

New York State Paid Sick Leave

On April 3, 2020, Governor Cuomo signed legislation establishing the right to paid sick leave for employees in New York. On September 30, 2020, covered employees in New York State began to accrue leave at a rate of one hour for every 30 hours worked. On January 1, 2021, employees may start using that accrued leave.

Under New York State Paid Sick Leave, student employees accrue up to a maximum of 56 hours each fiscal year. The maximum amount of time that a student employee can use in a fiscal year is 56 hours, if available. RIT's fiscal year runs July 1 through June 30.

Under the New York State Paid Sick Leave regulations, any Sick Leave remaining as of June 30 will be carried over to the next fiscal year, up to a maximum of 56 hours. Since a student employee cannot use any more than 56 hours in a fiscal year, the maximum number of hours in the carry-over bank will be 56 hours as of July 1.

Entering Time for Employees

Hourly Student Employees – includes all regular student employees and hourly paid Graduate Assistants

- Hours will be entered into Kronos using pay code Sick-Personal
- Student employees can only use the time they have accrued

Graduate Teaching Assistants

- Time will be self-reported (reported by the student) in Employee Self Service
 - Log in to Oracle
 - Click on Employee Self Service
 - Click on My Absences
 - Click on Create Absence Request
 - Enter Absence Type of Paid Sick Leave
 - Enter Start and End date
 - Enter total hours
 - Click Next
 - Review and Click Submit

Frequently Asked Questions

Q.) Does New York's Paid Sick Leave cover student employees?

A.) Yes. Student employees are eligible for paid sick leave under this legislation. Students began accruing leave on September 30, 2020, and may start using it on January 1, 2021.

Q.) What are permitted uses of sick leave?

A.) Employees may use accrued leave for the following reasons impacting the employee or a member of their family for whom they are providing care or assistance with care;

Sick Leave:

- For mental or physical illness, injury, or health condition, regardless of whether it has been diagnosed or requires medical care at the time of the request for leave; or
- For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition; or need for medical diagnosis or preventive care.

Safe Leave:

- For an absence from work when the employee or employee's family member has been the victim of domestic violence as defined by the State Human Rights Law, a family offense, sexual offense, stalking, or human trafficking due to any of the following as it relates to the domestic violence, family offense, sexual offense, stalking, or human trafficking:
 - to obtain services from a domestic violence shelter, rape crisis center, or other services program;
 - to participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
 - to meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
 - to file a complaint or domestic incident report with law enforcement;
 - to meet with a district attorney's office;
 - to enroll children in a new school; or
 - to take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

Q.) When do student employees begin accruing time?

A.) Accruals began September 30, 2020. Students began accruing on that date, or whatever their hire date was if they were hired after September 30, 2020.

Q.) Is there a minimum period of employment before an employee can use their accrued sick time?

A.) No, there is no minimum period of employment before an employee can use sick time. Once they have accrued it they may begin using it.

Q.) Do I need to request a note from a student employee who is sick?

A.) **All requests for a note must be cleared by SEO prior to making the request.** Employers are permitted to request documentation from an employee who uses sick leave for three or more consecutive scheduled workdays or shifts. You MAY NOT ask for a note if the employee is using less than 3 days consecutively.

Q.) Can accrued sick time be used as vacation time?

A.) No, there are specific uses for accrued sick time as explained above.

Q.) Does unused sick time get paid out when the student leaves their employment?

A.) No, accrued sick time is not paid out at the end of employment.

Q.) What happens to sick time for a student who leaves one RIT job for another RIT job?

A.) As long as the student continues to work for RIT, the sick time goes with them from position to position.

For more information about New York State's Paid Sick Leave, including additional FAQs, regulations, and more, please visit ny.gov/paidsickleave.