



# New York Bill Would Curtail No-Fault Attendance Policies

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In an interview with *SHRM*, **Theresa D'Andrea** shares her insight on a New York State bill that states businesses with no-fault attendance policies cannot discipline or punish employees who take time off that is legally protected under federal, state, or local law.

Theresa explains that noncompliance could be costly for employers. "The New York State Department of Labor can assess civil penalties, order rehiring or reinstatement of a discharged employee to their former or an equivalent position, and/or award back pay or front pay, along with liquidated damages," she says.

Additionally, Theresa states, if this bill becomes law "employers should immediately revisit their employee handbooks to ensure that their no-fault absence policy complies with New York law by stating that demerits, points, or deductions will not be applied to employees who take a legally protected absence under federal, state or local law".

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