

# **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.
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## 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.

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

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

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