

STATE OF NEW YORK

2175--A

Cal. No. 258

2023-2024 Regular Sessions

IN SENATE

January 19, 2023

Introduced by Sens. KENNEDY, ADDABBO, ASHBY, BAILEY, BORRELLO, BROUK, CANZONERI-FITZPATRICK, CHU, COMRIE, COONEY, FERNANDEZ, GIANARIS, GOUNARDES, HARCKHAM, HELMING, HINCHEY, HOYLMAN-SIGAL, JACKSON, LIU, MAY, MAYER, PALUMBO, PARKER, RAMOS, RHOADS, RYAN, SCARCELLA-SPANTON, SEPULVEDA, SKOUFIS, THOMAS, WALCZYK, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the workers' compensation law, in relation to providing for paid family leave for a serious health condition of the employee caused by or in connection with a pregnancy

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 15 of section 201 of the workers' compensation
2 law, as added by section 2 of part SS of chapter 54 of the laws of 2016,
3 is amended to read as follows:
4 15. "Family leave" shall mean any leave taken by an employee from
5 work: (a) to participate in providing care, including physical or
6 psychological care, for a family member of the employee made necessary
7 by a serious health condition of the family member; ~~or~~ (b) to bond
8 with the employee's child during the first twelve months after the
9 child's birth, or the first twelve months after the placement of the
10 child for adoption or foster care with the employee; ~~or~~ (c) because of
11 any qualifying exigency as interpreted under the family and medical
12 leave act, 29 U.S.C.S § 2612(a)(1)(e) and 29 C.F.R. S.825.126(a)(1)-(8),
13 arising out of the fact that the spouse, domestic partner, child, or
14 parent of the employee is on active duty (or has been notified of an
15 impending call or order to active duty) in the armed forces of the

EXPLANATION--Matter in italics (underscored) is new; matter in brackets ~~[-]~~ is old law to be omitted.

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1 United States; or (d) to receive care, including physical or psycholog-
2 ical care, for a serious health condition of the employee caused by or
3 in connection with a pregnancy.

4 § 2. This act shall take effect on the first of January following the
5 first of September next succeeding the date on which it shall have
6 become a law and shall apply to all policies or contracts issued,
7 renewed, modified, altered or amended on or after such date.