

STATE OF NEW YORK

9109

2025-2026 Regular Sessions

IN ASSEMBLY

September 26, 2025

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

AN ACT to amend the labor law, in relation to establishing the "paid
leave for immigration hearings act" and allowing the use of paid sick
leave to prepare for or participate in certain immigration proceedings

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "paid leave for immigration hearings act".
3 § 2. Subdivision 4 of section 196-b of the labor law, as added by
4 section 1 of part J of chapter 56 of the laws of 2020, is amended to
5 read as follows:
6 4. a. On and after January first, two thousand twenty-one and upon the
7 oral or written request of an employee, an employer shall provide
8 accrued sick leave for the following purposes:
9 (i) for a mental or physical illness, injury, or health condition of
10 such employee or such employee's family member, regardless of whether
11 such illness, injury, or health condition has been diagnosed or requires
12 medical care at the time that such employee requests such leave;
13 (ii) for the diagnosis, care, or treatment of a mental or physical
14 illness, injury or health condition of, or need for medical diagnosis
15 of, or preventive care for, such employee or such employee's family
16 member; ~~[or]~~
17 (iii) for an absence from work due to any of the following reasons
18 when the employee or employee's family member has been the victim of
19 domestic violence pursuant to subdivision thirty-four of section two
20 hundred ninety-two of the executive law, a family offense, sexual
21 offense, stalking, or human trafficking:
22 (a) to obtain services from a domestic violence shelter, rape crisis
23 center, or other services program;

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

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1 (b) to participate in safety planning, temporarily or permanently
2 relocate, or take other actions to increase the safety of the employee
3 or employee's family members;

4 (c) to meet with an attorney or other social services provider to
5 obtain information and advice on, and prepare for or participate in any
6 criminal or civil proceeding;

7 (d) to file a complaint or domestic incident report with law enforce-
8 ment;

9 (e) to meet with a district attorney's office;

10 (f) to enroll children in a new school; or

11 (g) to take any other actions necessary to ensure the health or safety
12 of the employee or the employee's family member or to protect those who
13 associate or work with the employee[-];

14 For purposes of this [subdivision] subparagraph, the reasons outlined
15 above in [subparagraph] clauses (a) through (g) must be related to the
16 domestic violence, family offense, sexual offense, stalking, or human
17 trafficking. Provided further that a person who has committed such
18 domestic violence, family offense, sexual offense, stalking, or human
19 trafficking shall not be eligible for leave under this subdivision for
20 situations in which the person committed such offense and was not a
21 victim, notwithstanding any family relationship; or

22 (iv) for preparation of or participation in any judicial or adminis-
23 trative immigration proceeding involving the employee or the employee's
24 family member.

25 b. For purposes of this section, "family member" shall mean an employ-
26 ee's child, spouse, domestic partner, parent, sibling, grandchild or
27 grandparent; and the child or parent of an employee's spouse or domestic
28 partner. "Parent" shall mean a biological, foster, step- or adoptive
29 parent, or a legal guardian of an employee, or a person who stood in
30 loco parentis when the employee was a minor child. "Child" shall mean a
31 biological, adopted or foster child, a legal ward, or a child of an
32 employee standing in loco parentis.

33 § 3. Paragraph a of subdivision 5 of section 196-b of the labor law,
34 as amended by section 1 of part M of chapter 55 of the laws of 2024, is
35 amended to read as follows:

36 a. An employer may not require the disclosure of confidential informa-
37 tion relating to a mental or physical illness, injury, or health condi-
38 tion of such employee or such employee's family member, or information
39 relating to absence from work due to domestic violence, a sexual
40 offense, stalking, or human trafficking, or information relating to
41 preparation for or participation in any judicial or administrative immi-
42 gration proceeding, as a condition of providing sick leave or paid
43 prenatal personal leave pursuant to this section.

44 § 4. This act shall take effect on the one hundred eightieth day after
45 it shall have become a law. Effective immediately, the addition, amend-
46 ment and/or repeal of any rule or regulation necessary for the implemen-
47 tation of this act on its effective date are authorized to be made and
48 completed on or before such effective date.