

Client Alert

Expanded NYC Earned Sick Time Act to Take Effect April 1, 2014

March 4, 2014. With the support of Mayor de Blasio, the New York City Council recently voted to greatly expand the scope of the Earned Sick Time Act (the “Act”). The Act was previously addressed in our prior Client Alerts of May 9, 2013 (available [here](#)) and June 28, 2013 (available [here](#)). The Council voted 46 to 5 to pass the measure, which significantly amends the existing version of the Act.

Most notably, the Act will require all small businesses with five or more employees to provide at least five paid sick days a year. The prior version of the legislation covered only those businesses with fifteen or more employees. In addition, there is no longer any phase-in period, which previously allowed employers with between fifteen and twenty employees to come into compliance with the Act by October 1, 2015. In the expanded version of the legislation, all employers with at least five employees are required to be in compliance with the Act by April 1, 2014. As a concession to small employers, there is a six-month grace period where no civil penalties will be issued to employers with under twenty employees who are found to be in violation of the Act. The six-month grace period is not applicable to employers with twenty or more employees.

Other significant changes to the Act include the expansion of the definition of “family member” to include siblings, grandchildren and grandparents. Employees will be permitted to take paid time off to provide necessary care for those extended family members. Further, the Act now provides a two-year statute of limitations for employees to file a complaint (up from nine months under the prior legislation) and increases record retention obligations for employers from two to three years.

If you require any additional information regarding the implications of the Earned Sick Time Act, please contact:

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