

## **Need Time Off for Family or Medical Reasons?**

In New York, members may be eligible for job-protected and/or paid leave under FMLA (federal law) and New York Paid Family Leave (NY PFL). These programs serve different purposes and may, in some cases, run at the same time.

### **What You Should Do First**

Members should contact their employer's Human Resources (HR) department directly to inquire about FMLA and New York Paid Family Leave. HR is responsible for confirming eligibility, providing required paperwork, explaining how leave works, and ensuring the request is properly processed. **Even if an employer uses a payroll or third-party benefits company, HR remains legally responsible for making sure the leave request is followed through.**

### **If There Are Any Problems**

If a member experiences confusion, delay, denial of leave, pressure not to take leave, or any negative or retaliatory treatment related to a leave request, the member should contact the Union Office immediately for assistance. The union can help review the situation and address any issues with the employer.

### **FMLA – Federal Job Protection**

- Up to 12 weeks of unpaid, job-protected leave in a 12-month period
- Covers a member's own serious health condition, care for a spouse, child, or parent, or the birth, adoption, or foster placement of a child
- Health insurance continues under the same terms
- Member must be returned to the same or an equivalent position

### **New York Paid Family Leave (NY PFL)**

- Provides paid, job-protected leave
- Used for bonding with a new child, caring for a family member with a serious health condition, or certain military family needs
- Does not cover a member's own illness

### **Maternity & Paternity Leave (Parental Leave)**

“Maternity leave” and “paternity leave” are common terms but are not separate legal programs. In New York, parental leave may be provided through:

- **FMLA** (job-protected, unpaid)
- **New York Paid Family Leave** (paid, job-protected bonding leave)
- **New York disability benefits** for birth parents related to pregnancy and childbirth recovery

New York Paid Family Leave is **gender-neutral** and applies equally to all parents, including adoptive and foster parents.

### **Important Reminders**

- Employers may not retaliate against employees for requesting or using protected leave
- Payroll or benefits companies may process claims, but **HR remains responsible**
- Members should document all communications related to leave requests
- When in doubt, contact the union early

**This memo is intended as general guidance only. Eligibility and benefits may vary.**

**Members should contact their employer's Human Resources department first and the Union Office for assistance if any issues arise.**