

New Record-Keeping Requirements in New York, Including, Effective Today, Employee Sick Time

This is a brief reminder that private sector employers in New York should take note of a **new** payroll record-keeping requirement, quietly tucked away in the state's massive "budget" legislation.

More specifically, Section 195(4) of the New York Labor Law will be amended – effective today, September 30, 2020 – to require that an employer's weekly "payroll records" must include the "amount of sick leave provided to each employee." Notably, the amendment **does not** require employee pay stubs to include this same sick leave information.

This change is a companion to New York's "Paid Sick Leave" or "PSL" legislation, that also becomes effective today. As part of that [PSL legislation](#), New York employers will be, among other things, effectively required to track paid sick leave accrued and used by employees. In this regard, employers must provide a summary of this information within three business days of an employee's request. For more detailed information and Bond webinar programming on the PSL requirements, please click the following links:

- [The Impact of the New State Sick Leave Law for New York Employers](#)
- [Follow-Up Webinar on New York Paid Sick Leave](#)
- [New York Paid Sick Leave Part 3: Leave Interactions](#)

Accordingly, employers should be mindful to retain appropriate weekly payroll records, showing the amount of sick leave provided to employees, for a period of at least six years.

New York employers should additionally be mindful of [other new-hire notice, pay stub, and payroll record-keeping requirements](#), which went into effect earlier this year for certain prevailing wage workers and which, for certain home care aides, are set to be effective on October 1, 2020.

If you have any questions about this information memo, please contact [Andrew D. Bobrek](#), any [attorney](#) in our [Labor and Employment practice](#) or the attorney at the firm with whom you are regularly in contact.