

# New York State COVID-19 Updates

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## *Vaccine Leave Law*

On March 12, 2021, New York State Governor Andrew Cuomo signed into law legislation granting public and private employees paid leave time to receive the COVID-19 vaccine. The law is effective immediately and will automatically expire on December 31, 2022.

The law provides employees a paid leave of absence from his or her duties for a sufficient period of time, not to exceed four hours per vaccine injection. Because the law does not limit the number of times that employees may utilize this paid leave, employees may receive up to four hours of paid leave for a single vaccine injection and up to eight hours of paid leave for two-injection vaccines. Employees would also presumably be able to take the paid leave provided by the law, through December 31, 2022, in the event that additional booster vaccines are eventually deemed necessary to protect against COVID-19 variants or otherwise provide full protection against the virus.

The paid vaccine leave must be provided at the employee's regular rate of pay. Additionally, the law specifies that (as with the New York State COVID-19 Sick Leave Law), none of the duration of the leave may be charged against any other leave to which an employee is otherwise entitled, including paid sick leave pursuant to the New York State Paid Sick Leave Law (N.Y. Labor L. § 196-b). Employers may not discriminate or retaliate against an employee because an employee has requested or utilized a leave of absence to be vaccinated for COVID-19. The law does not include a requirement for employees to provide advance notice of their intent to take this leave.

The law applies to all employees but may be waived by a collective bargaining agreement that specifically references the law.

Employers should update their policies and procedures as soon as possible to account for the new legislation.

## *Domestic Travel Requirements*

Governor Cuomo announced on March 11, 2021 that effective April 1, 2021, there will no longer be quarantine or testing requirements for domestic travelers arriving in New York from any U.S. state or territory. This guidance applies whether or not travelers are vaccinated. Travelers will still be required to follow CDC travel and quarantine guidance, which requires that travelers: (1) continue daily symptom monitoring through Day 14; (2) continue strict adherence to all recommended non-pharmaceutical interventions, including hand hygiene and the use of face coverings through Day 14 (even if fully vaccinated); and (3) must immediately self-isolate if any symptoms develop and contact the local public health authority or their healthcare provider to report this change in clinical status and determine if they should seek testing. Additionally, mandatory quarantine requirements will remain in effect for international travelers and all travelers must continue to fill out the New York State Traveler Health Form.

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