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:

Section 1. Subdivision 2 of section 1 of 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, is amended to read as follows:

2. **(a)** For purposes of this act, "mandatory or precautionary order of quarantine or isolation" shall mean a mandatory or precautionary order of quarantine or isolation issued by the state of New York, the [~~department~~] **commissioner** of health, local board of health, **local health officer,** or any government **official or** entity [~~duly~~] **(as any of those terms is defined in the public health law)** authorized to issue such order**,** due to COVID-19.

(b) Where an individual voluntarily participates in precautionary quarantine, a written agreement or other documentation of communication with an official or entity listed in this subdivision, or the individual's attending health care practitioner (licensed, certified, or otherwise authorized to practice under title eight of the education law, 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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strates adherence to precautionary quarantine measures shall be considered a precautionary order of quarantine or isolation for the purposes of this act. The agreement or documentation shall set forth that the individual is to quarantine or isolate and that the individual either tested positive for COVID-19 or is exhibiting symptoms consistent with COVID-19.

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

§ 2. Subdivision 1 of section 1 of 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, is amended by adding a new paragraph (f) to read as follows:

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

§ 3. This act shall take effect immediately.