

# NEW YORK STATE MANDATES EMPLOYERS PROVIDE THEIR EMPLOYEES WITH PAID LEAVE FOR COVID-19 VACCINATIONS

*Hodgson Russ Labor and Employment Alert*  
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On March 15, 2021, Governor Cuomo signed into law a bill that guarantees virtually all New York State employees — public and private — paid leave to receive a COVID-19 vaccination (the full text of the bill is available [here](#)). The law allows employees to take paid leave for a “sufficient period of time, not to exceed four hours *per vaccine injection*,” and mandates that this leave be provided to employees without charge against any other leave bank to which they are otherwise entitled, including paid leave provided under the New York State Paid Sick Leave Law.

If an employee is entitled to more than four hours of leave per injection pursuant to his or her employer’s policy or a collective bargaining agreement, the employee will remain eligible for the more generous benefit. Employers are prohibited from discharging, threatening, penalizing, or otherwise discriminating or retaliating against an employee because he or she exercised rights under the law, including requesting or taking paid leave to receive a COVID-19 vaccination.

The law’s requirements with respect to private employees can be waived by a collective bargaining agreement that expressly references this section of the law. The requirements of this law are effective immediately, but are scheduled to expire on December 31, 2022.

If you have any questions about this new paid leave obligation, please contact [John Godwin](#) (716.848.1357), [Kinsey O’Brien](#) (716.848.1287), or any other member of our [Labor & Employment Practice](#).

Please check our [Coronavirus Resource Center](#) and our [CARES Act](#) page to access information related to both of these rapidly evolving topics.

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