

Is employee or minor dependent subject to a **mandatory** or **precautionary order of quarantine or isolation** by New York State, the Department of Health, a local Board of Health, or government entity authorized to issue such an order, **for condition related to COVID-19?**

(If employee presents a medical document from medical provider, such as doctor or health center, the answer to this question is **NO**.)

NO

NOT COVERED

NO

Is quarantine or isolation required because of travel to a place identified by **Exec. Order 202.5?**

NO

YES

Is quarantine or isolation after **personal travel to places on the CDC travel advisory list?**

YES

NO

Employee is eligible

YES

Is employee (a) **asymptomatic** or **undiagnosed** and (b) **able to work remotely?**

YES

NOT COVERED

STOP Check Federal Benefits

Unpaid leave available for the duration or quarantine or isolation.

New York State EMERGENCY PAID SICK LEAVE *effective March 18, 2020*

For Companies with less than 500 employees. Private and Not for Profit Employers

Please note, this information is to be used as a guide and is **not to be considered legal advice**.

For additional information, please contact Jaci Kelleher (jkelleher@staffordowens.com) and Meghan Zedick (mzedick@staffordowens.com) of Stafford Owens Law Firm.

Remember:

- Federal benefits must be applied first.
- Check emergency FMLA Leave and Paid Sick Leave Benefits.
- NY state benefits apply after federal benefits.
- Employees get maximum combined benefit.

If Quarantine is not required because of travel to a place identified by Executive Order 202.5

When Paid Sick leave (PSL) is available.

1. Amount of leave available is based on # of employees as of 1/1/2020.
 - a. 10 or less and net income of less than \$1 million: unpaid job protected leave for duration of quarantine or isolation; immediately able to access PFL and DBL benefits.
 - b. 11 to 99 or more than \$1 million in net income- 5 days of PSL; protected leave for duration of quarantine or isolation.
 - c. 100 plus; 14 days of PSL; public: 14 days minimum;
2. These benefits are separate from other accruals provided by employer and must be paid first.

Followed by Enhanced Paid Family Leave (PFL) and Enhanced NY short-term disability (STD):

1. PFL and DBL run concurrently;
2. Enhanced PFL benefit paid the full extent, with additional DBL benefit to a maximum of \$2,043.92.
3. PFL is available for own quarantine or isolation, or to provide care for minor dependent on quarantine or isolation.
4. Combination of PFL and DBL to pay 100% of pay (through insurance policies, not employer direct cost) to a maximum of \$2,884.62/week.
5. Access to benefits through normal application process- **application should not be made for both programs when paid sick leave is approved.**