

# STATE OF NEW YORK

9635--A

## IN ASSEMBLY

March 26, 2024

Introduced by M. of A. PHEFFER AMATO -- read once and referred to the Committee on Labor -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the workers' compensation law, in relation to providing family leave to persons recovering from the unintended intrauterine death of a fetus that occurs after the clinical estimate of the twentieth week of gestation

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 with  
8 the employee's child during the first twelve months after the child's  
9 birth, or the first twelve months after the placement of the child for  
10 adoption or foster care with the employee; or (c) to recover from the  
11 unintended intrauterine death of a fetus that occurs after the clinical  
12 estimate of the twentieth week of gestation; or (d) because of any qual-  
13 ifying exigency as interpreted under the family and medical leave act,  
14 29 U.S.C.S § 2612(a)(1)(e) and 29 C.F.R. S.825.126(a)(1)-(8), arising  
15 out of the fact that the spouse, domestic partner, child, or parent of  
16 the employee is on active duty (or has been notified of an impending  
17 call or order to active duty) in the armed forces of the United States.  
18 § 2. 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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