

New York State Emergency Paid Sick Leave

Q: Are businesses deemed essential exempt from the emergency sick paid leave bill?

- This has not been conveyed to us from the State.

Q: Who is eligible?

- Employee, or employee caring for their minor dependent child, under order of quarantine or isolation issued by Public Health official and unable to work.

Note: *Regular eligibility and reporting rules/regulations still apply.*

Q: Is an employee eligible for benefits if they are working remotely?

- No. This includes employees that are symptomatic.

Q: Are employees travelling from CDC travel advisory listed countries eligible?

- Only unpaid leave would be available.

Q: Are employees eligible while home due to school closings and unable to work?

- No. If the school was closed due to preventative social distancing, benefits would not be available.

Q: When should a claim be filed?

- Forms should be filed within thirty (30) days of the start of the leave in order to avoid denial.

Q: What forms need to be filed by the employee seeking benefits and where are they available?

- [Forms PFL-1 & SCOV19](#) (Used for employee is under an order of quarantine or isolation.)
- [Forms PFL-1 & CCOV19](#) (Used when employee's minor dependent child is under order of quarantine or isolation.)

NOTE: *Filings require the order of quarantine or isolation to be attached.*

- The forms are available to employers on our webpage and the WCB website using the link below.

<https://paidfamilyleave.ny.gov/COVID19>

- The forms can be sent to the employer by e-mail or regular mail. We recommend this be encouraged.

Q: How long can an employee anticipate receiving PFL/DBL benefits?

- Benefits would begin after any mandatory sick leave benefits are paid for the remainder of the quarantine/isolation.

Note: *Maximum limits apply to weeks payable and amounts payable.*

Local Health Department – Order of Mandatory Quarantine

https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/Interim_Containment_Guidance_COVID-19.pdf

Q: How are concurrent PFL and DBL benefits calculated?

An example -

- An employee making \$52,000 per year (\$1,000 per week) may be eligible for:
 - \$600 payment from PFL (60% of average weekly wage to the 2020 maximum benefit amount), and
 - \$400 payment from DBL (a significant – temporary increase over the current maximum of \$170/wk.)

NOTE: *Federal government benefits are primary over the NYS benefits.*

Workers' Compensation

Q: Is COVID-19 covered by workers' compensation?

- There are no changes to reporting requirement. If an employee reports an injury or illness, the employer is required to record and report it to our office. If a COVID19 related illness is reported, please obtain as much detail as possible from the employee including how they believe they were exposed at work and when.
- Coverage will need to be investigated and determined on a case-by-case basis by NYLITF.

Additional Helpful Links

- [Family First Coronavirus Response Act](#)