



NEW YORK STATE PAID SICK LEAVE LAW

As of **9/30/2020** the **New York State** Paid Sick Leave law went into effect. Employees will begin accruing leave as of 9/30/2020; however, employees may not begin to use accrued leave until 1/1/2021.

New York State Paid Sick Leave law (“NYSPSL”) provides employees in New York State up to a maximum of fifty-six (56) hours of safe/sick time in a calendar year. Employees who are eligible for PTO under the Company’s PTO policy are permitted to use their PTO for any of the Covered Reasons described below, without any condition on such use which is otherwise prohibited by the ESSTA. Employees who are eligible for Company PTO are not eligible for additional sick leave under this policy.

Employees who are not eligible for PTO days will receive a maximum of fifty-six (56) hours per calendar year. Following your start date, you will accrue (1) hour of paid sick leave for every (30) hours worked.

Up to fifty-six (56) hours of unused sick leave may be carried over to the following calendar year, but eligible employees may not use more than fifty-six (56) sick leave hours in any calendar year. Employees will not be paid for accrued, unused sick leave hours upon termination of employment or at any other time.

Employees may determine how much sick time they need to use, but no less than four (4) hours of sick time may be used at a time.

When there is a separation from employment and the employee is rehired within six (6) months of separation, previously accrued unused sick leave will be reinstated and such employee will be entitled to use such accrued safe/sick time at any time after such employee is rehired.

NYSPSL may be used for absence from work due to the following reasons (“Covered Reasons”):

1. an employee's mental or physical illness, injury or health condition or need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive medical care;
2. care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or who needs preventive medical care;
3. closure of the office by order of a public official due to a public health emergency or such employee's need to care for a child whose school or childcare provider has been closed by order of a public official due to a public health emergency; or
4. to do any of the following on behalf of the employee or employee's family member who is a victim of a family offense matter, sexual offense, stalking, or human trafficking:



- to obtain services from a domestic violence shelter, rape crisis center, or other shelter or services program for relief from a family offense matter, sexual offense, stalking, or human trafficking;
- 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 from future family offense matters, sexual offenses, stalking, or human trafficking;
- to meet with a civil attorney or other social service provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding, including but not limited to, matters related to a family offense matter, sexual offense, stalking, human trafficking, custody, visitation, matrimonial issues, orders of protection, immigration, housing, discrimination in employment, housing or consumer credit;
- 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; and/or
- to take other actions necessary to maintain, improve, or restore the physical, psychological, or economic health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

For purposes of this policy, a "family member" includes a child (including biological, adopted, or foster child, a legal ward, or child of an employee standing in loco parentis), parent, stepparent, sibling (including a half, adopted or step sibling), grandparent, grandchild, spouse, domestic partner, or the child or parent of an employee's spouse or domestic partner, any other individual related by blood to the employee, or whose close association with the employee is the equivalent of a family relationship.

Eligible employees must provide reasonable notice of use of NYSPSL. Where such need is foreseeable, employees must give at least seven (7) days prior notice. Where such need is not foreseeable, employees must provide notice as soon as practicable.

For an absence of more than three (3) consecutive workdays of sick leave, eligible employees may be required to provide reasonable documentation that the sick leave was used for a Covered Reason. Employees will be allowed a minimum of seven (7) days from the date he or she returns to work to obtain such documentation.

The Company will not require the disclosure of details relating to an employee's or his or her family member's medical condition or require disclosure of details relating to an employee's or his or her family member's status as a victim of family offenses, sexual offenses, stalking, or human trafficking as a condition of using safe/sick leave.

Health information about an employee or an employee's family member, and/or information concerning an employee's or his or her family member's status or perceived status as a victim of family offenses, sexual offenses, stalking or human trafficking obtained by the Company in connection with an employee's use of safe/sick under this policy will be treated as confidential and will not be disclosed, except as authorized by the employee and/or as required by law.

The Company may take disciplinary action, up to and including termination, against an employee who uses safe/sick for purposes other than Covered Reasons. Indications of abuse of safe/sick leave may include but are not limited to a pattern of (a) use of unscheduled safe/sick leave on or adjacent to weekends, regularly scheduled days off, holidays, vacation, or pay day and/or (b) taking scheduled safe/sick leave on days when other leave has been denied.



Eligible employees who assert their rights to receive or use safe/sick leave will not be retaliated against.

Eligible employees will receive all paid safe and sick leave required by law, and this policy will be interpreted and applied, in accordance with New York State Paid Sick Leave law, regulations thereunder, and all other applicable laws, and to the extent that this policy may conflict with those laws they are controlling over these policies.

Furthermore, the company retains all rights and defenses under applicable law, whether or not specifically set forth in this policy.