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Client Alert

New York State and New York City Summer Legislative Updates

PAID PRENATAL LEAVE

WHAT'S NEW: Governor Hochul signed an amendment to the New York Paid Sick and Safe Leave Law making New York State the first state to mandate prenatal leave.

WHAT IT MEANS

Effective January 1, 2025, New York employers must provide up to 20 hours of paid leave in a 52-week period for pregnant employees to attend prenatal medical appointments and procedures. This makes New York the first state to mandate a separate, standalone prenatal leave entitlement for pregnant employees.

- This paid prenatal leave can be used by pregnant employees for healthcare services, testing, or procedures that relate to their pregnancy.
- Employers should offer this leave immediately beginning on January 1, 2025, or upon hire.
- The leave may be taken in hourly increments up to 20 hours.
- Compensation should be at the employee's regular rate or applicable minimum wage, whichever is greater.

WHAT EMPLOYERS SHOULD DO

Employers should update their current leave policies by the new year to include information about this new leave entitlement.

PAID LACTATION BREAKS

WHAT'S NEW: New York amended its labor law to require employers to provide 30 minutes of paid break time for lactation breaks.

WHAT IT MEANS

Effective June 19, 2024, New York State employers must provide 30 minutes of paid break time for expressing breast milk for the employee's nursing child. This paid lactation break is in addition to the employee's current ability to use existing paid break or mealtime for time in excess of 30 minutes.

This break must be provided "each time such employee has reasonable need to express breast milk," but it is unclear if an employer must provide this break multiple times a day. Employees are entitled to this break up to three years following childbirth.

WHAT EMPLOYERS SHOULD DO

Employers should review and update their current break time policies to comply with this new update. Employers should check the Employee Portal for the updated notice to employees. Employers should inform managers about this new break entitlement.

COVID-19 PAID SICK LEAVE SUNSET DATE

WHAT'S NEW: Governor Hochul set a COVID-19 Paid Sick Leave sunset date during the final New York State Executive Budget.

WHAT IT MEANS

As of July 31, 2025, New York's COVID-19 Paid Sick Leave Law is no longer in effect. This officially ends COVID era restrictions from the COVID-19 state of emergency.

WHAT EMPLOYERS SHOULD DO

Employers should review their sick leave policies for any COVID-19 specific leave language and update language to remove sick leave after the sunset date or reference the end date. Employers should make sure employees are aware of these changes.

LABOR LAW POSTER UPDATES

WHAT'S NEW: The New York State Division of Human Rights has updated their Fair Employment notice to reflect that employers are now prohibited from discriminating based on citizenship or immigration status. Also, effective July 1, 2024, employers must conspicuously post New York City Department of Consumer and Worker Protection ("DCWP") Know Your Rights at Work poster and provide a copy to current employees and new hires in New York City.

WHY IT MATTERS

New York State requires employers to post labor posters in a conspicuous location in the workplace as well as on an employer's website, or by email to employees.

Similarly, the New York City DCWP requires employers to post labor posters in a conspicuous location in the workplace and to provide a copy of posters to employees and new hires. The new, multilingual "Know Your Rights at Work" poster contains a QR code that directs employees to the DCWP's website. These new posting and notice requirements are in addition to previous notice and posting requirements imposed by the DCWP, such as the Earned Safe and Sick Time Act ("ESSTA") and Fair Workweek (FWW) Law.

It is important for employers to stay apprised of changes in labor law posters to comply with state and local law. Please check the Employee Portal to access the updated labor law posters.

WHAT EMPLOYERS SHOULD DO

Employers should download the updated posters from the Employee Portal and place them in a conspicuous location and upload the new poster to their employee facing website or email it to employees.

Please reach out to your Engage Human Resources Partner if you have any questions concerning this alert or other H.R.-related matters.