

THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
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**MEDIA CONTACT:** [pressoffice@cityhall.nyc.gov](mailto:pressoffice@cityhall.nyc.gov), (212) 788-2958

**MAYOR DE BLASIO AND COMMISSIONER SALAS ANNOUNCES \$160,000 SICK LEAVE SETTLEMENT FOR AIRLINE SERVICE WORKERS**

**NEW YORK**—Mayor Bill de Blasio and Department of Consumer and Worker Protection (DCWP) Commissioner Lorelei Salas today announced a settlement agreement with Eulen America, a contractor for American Airlines at JFK Airport, to resolve violations of the NYC Paid Safe and Sick Leave Law. The settlement requires the company to pay \$103,800 in restitution to over 400 workers—including wheelchair attendants, customer service representatives, baggage handlers, and cargo agents—credit workers with additional sick leave worth \$46,383 that they can use through mid-2021 and pay \$9,555 in civil penalties.

“Paid safe and sick leave is critical for the safety and well-being of employees, especially as we recover from this pandemic,” said **Mayor Bill de Blasio**. “No corporation is above the law, and thanks to the brave airline service workers who came forward, Eulen America will have to pay up for disregarding the rights of their employees.”

“Workers should not be going to work if they are sick, especially in transportation hubs where thousands of people are passing daily. Paid sick leave is more important than ever right now during this public health crisis—workers must be able to use their sick leave without illegal restrictions or retaliation,” said **DCWP Commissioner Lorelei Salas**. “We thank the workers for bravely coming forward to report violations that affect hundreds of working people. We are pleased to put money back in the pockets of airline service workers during these difficult times and ensure they can use their sick leave going forward.”

“We thank the Department of Consumer and Worker Protection for fighting to protect working people and the public health,” said **Shirley Aldebol, Vice President of 32BJ SEIU**. “As COVID-19 has shown us, airport workers are always on the frontlines of any health crisis that travels around the world. When contractors like Eulen make it difficult for workers to take time off if they’re sick, they could potentially expose both their coworkers and passengers to illnesses. Shame on Eulen for not following the law.”

“Eulen’s failure to follow the law was a disservice to workers and the passengers we served,” said **Whitney Moore, a former Eulen America passenger verification agent who serviced American Airlines**. “We had to use up all our paid sick time, which meant I couldn’t use it when I really needed it, after getting into a car accident. We were also severely understaffed because everyone was rushing to use their hours so they wouldn’t lose them. When we didn’t have enough wheelchair attendants, managers would even ask my co-workers to push two wheelchairs at the same time. That’s not right.”

DCWP's investigation, which was conducted before the COVID-19 pandemic with complaints brought by SEIU 32BJ, found that Eulen violated the NYC Paid Safe and Sick Leave Law workplace-wide in several ways. First, the company accrued sick leave for new employees at a rate of one hour for every 43 hours worked, instead of the required one hour for every 30 hours worked. Second, Eulen had an unlawful "use it or lose it" policy under which employees who did not use their sick leave accruals by the middle of the next year, lost the leave they had earned. Lastly, Eulen's written sick leave policy contained illegal provisions about medical documentation, penalizing employees for using sick leave, requiring advance notice for unforeseeable uses of sick leave, and on sick leave eligibility. The settlement against the airline contractor follows a separate [lawsuit](#) filed against American Airlines in 2019 for violating the NYC Paid Safe and Sick Leave Law. The case is pending at the Office of Administrative Trials and Hearings (OATH).

The settlement requires the company to:

- **Pay \$103,800 in restitution** to more than 400 current and former workers;
- **Credit sick leave** to employees who were denied sick leave, which is valued at approximately \$46,383;
- **Pay \$9,555 in civil penalties;**
- **Implement a safe and sick leave policy** that is compliant with the Law and corrects the violations in the company's prior policy;
- **Train managers and supervisors** on the City's Paid Safe and Sick Leave Law; and
- **Appoint a compliance officer** who monitors and reports on compliance with the Law.

DCWP's case was handled by Director of Investigations Elizabeth Wagoner, former Agency Attorney Hillary Scrivani, Supervising Investigator Juana Abreu, and Investigator Jessica An of DCWP's Office of Labor Policy & Standards, which is led by Deputy Commissioner Benjamin Holt.

DCWP recently launched a Worker Protection Hotline to help New York City workers navigate the return to work, including information about health and safety practices required for businesses, protective equipment that must be made available, the right to sick leave, how to file complaints, and more. DCWP's Worker Protection Hotline is available Monday through Friday, 9 a.m. to 5 p.m. by calling 311 or 212-436-0381. Workers are encouraged to call the hotline to report employers that are not following the reopening requirements, which can be done anonymously.

DCWP has new multilingual [educational resources](#) for workers about the reopening of NYC, including overviews of their rights and frequently asked questions as they return to work. DCWP also has a multilingual summary of City labor laws for employers and employees during the pandemic ([Update about Workplace Laws as NYC Seeks to Stop the Spread of the New Coronavirus \(COVID-19\)](#)), which provides an overview of local, state and federal sick leave laws. Employers with questions can call 888-SBS4NYC (727-4692) or visit [nyc.gov/business](http://nyc.gov/business).

"Providing basic protections for airline workers is not only a moral and legal obligation, it is a public health imperative. This is a victory for workers and sends a strong message to employers that violate Paid Safe and Sick Leave law. I want to thank 32BJ SEIU for their leadership and the Department of Consumer and Worker Protection for upholding the City's standards for

workplace rights and fighting to put the safety of workers and passengers before profit," said **Council Member Andrew Cohen, Chair of the Committee on Consumer Affairs and Business Licensing.**

"The last few months have highlighted how essential paid sick leave is to keeping our society healthy. Thank you to the airline service workers who bravely came forward, with the support of 32BJ SEIU, to report the violations of their rights under NYC's Paid Safe and Sick Law. And thank you to DCWP for working to put money back into the pockets of these workers and ensuring that they can use their sick leave going forward. Staying home when you are sick is a critical right for workers that helps keep all of us well," said **Council Member Brad Lander.**

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