

Alert | Labor & Employment



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Paid Family Leave in New York Expanded

On Nov. 1 New York enacted **legislation** to cover caring for siblings under New York’s Paid Family Leave law. Currently, the law does not include care for a sibling with a serious health condition as a basis for paid leave.

The New York Paid Family Leave law provides workers with job-protected, paid time off to bond with a newborn child, including a biological, adopted, or fostered child; to care for a family member with a serious health condition (which may include severe cases of COVID-19); or to assist a family member, such as a spouse, domestic partner, child, or parent, who is deployed abroad on active military service. Also, paid family leave may be available in certain circumstances when an employee or the employee’s minor, dependent child is under an order of quarantine or isolation due to COVID-19. Eligible workers may take up to 12 weeks off at 67% of their pay up to a cap, which for 2021 is \$971.61 per week. The payments are funded through an employee-paid insurance program.

The amendment to the law expands the definition of “family members” to encompass siblings, including biological siblings, adopted siblings, step-siblings, and half-siblings. Employees taking paid family leave to care for a covered family member should be in close proximity to the family member being cared for or engaged in reasonable travel related to the care of that family member during the majority of the employee’s leave. Notably, these family members can live outside of New York state or the country. This amendment to the law goes into effect Jan. 1, 2023.

Employers should be aware of this change and adjust their family leave policies accordingly. For more information about New York's Paid Family Leave law, please see our prior GT Alert, [New York Paid Family Leave Law Becomes Effective Jan. 1, 2018](#).

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