

LEGAL UPDATE

New York Employers Must Allow Leave for COVID-19 Vaccination

New York has passed a [law](#) requiring employers to provide employees with paid leave to be vaccinated for COVID-19. The law took effect immediately on passage on March 12, 2021, and expires Dec. 31, 2022. The state has issued [FAQs](#) on the law.

Leave Required

The law states that employees are to be allowed a sufficient period of time to be vaccinated for COVID-19, up to **four hours per vaccine injection**. Collectively bargained employees may be entitled to additional time, and employers are free to provide more time if they choose.

The law applies to all private employers and specified public employers, including the following, among others:

- Public officers and employees of public authorities
- State, county and municipal employees
- Employees of community colleges and public school districts
- Employees of public benefit corporations, and employees of participating employers in the state and local employees' retirement system and the state teachers' retirement system

Compensation

Employees must be paid their regular rate of pay during the leave, and the leave may not be counted against any other leave to which the employee is entitled, including paid sick leave required by state law.

Nonretaliation

Employers are not permitted to discharge, threaten, penalize or in any other manner discriminate or retaliate against any employee for exercising their rights under the law.

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Highlights

Vaccination Leave

A new state law requires employers to provide employees with paid leave for COVID-19 vaccination.

Time Required

Employees must receive at least four hours of leave per injection.

Effective Dates

The law took effect immediately upon passage and remains in effect through Dec. 31, 2022.

The vaccination leave may not be deducted from any other leave due to the employee.



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