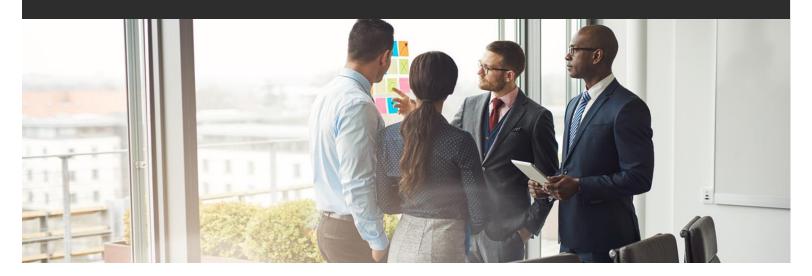


Alert | Labor & Employment



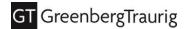
March 2021

COVID-19 Vaccination: Paid Leave Enacted in New York

New York employees may now elect paid leave for time spent receiving the COVID-19 vaccination. Specifically, Governor Andrew Cuomo signed Assembly Bill A3354B, on March 12, 2021, which provides up to four hours of paid leave for COVID-19 employee vaccinations. Importantly, the law applies to all employers regardless of sector or size and provides employee leave for each applicable dose of the COVID-19 vaccine. Therefore, for two-dose vaccines, employees would be eligible for up to eight hours of paid leave.

Furthermore, employees electing to use such COVID-19 vaccination leave shall be paid "at the employee's regular rate of pay and shall not be charged against any other leave such employee is otherwise entitled to, including sick leave ... or any leave provided pursuant to a collective bargaining agreement." That said, a collective bargaining agreement may waive these requirements provided such waiver is express and specifically references the relevant section of the law.

Additionally, the express terms of the law prohibit employer discrimination and/or retaliation against any employee electing to use such vaccination leave. As such, employers are well-advised to consult employment counsel pertaining to preparing and implementing relevant COVID-19 vaccination policies.



Authors

This GT Alert was prepared by:

- Wendy Johnson Lario | +1 973.443.3274 | lariow@gtlaw.com
- Eric B. Sigda | +1 212.801.9386 | sigdae@gtlaw.com
- Scott P. Humphreys | +1 973.443.3221 | humphreyss@gtlaw.com

Albany. Amsterdam. Atlanta. Austin. Boston. Chicago. Dallas. Delaware. Denver. Fort Lauderdale. Germany.¬ Houston. Las Vegas. London.* Los Angeles. Mexico City.+ Miami. Milan.» Minneapolis. New Jersey. New York. Northern Virginia. Orange County. Orlando. Philadelphia. Phoenix. Sacramento. Salt Lake City. San Francisco. Seoul.™ Shanghai. Silicon Valley. Tallahassee. Tampa. Tel Aviv.^ Tokyo.* Warsaw.~ Washington, D.C.. West Palm Beach. Westchester County.

This Greenberg Traurig Alert is issued for informational purposes only and is not intended to be construed or used as general legal advice nor as a solicitation of any type. Please contact the author(s) or your Greenberg Traurig contact if you have questions regarding the currency of this information. The hiring of a lawyer is an important decision. Before you decide, ask for written information about the lawyer's legal qualifications and experience. Greenberg Traurig is a service mark and trade name of Greenberg Traurig, LLP and Greenberg Traurig, P.A. ¬Greenberg Traurig's Berlin office is operated by Greenberg Traurig Germany, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. *Operates as a separate UK registered legal entity. +Greenberg Traurig's Mexico City office is operated by Greenberg Traurig, S.C., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. »Greenberg Traurig's Milan office is operated by Greenberg Traurig Santa Maria, an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. •Operates as Greenberg Traurig LLP Foreign Legal Consultant Office. *Greenberg Traurig's Tel Aviv office is a branch of Greenberg Traurig, P.A., Florida, USA. *Greenberg Traurig's Tokyo Office is operated by GT Tokyo Horitsu Jimusho and Greenberg Traurig Gaikokuhojimubengoshi Jimusho, affiliates of Greenberg Traurig, P.A. and Greenberg Traurig, LLP. ~Greenberg Traurig's Warsaw office is operated by Greenberg Traurig Grzesiak sp.k., an affiliate of Greenberg Traurig, P.A. Images in this advertisement do not depict Greenberg Traurig attorneys, clients, staff or facilities. No aspect of this advertisement has been approved by the Supreme Court of New Jersey. ©2021 Greenberg Traurig, LLP. All rights reserved.

© 2021 Greenberg Traurig, LLP www.gtlaw.com | 2