

The logo for the United Postal Service Employees Union (UPSEU), featuring the acronym "UPSEU" in blue capital letters inside a red-bordered oval with horizontal lines.

UPSEU ALERT

NEW VACCINATION LAW

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New York Governor Andrew Cuomo signed a bill that provides private and public sector employees with up to four hours of excused paid leave per injection of the COVID-19 vaccine that is not charged against other leaves the employee has earned or accrued. The new law became effective immediately and will expire on December 31, 2022.

THE NEW LAW

For private employers, the law amends New York Labor Law to add §196-0 which generally provides as follows:

- * All employers – regardless of size or industry – are required to provide employees with a “sufficient period of time, not to exceed four hours” per vaccine dose, to be vaccinated for COVID-19.
- * This time must be paid at the employee’s “regular rate of pay” for the entire leave period.
- * Employers cannot deduct the time from any other benefit time, such as the New York State’s Paid Sick Leave Law.
- * Employers are prohibited from discriminating or retaliating against employees who request or take a leave of absence to be vaccinated for COVID-19, or who otherwise exercise their rights under this law.

For public employers, this requirement is codified in Civil Service Law § 159-c.

There is no limit on the number of COVID-19 vaccinations. So, where two vaccinations are required, the law would apply to both. If additional boosters are recommended before December 31, 2022, we believe this would be covered by the law as well.

There will probably be additional guidance in this regard in the near future. We urge everyone, upon eligibility, to get vaccinated. If you have any issue with your employer, please advise your UPSEU representative immediately.

