

New York Paid Family Leave Law: Are You Ready for 2023?

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As we approach the New Year, employers should keep in mind that several updates to the New York Paid Family Leave Law (“NYPFLL”) are scheduled to take effect on January 1, 2023.

In [effect since 2018](#), the NYPFLL provides a phased-in system of paid, job protected leave for eligible employees: (i) to care for a new child following birth, adoption, or placement in the home; (ii) to care for a family member with a serious health condition; or (iii) for qualifying exigencies related to military duty.

Starting January 1, 2023, the following changes will take effect:

- Eligible employees taking leave under the NYPFLL will continue to receive 67% of their average weekly wage, up to a cap of 67% of the current Statewide Average Weekly Wage (NYSAWW). For 2023, the NYSAWW is \$1,688.19, which means that the maximum weekly benefit for 2023 is \$1,131.08 (a \$62.72 increase from 2022).
- Eligible employees will contribute 0.455% of their gross wages per pay period. The maximum annual contribution for 2023 is \$399.43, which is \$24.28 less than 2022. Employees earning less than the current NYSAWW of \$1,688.19 will contribute less than the annual cap of \$399.43, consistent with their actual wages.
- Eligible employees will be permitted to take leave under the NYPFLL to [care for siblings](#) with a serious health condition (including biological, adopted, step and half-siblings).

The State has [updated its website](#) to provide an overview of these changes, as well as its FAQs to address, among other things, the benefits available to employees who start a period of leave under the NYPFLL in 2022 that extends into 2023. Employers in New York are encouraged to review their current NYPFLL policies and practices to ensure compliance with the updated requirements.

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