

Talking to Your Boss About Paid Family Leave: New York

If you're covered by New York's paid family leave law:

- You have the right to up to 12 weeks of family leave to bond with a new child, care for a seriously ill loved one, or address certain military family needs.
- You have the right to receive 67% of your regular paycheck while you're on leave, up to a cap. In 2023, the cap is \$1,131.08 per week. In 2024, the cap is \$1,151.16 per week.
- You have the right to return to work after taking paid family leave.

WHEN to have the conversation:

- If you know in advance that you will be using paid family leave, let your employer know at least 30 days before you intend to start your leave.
- If you are not able to give 30 days notice, for example if a family member has a medical emergency, let your employer know you intend to take leave as soon as possible.

WHAT to say:

- Before starting the conversation, it's a good idea to do your homework and review your employer's policies about family leave, which may go beyond your rights under the law. You may also want to consult with human resources.
- Tell your boss that you intend to take paid family leave, including your reason for requesting leave, for example to bond with a new child.
- Tell your boss when you expect to start your leave, how long you expect to be on leave, and how you intend to schedule your leave (all at once, or broken up into weeks or days).
- Listen carefully and take careful notes after your conversation, especially about anything that sounded strange or wrong to you.
- If you're ready to apply now, ask your boss to fill out the employer section of the paid family leave application. To apply, you will need to fill out additional information and submit the final application to your employer's paid family leave insurance carrier. *For more information on how to apply, visit FamilyLeaveWorks.org.*

Your employer's obligations:

- It is against the law for your employer to deny you paid family leave. It is also against the law for your employer to punish, penalize, or fire you for requesting or taking paid family leave.
- Your employer may not dictate the schedule of your leave. You have the right to take your paid family leave in units as small as one day.
- Your employer is required to provide you with the same job or a comparable job when you return from paid family leave.

- If you receive health care coverage through your employer, your employer is required to continue providing your health insurance on the same terms while you are on paid family leave as while you are working.
- You may have additional rights under other laws. For more information, visit abetterbalance.org.

If your boss needs more information, you can direct them to our resources at FamilyLeaveWorks.org, the state's website at ny.gov/paidfamilyleave, or the state's paid family leave helpline at 844-337-6303.

If you need assistance or more information, visit us online at FamilyLeaveWorks.org or call our free and confidential legal helpline at 1-833-NEED-ABB.