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Construction Employers Take Note: New York Expands Paid Family Leave Eligibility Beginning in 2027

Labor Relations Update on **January 5, 2026**

New York construction-industry employers should be aware of a significant change to the state's Paid Family Leave ("PFL") law. On December 19, Governor Kathy Hochul signed Assembly Bill 4727 ("A4727") into law, expanding PFL eligibility to many construction workers who work for multiple employers under a collective bargaining agreement each year.

The amendment does not take effect until January 1, 2027, and raises important planning considerations for employers that are parties to these collective bargaining agreements.

Background

Most New York employers must provide PFL. Under current rules, employees generally qualify after a set period with a single employer: full-time employees (regularly scheduled 20+ hours per week) after 26 consecutive weeks, and part-time employees (regularly scheduled fewer than 20 hours per week) after 175 days worked. PFL provides up to 12 weeks of job-protected, paid leave to bond with a new child, care for a family member with a serious health condition, or assist when a family member is deployed abroad on active military service. Benefits are paid at 67% of an employee's average weekly wage, up to a cap to the New York State Average Weekly Wage, which is adjusted annually ($1,228.53 in 2026).

What's New for Construction Workers

Effective January 1, 2027, the amendment brings certain multi-employer construction workers within PFL protections. Workers who perform construction-related work—such as construction, demolition, reconstruction, excavation, rehabilitation, repairs, renovations, alterations, or improvements—will be eligible for PFL if, in the aggregate, they have worked at least 26 of the prior 39 weeks for employers that are signatories to a collective bargaining agreement. In short, qualifying construction employees will be able to count covered weeks worked across ***multiple*** signatory employers to meet PFL's service threshold.

Takeaways and Open Questions

This change materially expands PFL access in the construction industry. It also raises administration issues that are not fully addressed in the amendment, including how eligibility, benefits, and job protection will be coordinated across multiple employers and jobsites, how payroll contributions leave and leave tracking will be handled, and how notice and documentation will be managed for employees who frequently change work locations and employers.

The New York Workers Compensation regulations permit employers and unions to waive application of the statutory PFL provisions through a CBA if, among other requirements, the agreement provides "paid family leave benefits at least as favorable" as those under the law, and does not allow employees to waive their right to family leave. In practice, this may allow parties to tailor administrative rules—potentially through multi-employer health and welfare funds—so long as employees receive benefits that are at least equivalent to the statute and regulations.

In anticipation of the new eligibility going into effect on January 1, 2027, construction-industry employers have the opportunity during 2026 to review existing CBAs and multi-employer plan documents to assess whether changes are needed, and coordinate with carriers, third-party administrators and/or multi-employer funds to track eligibility, contributions and leave administration across multiple employers.

We will continue monitoring for any further guidance on the amendments from the state, and we are here to assist with practical approaches to compliance before the 2027 effective date.

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