

NEW YORK CITY EARNED SICK TIME ACT

Basics of ESTA (Earned Sick Time Act)

Under NYC's Earned Sick Time Act, employers with five or more employees are required to provide employees with five paid sick days a year.

If you work in NYC, regardless of where you live, you are covered by NYC ESTA.

ESTA time counts against your vacation or EWD time. For instance, if you take an ESTA day, it will be deducted from your vacation or EWD hours.

But unlike vacation days, ESTA days do not require 48-hours' notice.

ESTA hours do not count against your 10 paid sick days a year. They are ESTA days, not sick days.

Workers can take up to 40 hours of paid leave in a calendar year for NYC ESTA for the following:

- The employee's own illness (mental or physical illness, injury or health condition), medical diagnosis or care or treatment for such conditions; preventative care appointments;
- To care for a family member who needs medical diagnosis, preventative care appointments, or care or treatment of a mental or physical illness, injury or health condition;
- If the employee's place of employment or their child's school is closed by order of a public official or due to a public health emergency.

NYC ESTA time can be taken in increments of four hours or more.

Absence under NYC ESTA is not subject to discipline.

The hours reset at the beginning of the next year. Beginning January 1, 2018, you will have 40 hours of ESTA Time. Unused ESTA time does not carry over.

When you call out for a day, tell the DRC "I'm taking an ESTA day". Specify ESTA V day or ESTA EWD day.

When you call the DRC and tell them you're out sick, the rep should ask you if you are using ESTA time.

*DON'T call the DRC and request a V-day, get denied, then say OK put me in for an ESTA day.