

Earned Sick Leave Law

Effective April 10, 2019 Under Westchester County's Earned Sick Leave Law, employees with five or more employees in Westchester County must provide paid sick leave. Employees with fewer than five employees must provide unpaid sick leave.

YOU HAVE A RIGHT TO SICK LEAVE, WHICH YOU CAN USE FOR THE CARE AND TREATMENT OF YOURSELF OR A FAMILY MEMBER.

80 hours worked In general, employees who work for a covered employer in Westchester County for more than 80 hours in a calendar year, full-time or part-time, are covered by the Earned Sick Leave Law but certain exceptions apply.

One hour earned for every 30 worked You accrue sick leave at the rate of one hour for every 30 hours worked, up to a maximum of 40 hours of sick leave per year.

You begin to accrue sick leave on July 10, 2019 or on your first day of employment, whichever is later. An employer has the right to delay your ability to use earned sick time until you have worked for the employer for 90 days.

YOU CAN USE SICK LEAVE WHEN: You have a mental or physical illness, injury or health condition; you need to get a medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; you need to get preventative medical care.

- You must care for a family member who needs a medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or who needs preventative medical care.
Your employer's business closes due to a public health emergency or you need to care for a child whose school or child care provider has closed due to a public health emergency.

YOU HAVE A RIGHT TO BE FREE FROM RETALIATION FROM YOUR EMPLOYER FOR USING SICK LEAVE

For general information about the law, contact the Human Rights Commission at (914) 995-7710 or visit humanrights@westchestergov.com. If you think you've been subjected to a violation of any rights granted under the Earned Sick Leave Law, please contact the Westchester County Department of Consumer Protection. Visit www.consumer.westchestergov.com or call (914) 995-2155.

Westchestergov.com George Latimer, County Executive Tejash Sanchala, Esq., Executive Director Human Rights Commission

Entrará en vigor el 10 de abril de 2019 Bajo la Ley de Licencia Ganada por Enfermedad del Condado de Westchester, los Empleadores con 5 o más empleados en el Condado de Westchester tienen dar la licencia por enfermedad pagada. Los empleadores con menos de 5 empleados puede dar la licencia por enfermedad no pagada.

Tiene derecho a la licencia por enfermedad, la cual se puede usar para el cuidado y tratamiento de sí mismos o de un miembro de la familia.

80 horas trabajadas Generalmente, los empleados que trabajan en el Condado de Westchester por más de 80 horas en un año calendario, ya sea tiempo completo o parcial, están cubiertos por la Ley de Licencia Ganada por Enfermedad pero se aplican algunas excepciones.

Una hora ganada por cada 30 horas trabajadas Usted gana licencia por enfermedad a razón de una hora por cada 30 horas trabajadas, hasta un máximo de 40 horas de licencia ganada por enfermedad por un año.

Comenzará acumular licencia por enfermedad el 10 de julio de 2019, o en la fecha del primer día de empleo, lo que ocurra más tarde. Los empleados tienen el derecho a demorar su habilidad de usar la licencia ganada por enfermedad hasta que haya trabajado por el empleador por 90 días.

USTED PUEDE USAR SU LICENCIA GANADA POR ENFERMEDAD CUANDO: Tengas una enfermedad mental o física, lesión o condición médica; necesite obtener un diagnóstico médico, atención o tratamiento para su enfermedad física o mental, lesión o condición médica; necesita atención médica preventiva.

La Ley de Licencia Ganada por Enfermedad

- Tiene que cuidar a un miembro de su familia que necesite un diagnóstico médico, atención o tratamiento para una enfermedad física o mental, lesión o condición médica, o que necesite atención médica preventiva.
Cuando el negocio de su empleador se cierre debido a una emergencia de salud pública o si necesita cuidar a un niño cuya escuela o proveedor de cuidado infantil cerró debido a una emergencia de salud pública.

Tiene derecho de no tener ninguna represalia de su empleador por usar su licencia ganada por enfermedad.

Para información general sobre la ley, comuníquese con la Comisión de Derechos Humanos del Condado de Westchester al (914) 995-7710 o visite humanrights@westchestergov.com. Si cree que ha sido sometido a un violación de algunos de los derechos cubiertos de la Ley de Licencia Ganada por Enfermedad, comuníquese con el Departamento de Protección al Consumidor del Condado de Westchester al (914) 995-2155 o visite su página web en www.consumer.westchesternm.com.

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Chapter 585 - EARNED SICK LEAVE LAW

Sec. 585.01 - Short title. This chapter shall be known as and may be cited as the "Earned Sick Leave Law." (Added by L.L. No. 6-2018, § 1)

Sec. 585.02 - Definitions. For purposes of this chapter:

- "Calendar year" shall mean from January 1 to December 31 in any given year.
"Child" shall mean, regardless of age, a biological, adopted, foster child, legal ward or a person to whom the employee stands in loco parentis or to whom the employee stood in loco parentis when that person was a minor.
"Domestic partner" shall mean any "domestic partner" as defined under New York State Workers' Compensation Law section 4(1).
"Domestic worker" shall mean any domestic worker as defined in section 2 (16) of the New York State Labor Law who is employed for hire within the Westchester County for more than 80 hours in a calendar year on a full-time or part-time basis.
"Earned sick time" means time that is accrued in accordance with section 585.03 or calculated in accordance with section 585.04 to be utilized for the purposes provided in section 585.06 of this chapter.
"Employee" shall mean any person employed for hire by an employer in any employment within Westchester County for more than 80 hours in a calendar year who performs work on a full-time or part-time basis, including work performed in subsidized private sector and not-for-profit employment programs, but not including:
a. Work performed as a participant in a work experience program established by a social services district;
b. Work performed pursuant to work study programs under 42 U.S.C. Section 2753;
c. Work performed by employees compensated by or through qualified scholarships as defined in 26 U.S.C. Section 117.
"Employer" shall mean any "employer" as defined in Section 190(3) of New York State Labor Law, except that an employer includes Westchester County government for its employees that are not subject to a collective bargaining agreement.
"Family member" means an employee's child, spouse, domestic partner, parent, sibling, grandchild or grandparent; and the child or parent of an employee's spouse, domestic partner or household member. For purposes of this subdivision, "household member" shall mean (i) persons related by consanguinity or affinity; (ii) persons legally married to or in a domestic partnership with one another; (iii) persons formerly married to or in a domestic partnership with one another regardless of whether they still reside in the same household; (iv) persons who have a child in common, regardless of whether such persons have been married or domestic partners or have lived together at any time; and (v) persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time.
"Health care professional" means any person licensed under federal or state law to provide medical or emergency services, including but not limited to doctors, nurses, midwives and emergency room personnel.
"Parent" shall mean a biological, foster, step- or adoptive parent, a legal guardian of an employee or a person who stood in loco parentis when the employee was a minor.
"Personal time" shall mean leave with pay for personal business including, but not limited to, use for religious observance, attendance at funerals, necessary absences due to extraordinary weather conditions, attendance at conventions, other than on required business, personal or family business appointments and similar reasons.
Persons who are "in loco parentis" shall mean those with day-to-day responsibilities to care for and financially support a child, or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.
"Retaliatory personnel action" means denial of any right guaranteed under this chapter or any threat, discharge, suspension, demotion, reduction of hours, reporting or threatening to report an employee's suspected citizenship or immigration status, or the suspected citizenship or immigration status of a family member of the employee to a federal, state or local agency, or any other adverse action against an employee for the exercise of any right guaranteed herein including any sanctions against an employee who is the recipient of public benefits for rights guaranteed under this chapter. Retaliation shall also include interference with or punishment for in any manner participating in or assisting an investigation, proceeding or hearing under this chapter.
"Year," other than "calendar year" means a regular and consecutive twelve-month period as determined by the employer. (Added by L.L. No. 6-2018, § 1)

Sec. 585.03 - Accrual of earned sick time. 1. At the commencement of employment or 90 days after a minimum go into effect, whichever is later, all employees, except for domestic workers, shall accrue a total of one hour of sick time for every 30 hours worked.

2. Employees of an employer with five or more employees shall be entitled to earn and use up to 40 hours of paid sick time in a year, unless the employer selects a higher limit. Paid sick time shall be compensated at the same hourly rate as the employee normally earns during hours worked, but in no case shall this hourly amount be less than that provided under Section 652(1) of the Labor Law of New York. Employees of an employer with fewer than five employees shall be entitled to earn and use up to 40 hours of unpaid sick time in a year. In determining the number of employees performing work for an employer pursuant to this subdivision, all employees performing work for compensation on a full-time, part-time or temporary basis shall be counted, provided that where the number of employees who work for an employer per week fluctuates, the number of employees for the current calendar year may be based upon the average number of employees who worked per week during the preceding calendar year.

3. Domestic workers shall accrue a minimum of one hour of sick time for every seven days worked, which shall be in addition to the one day of rest provided for in New York State Labor Law Section 161(1). All domestic workers employed by any employer, regardless of the number of domestic workers employed, shall be entitled to earn and use up to 40 hours of earned paid sick time in a year, unless the employer selects a higher limit.
4. Forty hours is the maximum amount of sick leave to be accrued in a year. (Added by L.L. No. 6-2018, § 1)

Sec. 585.04 - Employer's options; collective bargaining agreements. 1. Nothing in this chapter shall be construed to discourage or prohibit an employer from allowing the accrual of earned sick time at a faster rate than provided herein; or from providing more sick time than provided herein.

2. In lieu of calculating the accrual of earned sick time, an employer shall have the option to provide an employee with sick time and personal time which if combined equals 40 hours or more per calendar year, or the year as determined by the employer (i.e., anniversary date). Such an employer shall be in compliance with this law, provided that the employee is permitted to take time as needed for sick time, with no advance notice necessary and no restrictions are placed on use of earned sick time other than those contained in this chapter.
3. Nothing in this chapter shall be construed as diminishing the obligation of an employer to comply with any contract, collective bargaining agreement, employment benefit plan or other agreement providing more generous earned and/or paid sick time to an employee than required herein. Nothing in this chapter shall be construed as diminishing the rights of public employees regarding earned and/or paid sick time or use of earned and/or paid sick time as provided in the laws of New York State or Westchester County pertaining to public employees. The provisions of this chapter shall not apply to any employee covered by a valid collective bargaining agreement if:

- a. Such provisions are expressly waived in such collective bargaining agreement; and
b. Such agreement provides for a comparable benefit for the employees covered by such agreement in the form of paid days off, such paid days off shall be in the form of leave, compensation, other employee benefits, or some combination thereof. Comparable benefits shall include, but are not limited to, vacation time, personal time, sick time, and holiday and Sunday time pay at premium rates. (Added by L.L. No. 6-2018, § 1)

Sec. 585.05 - Protections for earned sick leave. 1. Earned sick time that has not been utilized can be carried over to the following year, provided that the maximum amount of sick leave for any given year remains at 40 hours.

2. If any employee, including domestic workers, is transferred to a separate division, entity or location within Westchester County, but remains employed by the same employer, the employee is entitled to all unused earned sick time accrued at the prior division, entity or location provided that said prior division, entity or location is also located in Westchester County.
3. When there is a separation from employment and the employee is rehired within nine months of separation by the same employer, previously accrued earned sick time that had not been used shall be reinstated.
4. When one employer is succeeded by another employer, all employees of the original employer who remain employed by the successor employer are entitled to all the unused earned sick time they accrued when employed by the original employer. (Added by L.L. No. 6-2018, § 1)

Sec. 585.06 - Use of earned sick time. 1. All earned sick time may be used for:

- a. An employee's mental or physical illness, injury or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; an employee's need for preventive medical care;
b. The care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; and care of a family member who needs preventive medical care;
c. Any employer who is willing to pay for the use of an employee's earned sick time, may authorize an employee to utilize sick time if the employer reasonably determines that an employee's mental or physical illness, injury or health condition or an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition requires immediate attention;
d. The care for an employee or family member when it has been determined by the public health authorities having jurisdiction that the employee's or family member's presence in the community may jeopardize the health of others because of his or her exposure to a communicable disease where or not the employee or family member has actually contracted the communicable disease;
e. The closure of the employee's place of business by order of a public official due to a public health emergency;
f. The closure of a day care or elementary or secondary school attended by an employee's child where such closure was due to a public health emergency.

2. An employee's ability to use earned sick time may be delayed until the employee has worked for the employer for 90 days.
3. In the event that an employee only needs to use a portion of a day of earned sick time, an employer may use a minimum of four hours and, if more time is needed, then the smallest increment that the employer's payroll system uses to account for absence or use of other time.
4. At its discretion, an employer may loan earned sick time to an employee in advance of accrual by such employee.
5. Nothing in this section shall be construed as requiring an employer to provide financial or other reimbursement to an employee upon the employee's termination, resignation, retirement or other separation from employment for unused accrued earned sick time. (Added by L.L. No. 6-2018, § 1)

Sec. 585.07 - Procedures relating to the request to use earned sick time. 1. Earned sick time shall be provided upon the request of an employee. Such request may be made orally, in writing, by electronic means or by any other means acceptable to the employer. When possible, the request shall include the expected duration of the absence.

2. When the use of earned sick time is foreseeable, the employee shall make a good faith effort to provide notice to the employer in advance and shall make a reasonable effort to schedule the use of earned sick time in a manner that does not unduly disrupt the operations of the employer.
3. An employer that requires notice of the need to use earned sick time shall provide a written policy that contains the procedures for the employee to provide notice. An employer that has not provided a copy of its written policy to the employee shall not deny earned sick time to the employee based on non-compliance with such policy.
4. An employer may not require, as a condition of an employee's use of earned sick time, that the employee find another employee to work during the time of the employee's absence.
5. For earned sick time of more than three consecutive work days, an employer may require the employee to provide reasonable documentation that the earned sick time has been used for a purpose covered by section 585.06 above. Documentation provided by the employee and signed by a health care professional indicating that earned sick time is necessary shall be considered reasonable documentation for purposes of this section. The employer cannot require a doctor to provide a note containing information in violation of HIPAA. (Added by L.L. No. 6-2018, § 1)

Sec. 585.08 - Exercise of rights protected; retaliatory personnel actions prohibited. 1. It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, the right to use earned sick leave.

2. It shall be unlawful for an employer to include use earned sick time as an absence that may lead to or result in discipline, discharge, demotion, or suspension.
3. An employer shall not take retaliatory personnel action or discriminate against an employee because the employee has requested to use or has used earned sick time.
4. An employer shall not take retaliatory personnel action or discriminate against an employee that has filed a complaint regarding an employer's alleged violation of this Earned Sick Leave Law.
5. An employer shall not take retaliatory personnel action or discriminate against an employee that has informed another employee of his or her rights under the Earned Sick Leave Law.
6. There shall be a rebuttable presumption of unlawful retaliatory personnel action whenever an employer takes adverse action against an employee within 90 days of the filing of a complaint regarding an employer's alleged violation of this Earned Sick Leave Law. (Added by L.L. No. 6-2018, § 1)

Sec. 585.09 - Notice and posting. 1. At the commencement of employment or within 90 days of the effective date of this law, whichever is later, all employers shall give employees a copy of the Earned Sick Leave Law and written notice of how the law applies to that employee.

2. Employers shall display a copy of the Earned Sick Leave Law and a poster in English, Spanish and any other language deemed appropriate by the County of Westchester, in a conspicuous location accessible to the employee.
3. An employer who willfully violates the notice and posting requirements of this section shall be subject to a civil fine in an amount not to exceed \$500.00 for each separate offense. (Added by L.L. No. 6-2018, § 1)

Sec. 585.10 - Employer records. 1. Employers shall retain records clearly documenting the hours worked by employees and earned sick time accrued and taken by employees, for a period of three years.

2. There shall be a rebuttable presumption of a violation of the Earned Sick Leave Law for an employer's failure to retain records in accordance with subdivision 1. (Added by L.L. No. 6-2018, § 1)

Sec. 585.11 - Enforcement, civil action and penalties. 1. The Department of Weights and Measures - Consumer Protection (hereinafter referred to in this section as the "Department") shall establish a process to receive complaints from a person alleged to have been aggrieved by an employer's non-compliance with this chapter. Such complaint must be filed within one year after the occurrence of the alleged violation. Once a complaint is received, the department shall investigate the complaint, and if the department finds probable cause to support that a violation has occurred, it shall attempt to facilitate a resolution.

2. If there has been no resolution of the matter in accordance with subsection 1. above, then the department shall issue a summons to the employer in the form of an appearance ticket that shall give notice of alleged violation and set forth the time and place of the hearing on such complaints, commencement of a proceeding within 30 days after service of said order upon the aggrieved party. If the court finds an unlawful violation has occurred, the court may impose the penalties set forth in this subdivision.
3. In lieu of the procedures set forth in subdivision 1 & 2 above, any person who claims to have been aggrieved by a violation of this Chapter may commence a civil action in the appropriate court of jurisdiction not later than one (1) year after the occurrence of an alleged violation. If the court finds an unlawful violation has occurred, the court may impose the penalties set forth in subdivision 2 above. (Added by L.L. No. 6-2018, § 1)

which shall not be less than eight days following service of the summons. Such hearing shall be held before a hearing officer who shall hear testimony and examine exhibits as may be offered and received in evidence, but shall not be required to follow strict rules of evidence. The hearing officer shall have the power to:

- a. Dismiss the complaint if not proven by a preponderance of the evidence;
b. Adjust the matter upon consent; or
c. Determine a violation has occurred and impose any of the following penalties and any other penalties as may be provided for in this chapter:
i. Require the employer to pay the employee three times the wages that should have been paid under this chapter or \$250.00, whichever is greater for each instance of sick time taken by an employee but unlawfully not compensated by the employer;
ii. Require the employer to pay the employee \$500.00 for each instance of sick time requested by an employee but unlawfully denied by the employer and not taken by the employee or unlawfully conditioned upon searching for or finding another employee to work;
iii. Grant such additional relief, as it deems appropriate, the full amount of any unpaid earned sick time plus any actual damages suffered as the result of the employer's violation of the Earned Sick Leave Law, reasonable attorney's fees, the cost of the administrative hearing, and other monetary or equitable relief as may be appropriate, without limitation, reinstatement to employment and back pay. The determination of the hearing officer shall be served upon the parties. The aggrieved party may appeal said determination to a court of competent jurisdiction by the commencement of a proceeding within 30 days after service of said order upon the aggrieved party. If the court finds an unlawful violation has occurred, the court may impose the penalties set forth in this subdivision.
3. In lieu of the procedures set forth in subsections 1. and 2. above, any person who claims to have been aggrieved by a violation of this chapter may commence a civil action in the appropriate court of jurisdiction not later than one year after the occurrence of an alleged violation. If the court finds an unlawful violation has occurred, the court may impose the penalties set forth in subsection 2 above. (Added by L.L. No. 6-2018, § 1)

Sec. 585.12 - Confidentiality and nondisclosure. 1. Health information about an employee or family member obtained solely for the purposes of utilizing sick time shall be treated as confidential and shall not be disclosed except with the written permission of the affected employee, unless such disclosure is otherwise required by law.

2. Any health or safety information possessed by an employer regarding an employee or employee's family member must be maintained on a separate form and in a separate file from other personnel information. (Added by L.L. No. 6-2018, § 1)

Sec. 585.13 - Other legal requirements. This chapter provides minimum requirements pertaining to earned sick time and shall not be construed to preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, or policy that provides for greater accrual or use by employees of earned sick time or that extends other protections to employees. In addition, nothing in this chapter shall be construed to prevent, interfere or conflict with any rights of an employee under the New York Disability Benefits Law and Paid Family Leave Benefits Law, N.Y. Workers' Comp. Law § 200 et seq. (Added by L.L. No. 6-2018, § 1)

Sec. 585.14 - Public education and outreach. The Westchester County Human Rights Commission shall develop and implement a multilingual outreach program to inform employees, parents and persons who are under the care of a health care provider about the availability of earned sick time under this chapter. This program shall include the distribution of notices and other written materials in English and Spanish and any language deemed appropriate by the Westchester County Human Rights Commission to child care and elder care providers, domestic violence shelters, schools, hospitals, community health centers and other health care providers in Westchester County. (Added by L.L. No. 6-2018, § 1)

Sec. 585.15 - Reverse preemption. This local law shall be null and void on the day that statewide or federal legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Westchester. The Board of Legislators may determine via resolution whether or not identical or substantially similar statewide legislation has been enacted for the purposes of triggering the provisions of this section. (Added by L.L. No. 6-2018, § 1)

Sec. 585.16 - Severability. If any provision of this chapter or application thereof to any person or circumstance is judged invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to the end the provisions of this chapter are declared severable. (Added by L.L. No. 6-2018, § 1)

Safe Time Leave Law

Effective October 30, 2019 UNDER WESTCHESTER COUNTY'S SAFE TIME LEAVE LAW, COVERED EMPLOYERS IN WESTCHESTER COUNTY MUST PROVIDE PAID SAFE TIME LEAVE.

In general, covered employees who work for a covered employer in Westchester County for more than 90 days in a year, full-time or part-time, are covered by the Safe Time Leave Law and entitled to take up to 40 hours of paid safe time leave in full days or increments. Certain exceptions apply.

VICTIMS OF DOMESTIC VIOLENCE AND/OR HUMAN TRAFFICKING CAN USE SAFE TIME LEAVE TO:

- Attend or testify in criminal and/or civil court proceedings relating to domestic violence;
Attend or testify in criminal and/or civil court proceedings relating to human trafficking; and/or
Move to a safe location.
YOU HAVE THE RIGHT TO BE FREE FROM RETALIATION FROM YOUR EMPLOYER FOR:
Using safe time leave;
Requesting safe time leave;
Informing other employees of their rights under the law; and/or
Filing a complaint alleging a violation of the law.

COVERED EMPLOYEES ARE ELIGIBLE TO USE SAFE TIME LEAVE WHEN THEY HAVE WORKED FOR A COVERED EMPLOYER FOR 90 DAYS. Employees who have already worked for an employer for 90 days by October 30, 2019 can use leave starting October 30, 2019. Newly or recently hired employees are eligible 90 days after the first day of employment.

If you think you've been subjected to a violation of any rights granted under the Safe Time Leave Law, please contact the Westchester County Department of Consumer Protection. Visit www.consumer.westchestergov.com or call (914) 995-2155. For general information about the law, contact the Human Rights Commission at (914) 995-7710 or by email at humanrights@westchestergov.com. FAQs can be found at www.humanrights.westchestergov.com/resources.

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Ley De Licencia de Tiempo Seguro

BAJO LA LEY DE AUSENCIA DE TIEMPO SEGURO DEL CONDADO DE WESTCHESTER, LOS EMPLEADORES CUBIERTOS DEL CONDADO DE WESTCHESTER DEBEN PROPORCIONAR SALIDA DE TIEMPO SEGURO PAGADO. En general, los empleados cubiertos que trabajan para un empleador cubierto en el condado de Westchester durante más de 90 días en un año, a tiempo completo o parcial, están cubiertos por la Ley de tiempo asegurado por ausencia y tienen derecho a tomar hasta 40 horas de tiempo pagado en días completos o incrementos. Se aplican ciertas excepciones.

LOS EMPLEADOS CUBIERTOS SON ELEGIBLES PARA USAR TIEMPO ASEGUADO POR AUSENCIA CUANDO HAN TRABAJADO PARA UN EMPLEADOR CUBIERTO POR 90 DÍAS. Los empleados que ya han trabajado para un empleador durante 90 días antes del 30 de octubre de 2019 pueden usar la licencia a partir del 30 de octubre de 2019. Los empleados contratados recientemente son elegibles 90 días después del primer día de empleo.

Si cree que ha sido objeto de una violación de los derechos otorgados en virtud de la Ley de Tiempo Asegurado por Ausencia, comuníquese con el Departamento de Protección al Consumidor del Condado de Westchester. Visite www.consumer.westchestergov.com o llame al (914) 995-2155. Para obtener información general sobre la ley, comuníquese con la Comisión de Derechos Humanos al (914) 995-7710 o por correo electrónico a humanrights@westchestergov.com. Las preguntas frecuentes se pueden encontrar en www.humanrights.westchestergov.com/resources.

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Chapter 586 - SAFE TIME LEAVE FOR VICTIMS OF DOMESTIC VIOLENCE AND HUMAN TRAFFICKING

Sec. 586.01. Short title. This Chapter shall be known as and may be cited as the "Safe Time Leave Law"

Sec. 586.02. Purpose. The purpose of this legislation is to provide victims of domestic violence and human trafficking with safe time leave in order to attend criminal and civil court proceedings and/or to relocate to a safe location.

Sec. 586.03. Definitions. For Purposes of this Chapter:

- "Calendar year" shall mean from January 1 to December 31 in any given year.
"Domestic violence" shall mean a pattern of violent or abusive behavior used by one person to gain or maintain control over another. Abusive behavior includes, but is not limited to, family offense matters.
"Employee" shall mean any person employed for hire by an employer in any employment within Westchester County for more than 90 days in a calendar year who performs work on a full-time or part-time basis, including work performed in subsidized private sector and not-for-profit employment programs, but not including:
a. work performed as a participant in a work experience program established by a social services district;
b. work performed pursuant to work study programs under 42 U.S.C. section 2753;
c. work performed by employees compensated by or through qualified scholarships as defined in 26 U.S.C. section 117.
"Employer" shall mean any "employer" as defined in section 190(3) of New York State Labor Law, except that an employer includes Westchester County government for its employees that are not subject to a collective bargaining agreement.
"Family offense matter" shall mean acts or threats of disorderly conduct, harassment in the first degree, harassment in the second degree, aggravated harassment in the second degree, sexual misconduct, forcible touching, sexual abuse in the third degree, sexual abuse in the second degree as set forth in subdivision 1 of section 130.60 of the penal law, stalking in the first degree, stalking in the second degree, stalking in the third degree, menacing in the third degree, reckless endangerment, strangulation in the first degree, strangulation in the second degree, criminal obstruction of breathing or blood circulation, assault in the second degree, assault in the third degree, or attempted assault, identify theft in the first degree, identify theft in the second degree, identify theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree, or criminal mischief, menacing in the second degree, menacing in the third degree, reckless endangerment, strangulation in the first degree, strangulation in the second degree, criminal obstruction of breathing or blood circulation, assault in the second degree, assault in the third degree, or attempted assault, identify theft in the first degree, identify theft in the second degree, identify theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree, criminal mischief, menacing in the second degree, menacing in the third degree, reckless endangerment, strangulation in the first degree, strangulation in the second degree, criminal obstruction of breathing or blood circulation, assault in the second degree, assault in the third degree, or attempted assault, identify theft in the first degree, identify theft in the second degree, identify theft in the third degree, grand larceny in the fourth degree, grand larceny in the third degree, or criminal mischief, menacing in the second degree, menacing in the third degree, reckless endangerment, strangulation 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