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U.A. Plumbers & Steamfitters  
Local 22  
120 Grandville Pkwy W.  
Buffalo, NY 14224

## Re: Paid COVID Sick Leave

Dear Members:

In response to the coronavirus pandemic, the state and federal government have passed emergency sick leave measures. The federal COVID sick leave mandates expired at the end of 2020. However, New York State COVID sick leave rules remain in effect.

Workers in New York are guaranteed job protected leave in the event they, or their minor dependent child, are subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19. The job protected leave must cover the full period of mandatory or precautionary quarantine. The quarantine order must come from the state of New York, the Department of Health, local board of health, or other governmental entity authorized to issue a COVID-19 quarantine order. Under no circumstances should an employee who has tested positive for COVID report to work.

An employer must provide job protected leave to an employee who has tested positive for COVID-19 or is personally in a mandatory or precautionary quarantine. Whether personal COVID sick leave is paid or unpaid depends on the size of the employer:

- Employer with 1-10 employees
  - o Employee has job protection for duration of the quarantine
  - o Eligible employees can use NY Paid Family Leave (PFL)
    - PFL is insurance coverage that provides up to 67% of the employee's pay, up to a maximum weekly benefit of \$840.70

- After exhausting full PFL employee will receive disability benefits to match employee's full wages up to a maximum weekly disability benefit of \$2,043.92, for a total of \$2,884.62 per week
- Employer with 11-99 employees
  - Employee has job protection for duration of the quarantine
  - **First:** Employer will provide employee with 5 days paid COVID sick leave
    - The employer must pay the employee the amount the employee would have received had the employee not been in quarantine
    - This includes all benefit payments
  - Eligible employees can use NY Paid Family Leave (PFL) after the 5 days paid COVID sick leave
    - PFL is insurance coverage that provides up to 67% of the employee's pay, up to a maximum weekly benefit of \$840.70
  - After exhausting full PFL employee will receive disability benefits to match employee's full wages up to a maximum weekly disability benefit of \$2,043.92, for a total of \$2,884.62 per week
- Employer with 100+ employees
  - Employee has job protection for duration of the quarantine
  - Employer must provide employee with at least 14 days paid COVID sick leave for a COVID related quarantine
    - The employer must pay the employee the amount the employee would have received had the employee not been in quarantine
    - This includes all benefit payments
- An employee must apply for COVID-19 quarantine benefits. The required forms can be found at <https://paidfamilyleave.ny.gov/if-you-are-quarantined-yourself>
- An employee must provide documentation of a mandatory or precautionary order of quarantine
  - An order can be obtained from a local health department; or
  - If the local health department cannot provide a quarantine order immediately, the employee can seek documentation from a medical provider

An employee with a minor dependent child under a mandatory or precautionary quarantine may qualify for job protected Paid Family Leave (PFL) to care for the child. PFL is an insurance program that covers 67% of an employee's average weekly wage up to a maximum benefit of \$840.70/week. The employee must apply for the benefits. The required forms can be found at <https://paidfamilyleave.ny.gov/if-you-are-quarantined-yourself>. An employee may be able to take PFL to care for other close family members that are sick with COVID-19.

If your employer denies you COVID sick leave you may file a complaint with the New York State Department of Labor. You may contact the Union for assistance with a COVID related complaint.

Very truly yours,

CREIGHTON, JOHNSEN & GIROUX

/s/

By: Candace Morrison, Esq.