

January 14, 2025

New York Implements Paid Prenatal Leave Effective January 1, 2025

Effective January 1, 2025, New York State implemented a groundbreaking Paid Prenatal Leave Program, amending New York Labor Law Section 196-b. This law requires all employers in New York to provide employees with twenty hours of Paid Prenatal Leave (PPL) for healthcare services related to their pregnancy.

The Paid Prenatal Leave Program ensures eligible employees can take up to twenty hours of leave within a 52-week calendar period for prenatal medical needs. Eligible employees include all full-time, part-time, seasonal, and temporary employees working for private-sector employers in New York State including nonprofit organizations. The twenty hours are frontloaded annually at the start of the calendar year or upon an employee's hire date. Unused hours do not carry over to subsequent years, and there is no requirement to compensate employees for unused time. Covered services include physical examinations, medical procedures, monitoring, testing, fertility treatments such as IVF, and end-of-pregnancy care. This entitlement is exclusive to the individual receiving prenatal care and is not extended to spouses, partners, or other support persons.

Employers are required to provide this leave in addition to New York State paid family leave, existing leave, or any other organization-specific leave policies that are offered. Employers may require employees to follow standard procedures for requesting time off when requesting PPL, and employers are prohibited from requiring medical documentation or personal health details of the employee. Additionally, employers may not ask or require employees to substitute other available leave for PPL. The New York State Department of Labor encourages clear recordkeeping of leave balances and usage, although detailed reporting on paystubs is not explicitly required.

Employers are encouraged to update their leave policies promptly to reflect these changes and inform employees about the new PPL immediately. Further, training for human resource personnel and managers is essential to ensure compliance and proper handling of requests. Organizations that fail to comply with the new PPL requirements may be subject to fines, fees, penalties, and assessments from the New York State Department of Labor.

For further details on implementation and compliance strategies, employers should consult the guidance issued by the New York State Department of Labor, including a comprehensive FAQ¹ document. Additionally, clients are encouraged to contact Lawyers Alliance with questions or for assistance drafting your paid prenatal leave policy.

This alert is meant to provide general information only, not legal advice. If you have any questions about this alert please contact Staff Attorney Jonal Hendrickson at jhendrickson@lawyersalliance.org

¹ See <https://www.ny.gov/new-york-state-paid-prenatal-leave/frequently-asked-questions>.

or visit our website at www.lawyersalliance.org for further information. To become a client, visit www.lawyersalliance.org/becoming-a-client. Lawyers Alliance thanks Ashley Hollis, Legal Extern, for her assistance in writing this alert.

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