORK

2142

2021-2022 Regular Sessions

## IN ASSEMBLY

January 14, 2021

Introduced by M. of A. FERNANDEZ, COLTON, DE LA ROSA, EPSTEIN, GOTT-FRIED, CRUZ, REYES, SIMON, STECK, JEAN-PIERRE, PICHARDO, DARLING, DAVILA -- read once and referred to the Committee on Labor

AN ACT to amend the labor law, in relation to requiring paid sick leave does not count against other paid time off

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The labor law is amended by adding a new section 210-b to  
2 read as follows:

3 § 210-b. Use of paid sick leave. 1. For the purposes of this section:

4 a. "Employee" means any individual who performs services for and under  
5 the control and direction of an employer for wages or other remunera-  
6 tion.

7 b. "Employer" means any person, firm, partnership, institution, limit-  
8 ed liability company, corporation or association that employs one or  
9 more employees; and the state, any political subdivision thereof, any  
10 department, board, bureau, division, commission, committee, public  
11 authority, public corporation, council, office or other governmental  
12 entity performing a governmental or proprietary function for the state  
13 or any political subdivision thereof.

14 c. "Paid sick leave" means the payment of the full wages of an employ-  
15 ee during any period of such employee's absence from his or her employ-  
16 ment because of illness, injury, medical condition, need for medical  
17 diagnosis or treatment for himself, herself, or his or her child,  
18 spouse, parent, grandparent, grandchild, sibling, or aunt or uncle.

19 2. Paid sick leave taken by an employee shall not result in a  
20 reduction of paid time off for purposes other than sick leave. An  
21 employer shall not reduce paid time off for purposes other than sick  
22 leave when an employee wishes to use paid sick leave.

23 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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