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 Assembly, do enact as follows:

Section 1. Short title. This act shall be known and may be cited as the "paid leave for immigration hearings act".

§ 2. Subdivision 4 of section 196-b of the labor law, as added by section 1 of part J of chapter 56 of the laws of 2020, is amended to read as follows:

4. a. On and after January first, two thousand twenty-one and upon the oral or written request of an employee, an employer shall provide accrued sick leave for the following purposes:

(i) for a mental or physical illness, injury, or health condition of such employee or such employee's family member, regardless of whether such illness, injury, or health condition has been diagnosed or requires medical care at the time that such employee requests such leave;

(ii) for the diagnosis, care, or treatment of a mental or physical illness, injury or health condition of, or need for medical diagnosis of, or preventive care for, such employee or such employee's family member; [~~or~~]

(iii) for an absence from work due to any of the following reasons when the employee or employee's family member has been the victim of domestic violence pursuant to subdivision thirty-four of section two hundred ninety-two of the executive law, a family offense, sexual offense, stalking, or human trafficking:

(a) to obtain services from a domestic violence shelter, rape crisis center, or other services program;

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

LBD13768-01-5

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

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

(d) to file a complaint or domestic incident report with law enforcement;

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

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

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

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

(iv) for preparation of or participation in any judicial or administrative immigration proceeding involving the employee or the employee's family member.

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

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

a. An employer may not require the disclosure of confidential information relating to a mental or physical illness, injury, or health condition of such employee or such employee's family member, or information relating to absence from work due to domestic violence, a sexual offense, stalking, or human trafficking, **or information relating to preparation for or participation in any judicial or administrative immigration proceeding,** as a condition of providing sick leave or paid prenatal personal leave pursuant to this section.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.