



2018 New York State YMCA

Youth And Government

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FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

Committee Assignment: Senate 4

Bill #: S-25

1 **Sponsors:** Aalia Crouch, Celeste Voutsinas-Klose, Kaila Crouch and Jenni Haera

2

3 **An Act To**

4 Amend §204 of Article 9 of the New York State Worker’s Compensation Law to  
5 extend family leave from eight to fourteen weeks.

6

7 ***The People of the State of New York, represented in the Senate and***  
8 ***Assembly do enact as follows:***

9 **Purpose**

10 To extend the time period of paid maternity and paternity leave in New York State.

11

12 **Summary of Provisions**

13 **Section 1**

14 **New child:** A recently born or adopted young human below the legal age of  
15 **majority.**

16 **Section 2** § 204. Disability and family leave during employment. 1. Disability  
17 benefits shall be payable to an eligible employee for disabilities, beginning with the  
18 eighth day of disability and thereafter during the continuance of disability, subject  
19 to the limitations as to maximum and minimum amounts and duration and other  
20 conditions and limitations in this section and in sections two hundred five and two  
21 hundred six of this article. Family leave benefits shall be payable to an eligible  
22 employee for the first full day when family leave is required and thereafter during  
23 the continuance of the need for family leave, subject to the limitations as to  
24 maximum and minimum amounts and duration and other conditions and limitations  
25 in this section and in sections two hundred five and two hundred six of this article.  
26 Successive periods of disability or family leave caused by the same or related  
27 injury or sickness shall be deemed a single period of disability or family leave only if  
28 separated by less than three months. 2. (a) The weekly benefit for family leave that  
29 occurs (i) on or after January first, two thousand eighteen shall not exceed ~~eight~~  
30 ~~weeks~~ ten weeks during any fifty-two week calendar period and shall be fifty  
31 percent of the employee's average weekly wage but shall not exceed fifty percent  
32 of the state average weekly wage, (ii) on or after January first, two thousand  
33 nineteen shall not exceed ~~ten~~ twelve weeks during any fifty-two week calendar  
34 period and shall be fifty-five percent of the employee's average weekly wage but  
35 shall not exceed fifty-five percent of the state average weekly  
36 wage, (iii) on or after January first, two thousand twenty shall not exceed ~~ten~~  
37 twelve during any fifty-two week calendar period and shall be sixty percent of the  
38 employee's average weekly wage but shall not exceed sixty percent of the state  
39 average weekly wage, and (iv) on or after January first of each succeeding year,  
40 shall not exceed ~~twelve~~ fourteen weeks during any fifty-two week calendar period  
41 and shall be sixty-seven percent of the employee's average weekly wage but shall  
42 not exceed sixty-seven percent of the New York state average weekly wage in  
43 effect.



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45 **Justification**

46 It is very important for a father and/or mother to have a bonding experience with  
47 his/her child. It is also important for the parent to get the support they need.  
48 Studies show that increased maternity, as well as paternity leave results in  
49 healthier, happier children and can reduce the risk of later developing childhood  
50 ailment. In reference to adopt children, studies show that it takes an average of 14  
51 weeks to fully bond with the new child. Parents deserve time with their new child,  
52 but the current amount allotted by New York State law is not enough to make sure  
53 that both the child and parent are happy and healthy. Passing this bill and adding  
54 two weeks to the allotted time will positively impact mothers, fathers and children  
55 throughout the state.

56

57 **Fiscal Implications**

58 As the family leave fund is paid for through a payroll tax, extending the amount of  
59 time people can go on leave will deplete the fund faster. However, it will have no  
60 impact on the state budget or on taxes.

61

62 **Effective Date**

63 This bill will go immediately into effect on January 1st of the year after passage.