

# NEW YORK NEEDS PAID FAMILY LEAVE

## We just won the most robust Paid Family Leave policy in the country . . . thanks to you!

Governor Cuomo signed into law a bill establishing paid family leave April 4, 2016. After an initial ramp-up period, the law will guarantee workers up to 12 weeks of leave with job security when they need time to care for a new child or seriously ill family member, or to meet certain needs related to a family member's military deployment. Once fully phased in, employees taking leave will receive benefits equal to 67 percent of their wages up to a maximum of 67 percent of the statewide average weekly wage. The insurance will be paid for by employees through small payroll deductions estimated to be 70 cents to start and rising to \$1.47 in 2021.

## This huge victory happened because you and New Yorkers all across the state demanded it!

And because of strong leadership from Governor Cuomo and the persistence of our legislative champions, including Assemblywoman Cathy Nolan, Senator Addabbo and Senator Klein.

New York's landmark legislation raises the bar for other states now debating paid family leave and will drive the momentum needed to ultimately pass paid family leave at the federal level, with a bill championed by New York's United States Senator, Kirsten Gillibrand.

When fully phased in by 2021, workers in New York will have up to 12 weeks of leave, twice the six weeks available in California and New Jersey and three times the four weeks in Rhode Island, the three other states that now provide paid family leave. And unlike California and New Jersey, workers in New York will be assured a job to return to. That critically important protection will enable tens of thousands of workers to actually take advantage of family leave without fear of losing their jobs. We fought hard for and won two-thirds wage replacement because low-wage workers cannot live on less. We fought hard to make sure the law covers employees in businesses of every size, and they will be! Nearly seven million private sector workers who previously did not have paid family leave will now be able to care for newborns and loved ones without putting their financial stability and jobs at risk.

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## Here are more details:

### Who is covered by the paid family leave law?

- Almost all private sector workers employed in New York State (with the exception of certain categories excluded under NYS Temporary Disability Insurance law)  
[http://www.wcb.ny.gov/content/main/offthejob/WhoCovered\\_DB.jsp](http://www.wcb.ny.gov/content/main/offthejob/WhoCovered_DB.jsp)
- The law allows self-employed and public sector unions to opt in to the paid family leave program
- You have to have worked for your current employer for at least 26 consecutive weeks to be eligible for paid family leave.

### When does paid family leave start?

- January 1, 2018

### What can it be used for:

- Bonding with a new child (including adopted and foster children)
- Care of a seriously ill child, parent, parent-in-law, spouse, domestic partner, grandchild, or grandparent
- Addressing certain needs when a family member is called to active military duty

### How many weeks of leave are available?

- Up to 8 weeks starting in 2018
- Up to 10 weeks in 2019 and 2020
- Up to 12 weeks starting in 2021 and thereafter
- Leave runs concurrently with federal FMLA leave. The law allows for leave to be taken on an intermittent basis.
- In addition, women are covered by Temporary Disability Insurance (TDI) for pregnancy and recovery from childbirth, but there are limits on the total amount of leave that can be used in a year.

### How much will a worker receive when out on paid family leave?

- 2018: 50% of your wages, up to a maximum of 50% of the statewide average weekly wage
- 2019: 55% of your wages, up to a maximum of 55% of the statewide average weekly wage
- 2020: 60% of your wages, up to a maximum of 60% of the statewide average weekly wage
- 2021: 67% of your wages, up to a maximum of 67% of the statewide average weekly wage
- 2022 and on: Each March the NY Department of Labor reports the statewide average weekly wage for the previous year. For 2015 it was \$1,296.48.

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