

## New York Temporary Disability Benefits for Pregnant & Postpartum New Yorkers

### What does Temporary Disability Insurance do for pregnant and postpartum New Yorkers?

Temporary Disability Insurance (TDI) provides cash benefits to many workers who are unable to work due to an off-the-job illness or injury, including if they are unable to work due to pregnancy or childbirth. Sometimes, this law is also called “New York Disability Benefits” or “DB.”

### Am I covered?

If you’re employed (or recently employed) in New York State, but not for the government, you’re probably covered under the law. The law applies regardless of citizenship or immigration status.

### For how long can I receive Temporary Disability Insurance for pregnancy-related needs?

If you’re pregnant, you can receive TDI from 4 weeks before your due date to 6 weeks after giving birth (or 8 weeks if you delivered via cesarean section). You may also receive TDI for a longer period of time if your health provider says you cannot work for health reasons, such as for postpartum depression. You cannot receive more than 26 weeks of TDI a year.

Generally you will not be paid for your first week of TDI. For example, if you’re disabled for 6 weeks, usually you will receive only 5 weeks of TDI.

### How much money can I receive from Temporary Disability Insurance?

50% of your average weekly pay, up to a cap of \$170 per week.

### Will my job be protected while I am on leave?

The TDI law does not require your employer to hold your job open for you. But your employer may be required to hold your job for you if you qualify for unpaid leave under another law, such as the Family and Medical Leave Act or the New York Pregnant Workers Fairness Act.

### What is New York paid family leave?

New York paid family leave provides new parents paid, job-protected time off to bond with a new child. Workers cannot receive TDI and paid family leave benefits at the *same* time but, if you are eligible for both benefits, you can choose how to combine them. For example, you could receive 6 weeks of TDI to recover from childbirth and then take 12 weeks of paid family leave to bond with your new child. You cannot receive more than 26 weeks of combined TDI and paid family leave benefits in a year.

### Where can I learn more about Temporary Disability Insurance and how it applies to me?

Call A Better Balance’s free, confidential legal helpline at 1-833-NEED-ABB (1-833-633-3222) or visit <https://www.abetterbalance.org/get-help/>.

*The information in this guide does not constitute legal advice.  
It is always advisable to consult an attorney about your individual circumstances.*