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New York State and New York City Updated Paid Sick and Safe Leave Communications

To streamline our resources for **all New York managers and employees**, we have combined the New York state and New York City Paid Sick and Safe Leave FAQs into one document. Additionally, we have created a simple manager training resource to assist our managers with the law's basic requirements. Please cascade to your New York managers and employees on your next communication cycle.

As a reminder, the Paid Sick and Safe Leave law provides New York employees the right to take paid time off for the medical care and treatment of themselves or a family member and to seek legal and social services assistance or take other safety measures if the employee or a family member is a victim of an act of domestic violence or unwanted sexual contact, stalking, or human trafficking.

Audience: All employees working in New York State and New York City

- **Timing:** Please share ASAP with your next communication cycle
- **New York Field Managers Action Requested:**
 - Read the Communication, FAQs and Training deck immediately.
 - Ensure that all store managers review the communication and FAQ immediately and share with employees.
 - Ensure that all managers also review the training document immediately.
- **Store Manager Action Requested:**
 - Read the Communication, FAQs and Training immediately.
 - Ensure the most current labor poster has the dates for Earned Sick and Safe Leave - **Date of Hire (DOH) to 364 days following DOH** entered on the Notice
 - If an employee wants to use Paid Sick or Safe Leave, confirm if they have it to use and enter it into the timekeeping system.
 - If the employee does not have enough accrued Paid Sick or Safe Leave available to cover the absence, the hours will not be paid, and your brand's attendance policy will apply.
- **Employee Action Requested:**
 - Read the Communication and FAQ immediately.



Updated New York State (NYS) and New York City (NYC) Paid Sick and Safe Leave Resources

To streamline our resources for **all New York managers and employees**, we have combined the New York State and New York City Paid Sick and Safe Leave FAQs into one document.

As a reminder, the Paid Sick and Safe Leave law provides **all New York employees** the right to take accrued paid time off for the medical care and treatment of themselves or a family member and to seek legal and social services assistance or take other safety measures if the employee or a family member is a victim of domestic violence, unwanted sexual contact, stalking, or human trafficking.

Please familiarize yourself with the information below, detailing the combined New York State and New York City Paid Sick and Safe Leave Policies:

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1. Accrual of Paid Sick and Safe Leave:

Status & Business Unit	Amount of Leave	Carryover	Annual Use Limit of Paid Sick Leave
Part Time (including Casual Part-Time and Seasonal)	Up to 56 hours of Paid Sick Leave*	56 hours	56 hours
Full-Time - Retail (0-1 yr.)**	Up to 56 hours of PTO*	56 hours	56 hours

*Accrue one hour of Paid Sick Leave/PTO for every 30 hours worked

** After the first year of employment, employees will follow the standard PTO plan for full-time and non-retail part-time employees, except for the carryover of 56 hours instead of the normal 40 hours. Annual use limit of 56 hours of Paid Sick Leave will continue.

2. Use of Paid Sick Leave:

An employee may use Paid Sick Leave for the following reasons:

- An employee's or covered family member's mental or physical illness, injury or health condition, regardless of whether the medical condition has been diagnosed or requires medical care at the time the employee requests leave;
 - Note: Includes recovery from the side effects of the COVID-19 Vaccine
- An employee's or family member's diagnosis, care or treatment of a mental or physical illness, injury or health condition; need for medical diagnosis; or preventive care;
- The employee's or a family member's elective surgery, including organ donation (**applicable only to employees working in NYC**); or
- If the employee's workplace or the employee's child's school or childcare provider closes by order of a public official because of a public health emergency (i.e., a public health emergency must be declared by NY's Governor or an official from the NY Department of Health) (**applicable only to employees working in NYC**);

Please see FAQ for complete definition of a "family member."

3. Use of Paid Safe Leave:

An employee may use Paid Safe Leave for the following reasons:

- Obtain services from a domestic violence shelter, rape crisis center or other services program;
- Participate in safety planning, temporarily or permanently relocate or take other actions to increase the employee's or family member's safety;
- Meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in, any criminal or civil proceeding;
- Meet with a civil attorney or other social service provider to obtain information and advice on, and prepare for or participate in, any criminal or civil proceeding, including but not limited to

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matters related to family offense matters sexual offenses, stalking, human trafficking, custody, visitation, matrimonial issues, orders of protection, immigration, housing, and discrimination in employment, housing or consumer credit; **(only applicable to employees working in NYC)**

- File a complaint or domestic incident report with law enforcement;
- Meet with a district attorney's office;
- Enroll children in a new school; or
- Take any other action necessary to ensure the employee's or family member's health, physical, psychological, economic health, or safety or to protect those who employee or work with the employee.

An employee is not eligible to take safe leave if they committed the domestic violence, family offense, sexual offense, stalking or human trafficking and were not the victim.

4. Manager Action Required:

Select the correct pay code based on the employee's status as follows:

- **Full Time:** Select "PTO" in Kronos.
- **Part Time (including Casual Part-Time and Seasonal):** Select "Sick" in Kronos

Hours used will be deducted from the PTO or Sick Balance shown on the employee's paycheck. Beyond the negative PTO balance allowed under the full-time PTO plan (does not apply to part-time employees), an employee will not be paid for any hours taken in excess of the accrued balance.

Documents can be found on **HR Solutions>Benefits, PTO & Holidays>Paid Sick and Safe Leave>Paid Sick Leave** (via [My Personal Desk](#)). For all other questions, please contact your HR Business Partner.