

LOCAL 21
PLUMBERS/STEAMFITTERS/HVAC SERVICE

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UA Local Union No. 21 prepared the following summary of paid leave available to employees affected by COVID-19. The laws and regulations regarding leave have been subject to various lawsuits and amendments since their implementation in March. The Union's website (<https://www.local21union.com/covid-19.aspx>) contains various resources designed to advise you of your rights under the law.

New York State COVID-19 Paid Sick Leave

Employees who are subject to a mandatory or precautionary order of quarantine or isolation due to COVID-19 are entitled to job protected, paid sick leave. The amount of paid sick leave depends on the number of employees and the employer's net annual income.

Size of Employer	Amount of Leave
Employers with 10 or Fewer Employees	Employees are entitled to unpaid leave until the quarantine or isolation is lifted. During this period of leave, employees are eligible for New York State paid family leave and disability benefits.
Employers with 10 or Fewer Employees who had a Net Income in Excess of \$1,000,000 in the Previous Tax Year	Employees are entitled to five days of paid sick leave and unpaid leave for the remainder of the quarantine or isolation. Employees are eligible for New York State paid family leave and disability benefits on the first day of unpaid leave.
Employers with between 11 and 99 Employees	Employees are entitled to five days of paid sick leave and unpaid leave for the remainder of the quarantine or isolation. Employees are eligible for New York State paid family leave and disability benefits on the first day of unpaid leave.
Employers with 100 or More Employees	Employees are entitled to fourteen days of paid sick leave and unpaid leave for the remainder of the quarantine or isolation. Employees are eligible for New York State paid family leave and disability benefits on the first day of unpaid leave.
Public Employers (state, county, city, town, village, school district, public authority, police, and fire districts, etc.)	Employees are entitled to fourteen days of paid sick leave and unpaid leave for the remainder of the quarantine or isolation. Employees are eligible for New York State paid family leave and disability benefits on the first day of unpaid leave.

The paid leave available under the legislation for employees subject to a mandatory or precautionary quarantine or isolation due to COVID-19 is provided in addition to any paid-time off employees have already accrued. As a result, an employee using paid leave as described above will still be permitted to use any remaining accrued paid time off.

BUSINESS AGENTS: THOMAS CAREY - SEAN CAREY - JOSEPH E. DULLEA - THOMAS O'BRIEN

New York State Paid Family Leave

After exhausting New York State COVID-19 Paid Sick Leave as described above, employees are entitled to paid family leave benefits and/or disability benefits on the first day of unpaid leave. Additionally, if you have a family member or your minor dependent child is under a mandatory or precautionary order of quarantine or isolation issued by the state of New York, the Department of Health, local board of health, or any government entity duly authorized to issue such order due to COVID-19, you may be eligible to take Paid Family Leave to care for them.

Employees are entitled to receive paid family leave benefits and disability benefits concurrently provided the employee does not receive more than \$840.70 per week in paid family leave benefits and \$2,043.92 per week in disability benefits. The maximum an employee can receive under the disability benefit is equal to the difference between the maximum weekly family leave benefit and such employee's total average weekly wage from each covered employer up to a maximum benefit due pursuant to disability of \$2,043.92 per week.

To apply for Paid Family Leave benefits, you must complete the appropriate Request for COVID-19 Leave form available at <https://paidfamilyleave.ny.gov/forms>.

To receive COVID-19 Paid Sick Leave or Paid Family Leave, you must obtain an order of quarantine or isolation from New York State. You can obtain an order from your local health department. For assistance in contacting your local health department, please visit https://www.health.ny.gov/contact/contact_information/.

Families First Coronavirus Response Act (FFCRA)

Employees of employers with fewer than 500 employees are entitled to paid sick leave and paid family and medical leave under the FFCRA. The amount of paid leave and duration of the leave depends on the reason for the leave.

Reason for Leave	Duration of Leave	Compensation
Employee is unable to work (or telework) because he or she is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis	Two weeks (up to 80 hours) of paid sick leave	Employee's regular rate of pay up to \$511 per day and \$5,110 in the aggregate (over a 2-week period)
Employee is unable to work (or telework) because of a need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or childcare provider is closed or unavailable for reasons related to COVID-19	Two weeks (up to 80 hours) of paid sick leave	Two-thirds the employee's regular rate of pay up to \$200 per day and \$2,000 in the aggregate (over a 2-week period)
Employee, who has been employed for at least 30 calendar days, is unable to work (or telework) due to a need for leave to care for a child whose school or childcare provider is closed or unavailable for reasons related to COVID-19	Additional 10 weeks of paid expanded family and medical leave	Two-thirds the employee's regular rate of pay up to \$200 per day and \$12,000 in the aggregate (over a 12-week period)

FFCRA leave is not available if the employee's child's school is open, but the employee elects to keep him or her at home. Additionally, leave under the FFCRA is not available after December 31, 2020.

For more information, please visit <https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>.

Interaction Between New York State COVID-19 Paid Sick Leave and FFCRA Leave

Employees under a mandatory or precautionary order of quarantine or isolation who are employed by employers with between 11 and 99 employees shall receive 5 days paid sick leave under New York State law at full pay and 5 days of paid sick leave under the FFCRA at their regular rate of pay up to \$511 per day.

If you have any specific questions, please contact your Business Agent.