

# Notice of Employee Rights – New York City Earned Sick and Safe Time Act

Under New York City's Earned Sick and Safe Time Act (referred to herein as the "Act"), certain employers must give their employees sick leave and safe time leave (referred to herein as "sick and safe time leave"). Go to [www.nyc.gov/paidsickleave](http://www.nyc.gov/paidsickleave) to learn which employees are covered by the law. With respect to projects/shows where Central Casting (Central) both casts and payrolls background talent, Central is your employer for purposes of the Act. However, for those projects/shows where Central is not both performing casting and payroll of the background talent, the production company is your employer for purposes of the Act.

Employers with five or more employees who are hired to work more than 80 hours a calendar year in New York City must provide paid sick and safe time leave. Employers with less than five employees must provide unpaid sick and safe time leave.

**By law, employers who must provide sick and safe time leave under the Act must give this written notice to employees.**

## You have a right to sick and safe time leave under the Act for yourself or a family member.

### Amount of Sick and Safe Time Leave

Your employer must provide up to a combined 40 hours of sick and safe time leave every calendar year. Central's calendar year is:

**Start of Calendar Year: January 1**

**End of Calendar Year: December 31**

### Rate of Accrual

You accrue sick and safe time leave at the rate of one hour for every 30 hours worked, up to a maximum combined total of 40 hours of sick and safe time leave per calendar year.

### Date Accrual Begins

New hires: You begin to accrue sick and safe time leave with your employer on your first day of employment.

*Exception:* If you are covered by a collective bargaining agreement (CBA), you should first check with your employer or union whether sick and safe time leave has been waived under your CBA.

### Date Sick and Safe Time Leave is Available for Use

For new hires: You can begin using sick and safe time leave on May 5, 2018 or 120 days after you began employment, whichever is later.

For existing employees: You are already accruing sick leave under the Act. But starting May 5, 2018, sick leave accrued under the Act can also be used for safe time purposes. Thus, if you already have an existing sick leave balance under the Act with your employer on May 5, 2018, then that balance may be used for sick and safe time leave starting on May 5, 2018 or 120 days after you began employment, whichever is later.

### Acceptable Uses for Yourself or for a Family Member

Acceptable Reasons to Use Sick Leave	Acceptable Reasons to Use Safe Time Leave
For a mental or physical illness, injury, or health condition; to get a medical diagnosis, care, or treatment of your mental or physical illness, injury, or condition; to get preventive medical care.	To obtain services from a domestic violence shelter, rape crisis center, or other shelter or services program for relief from a family offense matter, sexual offense, stalking, or human trafficking.
To care for a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition, or who needs preventive medical care.	To participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future family offense matters, sexual offenses, stalking, or human trafficking.
Your (or a family member's) employer's business closes due to a public health emergency, or need to care for a child whose school or child care provider closed due to a public health emergency.	To 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, matters related to a family offense matter, sexual offense, stalking, human trafficking, custody, visitation, matrimonial issues, orders of protection, immigration, housing, discrimination in employment, housing or consumer credit.
	To file a complaint or domestic incident report with law enforcement.
	To meet with a district attorney's office.
	To enroll children in a new school.
	To take other actions necessary to maintain, improve, or restore the physical, psychological, or economic health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

## Family Member

The law recognizes the following as family members: child (biological, adopted, or foster child; legal ward; child of an employee standing in loco parentis); child or parent of an employee's spouse or domestic partner; grandchild; sibling (including half, adopted, or step sibling); spouse; domestic partner; parent; grandparent; any other individual related by blood to the employee; and any other individual whose close association with the employee is the equivalent of a family relationship.

## Advance Notice

If the need is foreseeable, your employer can require up to seven days advance notice of your intention to use sick and safe time leave. If the need is unforeseeable, your employer may require you to give notice as soon as practicable.

## Documentation

Your employer can require documentation from a licensed health care provider if you use more than three consecutive workdays as sick leave. The Act prohibits employers from requiring the health care provider to specify the medical reason for sick leave or requiring safe leave documentation of details of any act/threat of domestic violence, sexual offense, stalking, or human trafficking. Disclosure may be required by other laws.

## Unused Sick and Safe Time Leave

Up to 40 hours of unused sick and safe time leave can be carried over to the next calendar year. However, your employer is only required to let you use up to a combined total of 40 hours of sick and safe time leave per calendar year.

## You have a right to be free from retaliation from your employer for using sick and safe time leave.

Your employer cannot retaliate against you for:

- Requesting and using sick and safe time leave.
- Filing a complaint for alleged violations of the law with the New York City Department of Consumer Affairs
- Communicating with any person, including coworkers, about any violation of the law.
- Participating in a court proceeding regarding an alleged violation of the law.
- Informing another person of that person's potential rights.

Retaliation includes any threat, discipline, discharge, demotion, suspension, or reduction in your hours, or any other adverse employment action against you for exercising or attempting to exercise any right guaranteed under the law.

## You have a right to file a complaint.

You can file a complaint with the New York City Department of Consumer Affairs (DCA). To get the complaint form, go online to [www.nyc.gov/paidsickleave](http://www.nyc.gov/paidsickleave) or contact **311** (or 212.NEW.YORK outside NYC). DCA will conduct an investigation and try to mediate your complaint. DCA will keep your identity confidential unless disclosure is necessary to conduct the investigation, mediate the complaint, or is required by law.

## Keep a copy of this notice and all documents that show your amount of sick and safe time leave and your sick and safe time leave accrual and use.

You have a right to be given this notice in English and, if available on the DCA website, your primary language. DCA has translated this notice to Spanish, Chinese, French-Creole, Italian, Korean, and Russian.

For more information, including Frequently Asked Questions, go to [www.nyc.gov/paidsickleave](http://www.nyc.gov/paidsickleave) or call **311** and ask for information about paid sick and safe time leave.

## Background Talent Acknowledgment of Receipt

On the date specified below, I acknowledge receipt of this Notice of Employee Rights – New York City Earned Sick and Safe Time Act form. I told my employer what my primary language is.

### Please check one:

- I have been given this notice in English because it is my primary language.
- My primary language is \_\_\_\_\_. I have been given this pay notice in English only because the DCA does not yet offer a notice form in my primary language.

\_\_\_\_\_  
Background Talent Signature

\_\_\_\_\_  
Background Talent Name (Please Print)

\_\_\_\_\_  
Date

## **Central Casting New York Policy on New York City Earned Sick and Safe Time Act**

### **Accrual and Use Information:**

You begin to accrue sick and safe time leave under the NYC Earned Sick and Safe Time Act (the "Act") on your first day of employment in New York City with Central Casting New York ("Central Casting"). You accrue sick and safe time leave at the rate of one hour for every 30 hours worked in New York City for Central Casting, up to a maximum combined total of 40 hours of sick and safe time leave per calendar year. Central Casting's calendar year is from January 1 to December 31 of each year. You are permitted to use up to a maximum combined total of 40 hours of sick and safe time leave under the Act per calendar year.

*Exception:* If your work is covered by a SAG-AFTRA collective bargaining agreement ("CBA"), then sick and safe time leave under the Act may have been waived by SAG-AFTRA in its CBA.

### **When Sick and Safe Time Leave is Available for Use:**

*For new registrants:* You are eligible to begin using sick and safe time leave on May 5, 2018 or 120 days after you began employment, whichever is later.

*For existing employees:* You were already accruing sick leave under the Act. But starting May 5, 2018, sick leave accrued under the Act can also be used for safe time purposes. Thus, if you already have an existing sick leave balance under the Act with Central Casting on May 5, 2018, then that balance can be used for sick and safe time leave starting on May 5, 2018 or 120 days after you began employment with Central Casting, whichever is later.

### **Carry-over of Unused Sick and Safe Time Leave:**

Up to a combined total of 40 hours of unused sick and safe time leave may be carried over to the next calendar year with Central Casting. However, you are permitted only to use up to a combined total of 40 hours of sick and safe time leave with Central Casting per calendar year regardless of the balance that you may have accrued.

### **No Payout at the End of Employment:**

Central Casting does not pay out any unused sick and safe time leave that you may have accrued under the Act upon the end of your employment with Central Casting.

### **Procedure for Requesting Sick and Safe Time Leave:**

If you are booked to work and need to cancel and want to request to use sick and safe time leave under the Act, then you must inform Central Casting's casting staff by calling the **Emergency Line at 646-205-8244, extension 2**. You should inform the casting staff of your cancellation and of your request for sick and safe time leave at the same time.

If you are already on set and need to leave the set and request the use of sick and safe time leave under the Act, then you must inform the Assistant Director or other production personnel who is in charge of signing you out, turn in your voucher to the production, get the voucher signed by production, and call the Emergency line at the phone number provided above to inform Central Casting's casting staff that you are leaving set early and that you are requesting sick and safe time leave.

If you request sick and safe time leave under the Act, then you may use such leave, provided that you meet all the following conditions:

1. You have met the eligibility requirements under the Act (*specifically*, that you have worked more than 80 hours in New York City for Central Casting in a calendar year, and that you have completed a 120-day waiting period from your first day of employment);

2. You have an available leave balance to cover up to the amount of leave that you are requesting (no minimum increment is required);
3. Your reason for taking the leave is permitted under the Act;
4. The work you were scheduled to perform was to take place inside of New York City; and
5. You have not already used a combined total of 40 hours of sick and safe time leave with Central Casting in the calendar year in which you are requesting the leave.

**Documentation and Confidentiality:**

Central Casting may require you to provide documentation from a licensed health care provider if you use more than three consecutive workdays as sick leave. However, Central Casting cannot require employees or a health care or service provider to disclose personal health information or the details of the matter for which an employee requests safe leave under the Act. Central Casting will keep information confidential about an employee or an employee's family member obtained solely because of the Act, unless the employee consents to disclosure in writing or disclosure is required by law.

**Disciplinary Action for Misuse of Leave or for Failure to Provide Documentation:**

Central Casting may take disciplinary action against you, up to and including termination, if you misuse sick and safe time leave under the Act or if you fail to provide documentation to Central Casting when requested by Central Casting pursuant to the policy above.