

New York City Paid Safe & Sick Leave (2026)

New York City's law is broader and has **important changes taking effect on **February 22, 2026**:

1. Paid Sick & Safe Time (Existing Structure)

- Employers must provide **paid safe and sick leave** based on size:
 - 56 hours if 100+ employees
 - 40 hours if 5–99 employees
 - 40 hours paid for small employers with net income > \$1M
 - 40 hours unpaid for small employers with net income ≤ \$1M
 - Special rules also apply for domestic workers.

2. New Requirements Effective Feb. 22, 2026

► Additional 32 Hours of *Unpaid* Leave

- All NYC employers must provide a separate bank of 32 hours of unpaid safe/sick time to each employee.
 - Available immediately upon hire and at the start of each calendar year.
 - This unpaid bank is in addition to the paid safe and sick leave described above.
 - If an employee uses sick/safe time, employers generally must apply *paid leave first* unless the employee asks to use unpaid time.
 - Unused unpaid leave does not carry over into the next year.

► Expanded Reasons for Use

Employees can use safe and sick time (both paid and unpaid) for broader reasons, including:

- Caring for a minor child or care recipient.
- Situations related to public disasters (e.g., closures due to weather or emergencies).
- Legal or benefits/housing proceedings tied to safety issues.
- Workplace violence recovery and related assistance.

► Codification of Paid Prenatal Leave

- NYC formally incorporates a 20-hour block of paid prenatal leave per 52-week period for covered employees. This is separate from other paid sick and safe leave entitlements.

How NYC & NYS Laws Work Together

- **NY State law** sets the *baseline* paid sick leave requirement (40–56 hours depending on size). This continues in 2026.
- **NYC law** provides additional protections for employees working in NYC — including expanded uses and the new unpaid leave bank starting February 22, 2026.
- Employers in NYC must comply with both; if NYC law is more generous, it supersedes for workers in the City.

Summary: Key Paid Sick Leave Entitlements in NYC/NYS in 2026

Jurisdiction	Paid Sick/ Safe Leave Hours	Additional Leave in 2026	Notes
NY State (all covered employers)	40–56 hours/year (paid)	Nonnew	Based on employer size/net income.
NYC (current)	40–56 hours/year (paid)	+20 hours paid prenatal leave	The usual ESSTA benefits stay in place.
NYC (starting Feb 22, 2026)	Same 40–56 hours paid	+32 hours unpaid safe & sick time	Available at hire and yearly.
NYC (2026 expansion)	Expanded qualifying reasons for leave	—	Public disaster, caregiving, legal needs.
