

Leave Rights for COVID-19 Medical Removal (Isolation or Quarantine)

Nurses working in the state of New York have several options for fully-paid or partially paid leave to cover work time missed due to COVID-19 infection or COVID-19 quarantine.

NYS COVID-19 Sick Leave

NYS "COVID time" allows for paid time off for medical removal from work due to COVID isolation or quarantine. It also provides job protection so that an employee can return to their job when they are no longer subject to medical removal. Time provided is in addition to any accrued sick time. Public sector employers must provide up to 14 paid sick days. Private sector employers must provide the following number of paid days off based on size:

- **100+ employees – up to 14 days**
- **11-99 employees – up to 5 days**
- **10 or fewer employees and net income over \$1 million – up to 5 days**
- **10 or fewer employees and net income less than \$1 million – paid time is not required but employee maybe eligible to use NYS Paid Family Leave**

Workers medically removed due to COVID-19 are eligible for this NYS COVID paid time off up to 3 times. However, the 2nd and 3rd time require a positive COVID test. An employer may require an Affirmation of Isolation form which can be found at <http://bit.ly/3tgpobZ>. NYS also requires employers to provide up to 4 hours paid time each time an employee

takes time off from work to get vaccinated. This paid vaccination time requirement expires December 31, 2023.

More information on NYS COVID-19 Sick Leave can be found at

<https://paidfamilyleave.ny.gov/covid19>

More information on COVID-19 paid leave rights for the care of a dependent can be found at <https://paidfamilyleave.ny.gov/paid-family-leave-family-care>.

NYS Workers' Compensation

If a worker becomes infected with COVID-19 and believes the infection was caused by an exposure in the workplace, they may be eligible for workers' compensation benefits. Workers' compensation provides coverage for medical expenses related to the covered illness as well as partial wage replacement for lost work time.

Workers' compensation does not provide wage replacement for the first week of lost work time. Time out of work beyond one week is currently compensated up to a possible maximum rate of \$1145.43/week (two-thirds of the NYS average weekly wage). If the worker is out for more than 14 days, the first week is then covered.

More information regarding NYS Workers' Compensation can be found at www.wcb.ny.gov

If you have any questions regarding COVID-19 isolation or quarantine, including paid time for medical removal, please contact your NYSNA representative.

