

2023


# BUSINESS IN 2022

WEEKLY WEBINAR SERIES


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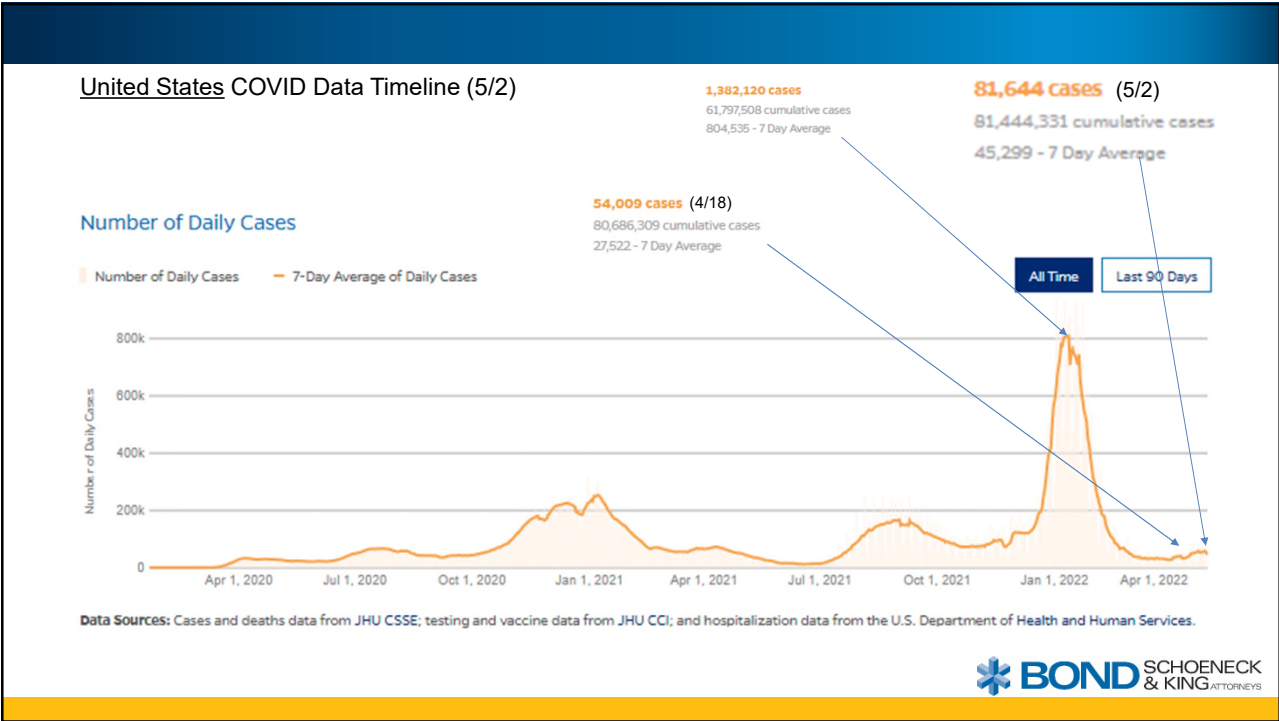
## Welcome and COVID Update



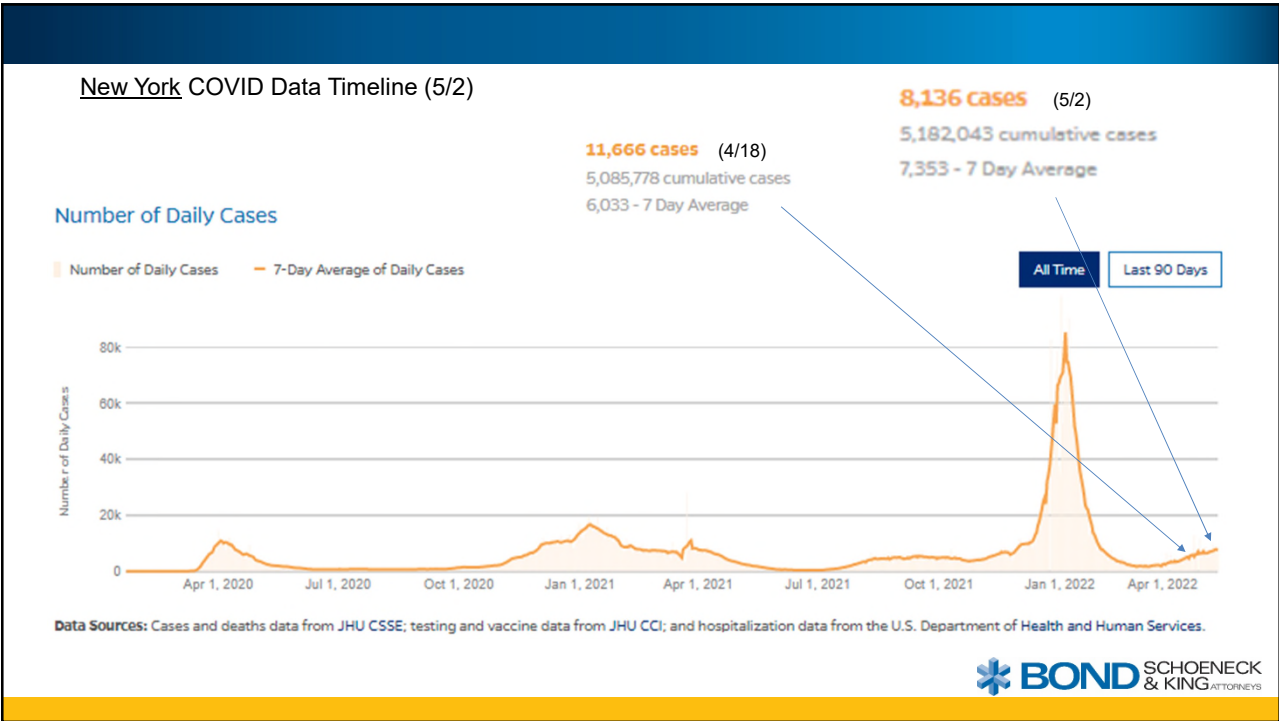
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**COVID-19 County Check**  
Find community levels and prevention steps by county.

Select a Location (all fields required)  
New York Onondaga County

< Start Over

**High**  
In Onondaga County, New York, community level is High.

- Wear a [mask](#) indoors in public
- Stay [up to date](#) with COVID-19 vaccines
- [Get tested](#) if you have symptoms
- Additional precautions may be needed for people [at high risk for severe illness](#)

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## Amazon's Withdrawal of Paid Leave for COVID & Legal Compliance for NY Employers

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## COVID Leave – Amazon Headline

- Amazon announced Saturday that workers who test positive will receive 5 days of unpaid leave
  - Previously 40 hours of paid leave and prior to that two weeks of paid time
- Announced that workers awaiting test results will no longer be using excused time off due to wide availability of rapid tests
- Also announced that Amazon will no longer send sitewide notifications of positive cases in its facilities
- Return to pre-COVID policies included in the communication



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## That Got Us Thinking . . . Where are We?

- NYS COVID Paid Sick Leave still in effect
  - Paid leave for isolation or quarantine for up to 14 calendar days (5 days or unpaid leave for smaller Employers)
  - Order of Quarantine or Isolation issued by Public Health Officials
  - Statute has no expiration date
  - Statute does not state how many periods of leave can be used
- Non-statutory guidance
  - DOL opinion letter January 1, 2021
  - DOL website
  - Quarantine Guidance and self-affirmation by Employees



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## DOL FAQ's

- Pay if the employer mandates that an employee remain out of work due to exposure or potential exposure to COVID-19?
- Maximum of three orders of quarantine or isolation. The (second and third orders must be based on a positive COVID-19 test and the employee must submit documentation from a licensed medical provider or testing facility attesting that the employee has tested positive for COVID-19)?
- Self affirmation?



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## Other Considerations

- Employer COVID Leave policies
- Other Employer paid leave policies – vacation, sick leave, NYS PSL, personal
- Employer absenteeism rules
- Bargaining obligations
- Employee Relations issues
- Availability of vaccines



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## Secure Act 2.0



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## NYC Salary Transparency Law Update



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## NYC Salary Transparency Law Update – Key Dates

- Amendment passed at City Council: Apr. 28, 2022
  - Next steps: Sent to Mayor (signature, veto, or no action)
    - Mayor is expected to sign
- Would delay effective date of the law to: Nov. 1, 2022
  - Rules may be promulgated before this date
- Current effective date of the law: May 15, 2022
- Guidance issued: Mar. 22, 2022 (will likely be updated)



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## What's different?

- Civil penalty for first violation \$0, if, within 30 days of service of copy of Complaint, proves violation cured
  - Proof, if accepted = “admission of liability for all purposes”
  - Electronically or in person
  - If determination made proof of cure not submitted = 15 days to seek review
- Only current employees may bring lawsuits against current employers for violations
  - But note: Complaint may still be filed with Commission



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## What's different?

- Law applies to both hourly and salaried positions
- Does not apply to positions that cannot or will not be performed, at least in part, in NYC



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## What should employers do now?

- Keep diligently preparing
- We will continue to monitor for updates on:
  - Mayoral signature/veto/inaction
  - Potential updated guidance/rules
- Please feel free to reach out at any time!



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## Introduction of Gabriel Oberfield



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## Introduction



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### Welcome & COVID Update

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### Amazon's Withdrawal of Paid Leave for COVID & Legal Compliance for NY Employers

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### Secure Act 2.0

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### Update on NYC's Pay Transparency Law

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