



PHILLIPS LYTLE LLP CLIENT ALERT

LABOR & EMPLOYMENT

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New York State Expands Paid Family Leave to Cover Employee Siblings

New York State Governor Kathy Hochul recently signed into law an amendment to the New York Paid Family Leave Law (NYPFLL) expanding that law, starting on January 1, 2023, to allow employees to take leave under the NYPFLL to care for siblings with a serious health condition. Since taking effect in 2018, employees have been limited to taking leave under the NYPFLL: (i) to care for a new child following birth, adoption or placement in the home; (ii) to care for a spouse, domestic partner, child, parent, grandparent or grandchild with a serious health condition; or (iii) for qualifying exigencies related to military duty.

When the amendment takes effect, eligible employees will be able to take leave under the NYPFLL for an employee's biological, adopted, step- and half-siblings. Employers also

should remember that under the NYPFLL "child" includes a biological, adopted or foster child, stepchild or child of a domestic partner, legal ward or one to whom the employee stands *in loco parentis*, and that "parent" includes a biological, adoptive or foster parent, parent-in-law, stepparent, legal guardian or other person who stood *in loco parentis* to the employee as a child.

New York State employers should review and update their NYPFLL policies and practices to ensure compliance with this change when it takes effect.

Additional Assistance

For further assistance, please contact any of the attorneys on our [Labor & Employment Practice Team](#) or the [Phillips Lytle attorney](#) with whom you have a relationship. ■



Phillips Lytle LLP

Albany Omni Plaza 30 South Pearl Street Albany, NY 12207-1537 (518) 472-1224

Buffalo One Canalside 125 Main Street Buffalo, NY 14203-2887 (716) 847-8400

Chautauqua 201 West Third Street Suite 205 Jamestown, NY 14701-4907 (716) 664-3906

Garden City 1205 Franklin Avenue Plaza Suite 390 Garden City, NY 11530-1629 (516) 742-5201

New York City 620 Eighth Ave 38th Floor New York, NY 10018-1442 (212) 759-4888

Rochester 28 East Main Street Suite 1400 Rochester, NY 14614-1935 (585) 238-2000

Washington, DC 1101 Pennsylvania Avenue NW Suite 300 Washington, DC 20004-2514 (202) 617-2700

Canada The Communitel Hub 151 Charles Street West Suite 100 The Tannery Kitchener, Ontario N2G 1H6 Canada (519) 570-4800