

Notice of Employee Rights: Protected Time Off

Your employer must give you this notice explaining your right to protected time off and paid prenatal leave.

Use

Use Protected Time Off to:		Use Paid Prenatal Leave to:
• Get medical care or to recover from your own illness or injury. • Care for a family member who is sick or has a medical appointment. • Care for a child. <i>Includes school holidays, child care disruptions.</i> • Care for a family or household member with a disability. • Leave an abuser if you're experiencing domestic violence.	• Take safety measures if you or a family member experience unwanted sexual contact, stalking, human trafficking, workplace violence, or domestic violence. <i>Includes reporting to law enforcement, getting services, serving as a witness, and more.</i> • Stay home during extreme weather events or other public emergencies. • Attend public benefits or housing appointments or hearings.	• Get health care for yourself during your pregnancy.

Amount

Your employer must provide the following amounts of leave:

Employer Size	Protected Time Off Per Calendar Year*		Paid Prenatal Leave Per Year
	Immediately Available	Accrued (1 hour for every 30 hours worked)	Immediately Available
100 or more employees	32 hours Unpaid	Up to 56 hours Paid	20 hours Paid
5-99 employees OR more than \$1 million in business earnings	32 hours Unpaid	Up to 40 hours Paid	20 hours Paid
Household (You work as a babysitter, housekeeper, or companion.)	32 hours Unpaid	Up to 40 hours Paid	20 hours Paid
1-4 employees AND less than \$1 million in business earnings	32 hours Unpaid	Up to 40 hours Unpaid	20 hours Paid

*Your employer’s calendar year is: January 1st to December 31st

Your employer can only require you to give advance notice of an expected use of protected time off; for example, to attend a scheduled doctor’s appointment or court hearing. **You do not have to give advance notice of an unexpected use of protected time off; for example, illness or child care disruption.**

You do not have to give your employer details about why you used protected time off. If you use four or more workdays in a row, your employer can require documentation. **Your employer can’t require documentation if you use three or fewer consecutive days.**

Required Written Disclosures

Your employer must:

- Give you a written policy that explains how to use your protected time off and paid prenatal leave.
- Tell you how much protected time off you have used and have left each pay period.

No Retaliation

It is illegal to punish or fire employees for requesting or using leave or for reporting violations. You have the right to leave regardless of your immigration status.



Contact Consumer and Worker Protection to learn more or to file a complaint.
Visit nyc.gov/workers | Call 311 and ask for “Protected Time Off”
You can also make an ANONYMOUS tip.