

STATE OF NEW YORK

4537

2021-2022 Regular Sessions

IN SENATE

February 5, 2021

Introduced by Sens. RIVERA, ADDABBO, BAILEY, BENJAMIN, BIAGGI, COMRIE, GAUGHRAN, GOUNARDES, HARCKHAM, HOYLMAN, JACKSON, KRUEGER, MAY, MAYER, MYRIE, PARKER, PERSAUD, RAMOS, SALAZAR, SANDERS, SAVINO, SEPULVEDA, SERRANO, SKOUFIS, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend chapter 25 of the laws of 2020, relating to providing requirements for sick leave and the provision of certain employee benefits when such employee is subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19, in relation to mandatory and precautionary orders of quarantine or isolation and the provision of certain employee benefits

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

1 Section 1. Subdivision 2 of section 1 of chapter 25 of the laws of
2 2020, relating to providing requirements for sick leave and the
3 provision of certain employee benefits when such employee is subject to
4 a mandatory or precautionary order of quarantine or isolation due to
5 COVID-19, is amended to read as follows:

6 2. (a) For purposes of this act, "mandatory or precautionary order of
7 quarantine or isolation" shall mean a mandatory or precautionary order
8 of quarantine or isolation issued by the state of New York, the [~~depart-~~
9 ~~ment~~] commissioner of health, local board of health, local health offi-
10 cer, or any government official or entity [~~duly~~] (as any of those terms
11 is defined in the public health law) authorized to issue such order, due
12 to COVID-19.

13 (b) Where an individual voluntarily participates in precautionary
14 quarantine, a written agreement or other documentation of communication
15 with an official or entity listed in this subdivision, or the individ-
16 ual's attending health care practitioner (licensed, certified, or other-
17 wise authorized to practice under title eight of the education law,
18 acting within the practitioner's lawful scope of practice) that demon-

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

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1 strates adherence to precautionary quarantine measures shall be consid-
2 ered a precautionary order of quarantine or isolation for the purposes
3 of this act. The agreement or documentation shall set forth that the
4 individual is to quarantine or isolate and that the individual either
5 tested positive for COVID-19 or is exhibiting symptoms consistent with
6 COVID-19.

7 The attending health care practitioner shall notify the local health
8 department within the timeframes prescribed under regulation, or when
9 providing documentation for quarantine or isolation that occurred prior
10 to the taking effect of this paragraph, shall notify the local health
11 department concurrent with or prior to providing the documentation to
12 the individual or the individual's employer. Failure to notify the
13 local health department shall not affect the individual's entitlement to
14 sick leave under this act.

15 § 2. Subdivision 1 of section 1 of chapter 25 of the laws of 2020,
16 relating to providing requirements for sick leave and the provision of
17 certain employee benefits when such employee is subject to a mandatory
18 or precautionary order of quarantine or isolation due to COVID-19, is
19 amended by adding a new paragraph (f) to read as follows:

20 (f) For purposes of this act, employees shall be provided sick leave
21 and other benefits in each instance they meet the qualifications for
22 quarantine or isolation due to COVID-19.

23 § 3. This act shall take effect immediately.