

# New York City Earned Sick Time Act Notice of Employee Rights

The following is a notice of rights under the New York City Earned Sick Time Act. Your employer may provide sick leave that is more generous than what the Act requires.

Please see <http://policylibrary.columbia.edu/new-york-city-earned-sick-time-act> for information on Columbia University's policy.

Under New York City's Earned Sick Time Act ("the Act"), certain employers must give their employees sick leave.

Employers with five or more employees who are hired to work more than 80 hours a calendar year in New York City must provide paid sick leave. Employers with fewer than five employees must provide unpaid sick leave.

**You have a right to sick leave if you meet the eligibility requirements, which you can use for the care and treatment of yourself or a family member.**

## Amount of Sick Leave:

- Under the Act, your employer must provide up to 40 hours of sick leave every calendar year. Please see the attached policy regarding your sick leave entitlement.
- Your employer's calendar year is:

Start of Calendar Year:       **July 1**       End of Calendar Year:       **June 30**      

## Rate of Accrual:

- Under the Act, you are entitled to accrue sick leave at the rate of at least one hour for every 30 hours worked.
- Your rate of accrual is: See the [Columbia University Accrual Schedule](#).

## Date Accrual Begins:

- Under the Act, eligible employees begin to accrue sick leave on April 1, 2014 or on your first day of employment, whichever is later.

*Exception:* If you are covered by a collective bargaining agreement that is in effect on April 1, 2014, you begin to accrue sick leave under City law beginning on the date that the agreement ends.

## Date Sick Leave is Available for Use:

- Under the Act, you can begin using sick leave on July 30, 2014 or 120 days after you begin employment, whichever is later. Your employer's policy may permit you to start using sick leave sooner.

## Acceptable Reasons to Use Sick Leave:

Under the Act, you can use sick leave when:

- You have a mental or physical illness, injury, or health condition; you need to get a medical diagnosis, care, or treatment of your mental or physical illness, injury, or condition; you need to get preventive medical care.
- You must care for 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.
- Your employer's business closes due to a public health emergency or you need to care for a child whose school or child care provider closed due to a public health emergency.

## Family Members:

The Act recognizes the following as family members:

- Child
- Grandchild
- Spouse
- Domestic partner
- Parent
- Grandparent
- Child or parent of an employee's spouse or domestic partner
- Sibling (including a half, adopted, or step sibling)

**Advance Notice:**

Under the Act, if the need is foreseeable, your employer can require up to seven days advance notice of your intention to use sick leave. If the need is unforeseeable, your employer may require you to give notice as soon as practicable.

**Documentation:**

Under the Act, your employer can require documentation from a licensed health care provider if you use more than three consecutive workdays as sick leave. The Paid Sick Leave Law prohibits employers from requiring the health care provider to specify the medical reason for sick leave. Disclosure may be required by other laws.

**Unused Sick Leave:**

- Under the Act, your employer is required to either permit you to carry over up to 40 hours of accrued but unused sick leave, **or** to advance you a minimum of 40 hours of sick leave at the start of a new year.
- For information regarding your employer's policy regarding accrued but unused sick time, please see <http://policylibrary.columbia.edu/new-york-city-earned-sick-time-act>.
- Regardless of your employer's carry over policy, under the law your employer is only required to let you use up to 40 hours of sick leave per calendar year.
- Any accrued but unused sick time under this policy will not be paid out upon termination.

**You have a right to be free from retaliation from your employer for using sick leave.**

Your employer cannot retaliate against you for:

- Requesting and using sick leave consistent with University policies.
- Filing a complaint for alleged violations of the law with New York City Department of Consumer Affairs.
- Communicating with any person, including coworkers, about any violation of the law.
- Participating in a court proceeding regarding an alleged violation of the law.
- Informing another person of that person's potential rights.

Retaliation includes any threat, discipline, discharge, demotion, suspension, or reduction in your hours, or any other adverse employment action against you for exercising or attempting to exercise any right guaranteed under the law, if consistent with University policies.

**You have a right to file a complaint.**

You can file a complaint with New York City Department of Consumer Affairs. To get the complaint form, go online to [nyc.gov/PaidSickLeave](http://nyc.gov/PaidSickLeave) or contact **311** (212-NEW-YORK outside NYC).

DCA will conduct an investigation and try to mediate your complaint. DCA will keep your identity confidential unless disclosure is necessary to conduct the investigation, mediate the complaint, or is required by law.

**Keep a copy of this notice and all documents that show your amount of sick leave and your sick leave accrual and use.**

For more information about Columbia University's Sick Leave policy, please see: <http://policylibrary.columbia.edu/new-york-city-earned-sick-time-act> or contact your local School/Admin Unit/Department Human Resources Office.