

# STATE OF NEW YORK

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2752

2023-2024 Regular Sessions

## IN ASSEMBLY

January 27, 2023

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

AN ACT to amend the workers' compensation law, in relation to requiring public employers who opt out of providing paid family leave benefits to provide parental leave in the alternative

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

1 Section 1. Subdivision 3 of section 212-b of the workers' compensation  
2 law is amended by adding a new paragraph (c) to read as follows:

3 (c) Notwithstanding any other provision of law to the contrary, if a  
4 public employer chooses to opt out of paid family leave benefits pursu-  
5 ant to paragraph b of this subdivision, then such public employer shall  
6 be required to offer parental leave to its employees for a period not to  
7 exceed twelve weeks during any fifty-two week calendar period. Employers  
8 shall pay employees on parental leave a rate of sixty-seven percent of  
9 the employee's average weekly wage but shall not exceed sixty-seven  
10 percent of the New York state average weekly wage in effect.

11 § 2. This act shall take effect immediately.

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

LBD04645-01-3