



## **New York State Will Amend Paid Family Leave to Add Bereavement Leave**

**Issue Date: July 2018**

### **Overview**

On June 20, 2018, the New York State Assembly passed an amendment to the New York Paid Family Leave Law that would allow eligible employees to take paid time off for bereavement. The New York State Senate passed this amendment on Tuesday, June 19. The amendment now goes to Governor Cuomo for his signature. The law is set to take effect on January 1, 2020.

### **What Is Changing?**

The bill includes bereavement as an addendum to the provision that gives employees leave to care for a family member with a serious health condition. Under the new rules, included in caring for a seriously ill family member is bereavement of that family member. As such, the qualifying family members for paid bereavement would be:

1. Spouse
2. Child
3. Step-Child
4. Parent
5. Parent-in-law
6. Stepparent
7. Grandchild
8. Domestic partner

Also added to Paid Family Leave, however, is bereavement as its own separate category, apart from bonding with a child, caring for a family member with a serious health condition, or a qualifying military exigency. This is meant to cover bereavement of a family member who was not seriously ill (as defined in the statute). Because this addendum is new, we will likely have to wait for guidance to know which family members qualify for paid bereavement leave.

### **Employee Reporting Time Limits**

Because death and bereavement are often sudden, unplanned occurrences, there is no solid time limit for when an employee must inform his or her employer that he or she desires to use Paid Family Leave for bereavement. Instead, an employee must inform his or her employer as soon as practicable of the need for bereavement leave; the death certificate will serve as proof of the need for leave.

See the amendment [HERE](#).

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