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## **CLIENT ALERT: New State Sick Time Law & Minimum Wage in Effect January 1st**

### **FEATURED ATTORNEYS**

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**Sharon P. Stiller**

Of Counsel



**Rachel Demarest Gold**

Partner



**Maureen T. Bass**

Partner



**Justin T. Kelton**

Partner

Starting JANUARY 1, 2021, all employees in New York State – regardless of the size or industry of their employer – are entitled to sick leave.

Employers do not need to pay the time out when employees leave, but the time must be tracked and rolled over from one year to the next so that all employees have their sick time available to them at the beginning of each year. No matter how much time they have banked, however, employers can restrict the usage to either 40 or 56 hours per year, as discussed more below.

For 2021, the time started accruing on September 30, 2020. Employees earn 1 hour for every 30 worked, up to 40 hours for employers with up to 99 employees. Employers with 100 or more employees must provide 56 hours. For employers with 4 or fewer employees and an income of less than one million dollars, the leave does not need to be paid. All other employees are entitled to paid leave for the mandated time.

The State law follows the City law in that the time is for more than just illness. The leave is also for absences for safety reasons that include bases like relocation or meeting with law enforcement as the result of a domestic violence incident.

The law includes record-keeping and notice requirements, more information about which can be found [here](#).

All employers should also be aware that the minimum wage is changing. In Nassau, Suffolk, and Westchester counties, that rate is now \$14.00. For the rest of the State (except NYC which is \$15.00 and not changing), that rate is now \$12.50.

Please let us know if we can answer any questions or help you with your compliance.

We wish you all a happy, healthy, and safe new year.

## **CONTACT INFORMATION**

[Sharon P. Stiller, Esq.](#)

160 Linden Oaks, Suite E

Rochester, New York 14625

585.218.9999

[sstiller@abramslaw.com](mailto:sstiller@abramslaw.com)

[Rachel Demarest Gold, Esq.](#)

3 Dakota Drive, Suite 300  
Lake Success, New York 11042  
516.328.2300  
[rgold@abramslaw.com](mailto:rgold@abramslaw.com)

**Justin T. Kelton, Esq.**

1 MetroTech Center, Suite 1701  
Brooklyn, New York 11201  
718.215.5300  
[jkelton@abramslaw.com](mailto:jkelton@abramslaw.com)

**Maureen T. Bass Esq.**

160 Linden Oaks, Suite E  
Rochester, New York 14625  
585.218.9999  
[mbass@abramslaw.com](mailto:mbass@abramslaw.com)