



February 24, 2023

Hon. Kathy Hochul  
 Governor  
 State of New York  
 Capitol Building  
 Albany, NY 12224

RE: Termination of COVID-19 Paid Sick Leave Benefits

Dear Governor Hochul:

On May 11, 2023, President Biden will declare an end to the COVID-19 national emergency and public health emergency. Consistent with that declaration, New York COVID-19 paid sick leave benefits authorized by Chapter 25 of the Laws of 2020 should also end.

There is nothing more important to the undersigned construction trade organizations than protecting the health and safety of our member contractors' employees. Accordingly, during the unprecedented COVID-19 health emergency, we fully complied with the related COVID-19 emergency paid sick leave law. However, unless the Legislature acts to sunset or terminate the benefits authorized under this law, these significant financial employer obligations will continue in New York, notwithstanding the President's declaration which recognizes that COVID-19 has changed from being a pandemic to endemic infection.

Under Chapter 25 there is no provision that would ever trigger a reduction or termination of benefits, regardless of any change in the public health status of COVID-19 or official declaration. As a result, so long as COVID-19 remains in the human population, New York employers will continue to be obligated to pay this supplemental sick leave to their employees. This places an unreasonable, unfair and unsustainable financial burden on New York employers, and most likely was not what the Legislature even contemplated when it first enacted this emergency (and what everyone assumed would be temporary) law in March 2020. Additionally, after the COVID-19 paid sick leave law was passed, New York passed a paid sick leave law so employees and their families may avail themselves of paid leave benefits provided under New York's Paid Family Leave Program and regular paid sick leave law (Ch. 56, Laws of 2020), should they contract COVID-19 in the future.

We therefore respectfully request that you work with us in rectifying this statutory matter of critical importance to all New York construction employers who should no longer be liable for this continuing financial obligation.

Sincerely,

Allied Building Metal Industries, *Steven Davi, Executive Director*

Associated General Contractors New York State, *Michael Elmendorf, President and CEO*

Association of Master Painters and Decorators, *Bruce Ruinsky, Executive Director*

Boilermakers Association of Greater New York, *Sylvie Straus-Figueroa, Managing Director*

Building Contractors Association of New York, *John O'Hare, Managing Director*

Building Contractors Association of Westchester and the Hudson Valley, *Mathew Pepe, Executive Director*

Builders Exchange of Rochester NY, *Kim Gaylord, President and CEO*

Building Industry Employers of New York State, *Earl Hall, Executive Director*

Building Restoration Contractors Association, *Sylvie Straus-Figueroa, Managing Director*

Building Trades Employers Association, *Lou Coletti, President and CEO*

Contractors Association of Greater New York, *Raymond McGuire, Managing Director*

Construction Contractors Association, *Alan Seidman, Executive Director*

Construction Exchange of Buffalo and Western New York, *Joseph Benedict, Executive Director*

Construction Industry Association of Rochester, *Kim Gaylord, Managing Director*

Construction Industry Council of Westchester and Hudson Valley, *John Cooney Jr., Executive Director*

Environmental Contractors Association, *Joyce Nastasi, Executive Director*

Long Island Contractors Association, *Marc Herbst, Executive Director*  
Mechanical Contractors Association, *Anthony Saporito, Executive Vice President*  
Mohawk Valley Builders Exchange, *Tracy Page, Executive Director*  
New York Electrical Contractors Association, *Edwin Lopez, Executive Secretary*  
New York Materials, *Ronald Epstein, Executive Director*  
Northeastern Retail Lumber Association, *Katherine Slye-Hernandez, Director Government Affairs*  
Northeast Subcontractors Association, *Michael Misenheimer, Executive Director*  
Roofing Association of New York, *Sylvie Straus-Figueroa, Managing Director*  
Subcontractors Trade Association, *Felice Farber, Executive Director*  
Syracuse Builders Exchange, *Earl Hall, Executive Director*  
Sheet Metal and Air Conditioning Contractors National Association of Long Island, *Melissa Barbour, Chapter Executive*  
Sheet Metal and Air Conditioning Contractors National Association of New York City, *Elizabeth Castillo, Managing Director*  
Sheet Metal and Air Conditioning Contractors National Association of Southeastern New York, *Alan Seidman, Executive Vice President*  
Syracuse Builders Exchange, *Earl Hall, Executive Director*  
The New York State Council of NECA Chapters, *Lindsay Mills, Chairman*

Cc: Karen Persichilli Keogh, Secretary to the Governor  
Elizabeth Fine, Counsel to the Governor  
James Katz, Deputy Secretary for Economic Development and Workforce Development  
Roberta Reardon, Commissioner, NYS Department of Labor