

STATE OF NEW YORK

6744

2023-2024 Regular Sessions

IN ASSEMBLY

May 8, 2023

Introduced by M. of A. SLATER, MANKTELOW -- read once and referred to the Committee on Labor

AN ACT to amend the workers' compensation law, in relation to family leave

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

1 Section 1. The workers' compensation law is amended by adding a new
2 section 203-d to read as follows:

3 § 203-d. Paid time off and leave use under a covered employer. Under
4 no circumstances may a covered employer require an employee use paid
5 time off or any other accrued time before using or being eligible to use
6 family leave as defined in subdivision fifteen of section two hundred
7 one of this article.

8 § 2. Subdivision 15 of section 201 of the workers' compensation law,
9 as added by section 2 of part SS of chapter 54 of the laws of 2016, is
10 amended to read as follows:

11 15. "Family leave" shall mean any leave taken by an employee from
12 work: (a) to participate in providing care, including physical or
13 psychological care, for a family member of the employee made necessary
14 by a serious health condition of the family member; or (b) to bond with
15 the employee's child during the first twelve months after the child's
16 birth, or the first twelve months after the placement of the child for
17 adoption or foster care with the employee; or (c) because of any quali-
18 fying exigency as interpreted under the family and medical leave act, 29
19 U.S.C.S. § 2612(a)(1)(e) and 29 C.F.R. S.825.126(a)(1)-(8), arising out
20 of the fact that the spouse, domestic partner, child, or parent of the
21 employee is on active duty (or has been notified of an impending call or
22 order to active duty) in the armed forces of the United States, which
23 includes being called to active duty within the contiguous United
24 States, Hawaii, Alaska, or any U.S. territory.

25 § 3. This act shall take effect immediately.

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

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