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# EMPLOYER RISK ALERT: January 2025 from the Desk of Rachel Demarest Gold

## FEATURED ATTORNEY

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Partner

Happy New Year and welcome to the first Employer Risk Alert of 2025.

### **New York State Paid Prenatal Care Leave**

The big news is that, as of January 1, all pregnant employees are **entitled to 20 hours of paid leave to tend to their prenatal care**. This applies to all workers in the State of New York—full and part-time; and there is no accrual period—meaning that people are entitled to the full 20 hours upon hire. This is time on top of all other leave. Note that, among other provisions relating to retaliation and frustrating use of the time, employers cannot ask for medical documentation.

You can learn more about NYS Paid Prenatal Care here: <https://www.ny.gov/programs/new-york-state-paid-prenatal-leave>

### **Pregnant Workers Fairness Act (PWFA)**

While talking about pregnant workers' rights, it's a good time to remember that the EEOC's final regulations for the PWFA went into effect in June, and can be found here:

<https://www.eeoc.gov/summary-key-provisions-eeocs-final-rule-implement-pregnant-workers-fairness-act-pwfa>

The most important things for employers to note is that the law only applies to accommodations—not leave—but the condition does not need to rise to the same level as the ADA to be covered. You can find out more here: <https://www.eeoc.gov/wysk/what-you-should-know-about-pregnant-workers-fairness-act>

### **Minimum Wage**

And finally, please remember to update all payroll if this applies to you: The Minimum Wage is now \$16.50 in NYC (Kings, Queens, New York, Richmond, and Bronx Counties), Long Island (Nassau and

Suffolk Counties), and Westchester; \$15.50 in all other Counties.

Home Health Aides have their own wage rates which should be verified by all applicable employers here:

<https://dol.ny.gov/home-care-aide-minimum-wage-fact-sheet-p105>

*Please let us know if we can be of assistance. This is for informational purposes only and is not legal advice.*