

# STATE OF NEW YORK

7308

2021-2022 Regular Sessions

## IN SENATE

July 28, 2021

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the workers' compensation law, in relation to providing for paid family leave following the stillbirth of a child or a miscarriage

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; [~~ex~~] (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; [~~ex~~] (c) to mourn  
11 the loss of a stillborn child; (d) mourning the loss of a miscarriage;  
12 or (e) because of any qualifying exigency as interpreted under the fami-  
13 ly and medical leave act, 29 U.S.C.S § 2612(a)(1)(e) and 29 C.F.R.  
14 S.825.126(a)(1)-(8), arising out of the fact that the spouse, domestic  
15 partner, child, or parent of the employee is on active duty (or has been  
16 notified of an impending call or order to active duty) in the armed  
17 forces of the United States.

18 § 2. This act shall take effect on the ninetieth day after it shall  
19 have become a law.

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

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