

## New York City Expands Employee Earned Safe and Sick Time Act Benefits

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The New York City Earned Safe and Sick Time Act (ESSTA) requires employers, depending on their size, to provide employees who work in New York City with 40 to 56 hours of paid safe and sick leave.

### **Additional Unpaid Safe and Sick Time**

Beginning February 22, 2026, New York City employers must also provide employees with an **additional 32 hours of unpaid safe and sick time**, frontloaded at the time of hire.

### **Expanded Uses of Safe and Sick Time**

In addition to the existing uses of safe and sick time, the amended ESSTA adds four additional uses:

- care for a minor child
- attending legal proceedings for subsistence or housing benefits
- public disasters
- incidents of workplace violence

Additionally, as of February 22, 2026, employers must provide **20 hours of paid prenatal leave per 52-week period**, which is concurrent with New York State law.

The New York City Department of Consumer and Worker Protection requires all employers to maintain written policies that comply with the ESSTA.

**Takeaway:** New York City employers must review time off policies to ensure compliance with the new amendments. If you have any questions, please reach out to a member of our employment law team.

### **Attorney**

- Tracy Armstrong

### **Practice**

- Employment Law