Compliance Overview

Highlights

Recent Changes to State Leave Laws

- Paid family and medical leave programs began providing leave benefits in Delaware and Minnesota on Jan. 1.
- Major amendments to the Washington state paid family and medical leave program took effect on Jan. 1.
- Smaller changes to state leave laws have gone into effect since January in California, Colorado, Connecticut, Oregon and Rhode Island.

Upcoming Changes in State Leave Rights

- Benefits will begin under Maine's new paid family and medical leave program on May 1.
- The New Jersey Family Leave Act will cover more employers and employees, starting July 17.
- Job protections will be added to the New Jersey Temporary Disability Insurance and Family Leave Insurance programs on July 17.

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Q1 Check-in: State Employee Leave Law Developments

In line with recent years, 2026 has so far been an active one for employee leave laws at the state level. Since the beginning of the year, brand-new paid family and medical programs have been launched in Delaware and Minnesota, and a significant redesign of the Washington paid family and medical leave program took effect, which should help employers limit leave stacking but makes more of them subject to employee restoration rights.

Smaller expansions to existing leave rights have gone into effect since January in states such as California, Colorado, Connecticut, Oregon and Rhode Island.

Employers must also keep their eye on the near-term horizon, as more changes in the employee leave landscape are coming this year, particularly in Illinois, Maine and New Jersey.

This Compliance Overview outlines notable recent and upcoming developments in state leave laws.

Links and Resources

- Delaware Paid Leave website
- Minnesota Paid Leave website
- Maine Paid Family and Medical Leave website
- California Department of Industrial Relations FAQs on California Paid Sick Leave

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State Leave Law Changes Effective Since January 2026

California

On Jan. 1, 2026, paid sick leave under the California Healthy Workplaces, Healthy Families Act began covering leave for judicial proceedings related to certain serious crimes of which the employee or the employee's family member was a victim. The proceedings include, but are not limited to, delinquency proceedings, post-arrest release decisions, pleas, sentencings, post-conviction release decisions, and any proceeding where a right of that person is an issue.

Colorado

Also on Jan. 1, 2026, an amendment to the Colorado paid family and medical leave (FAMLI) program went into effect, requiring an extra 12 weeks of partially compensated leave for parents with a baby in a neonatal intensive care unit (NICU). The FAMLI program already provided 12 weeks of paid leave for specified family and medical reasons. FAMLI leave is job-protected for workers who have been employed with their current employer for at least 180 days before taking leave.

Providing leave for parents of NICU babies is a developing mini-trend in state employee leave laws. A similar measure is set to take effect later this year in Illinois.

Connecticut

Effective Jan. 1, 2026, paid sick leave in Connecticut began applying to employers with 11 or more employees in the state, as part of a phased-in expansion of paid sick leave coverage that began last year. By 2027, Connecticut employers of all sizes will be under the law's mandate. Before the expansion, coverage applied only to employers with 50 employees or more and certain service workers.

The increase in leave under Connecticut's paid sick leave law can be seen as part of a trend of expanding older employee leave laws to match newer, more generous leave laws in other states.

Delaware

Benefits became available under Delaware's paid family and medical leave program (Delaware Paid Leave) on Jan. 1, 2026. Eligible workers are entitled to up to 12 weeks of paid parental leave annually and six weeks of paid medical leave every two years under the program, with a combined limit of 12 weeks of leave per year. Workers are compensated at a rate of up to 80% of their weekly wages. Leave is job-protected.

Employers with 10 or more employees working in Delaware are covered; for employers with 10-24 employees, only the parental leave requirements of the law apply. Employees are eligible for leave if they have been employed for 12 months by their current employer, worked 1,250 hours during that time and report primarily to a worksite in Delaware, meaning they earn at least 60% of their wages while physically working in the state.

The program is funded through payroll deductions split evenly between employers and employees.

Minnesota

Effective Jan. 1, 2026, Minnesota's paid family and medical leave program (Minnesota Paid Leave) went into effect for virtually all Minnesota employers, providing 12 weeks of medical and 12 weeks of family leave per year—capped at 20 combined weeks annually. Workers are eligible if they meet minimal income requirements and work in Minnesota for at least 50% of the year.

Leave under the program is job-protected for employees who have worked for their employer for 90 days. Funding is split between employers and employees, but employers with 30 employees or fewer are eligible for a reduced premium if their employees' average wage is no more than 150% of the state average wage.

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New York

On Feb. 22, 2026, an expansion of New York City's Earned Safe and Sick Time Act went into effect, adding new reasons for leave under the law and requiring employers to provide an additional 32 hours of up-front unpaid time off for every employee at the start of employment and the beginning of each calendar year.

At the same time, Mayor Zohran Mamdani announced an "enforcement blitz" for the law, which the administration is now calling the Protected Time Off Law.

The amended law effectively replaces the city's Temporary Schedule Change Act, which required employers to accommodate two schedule changes per year for employees for any of a number of specified "personal events," which are now included as permitted reasons for leave under the Protected Time Off Law.

Oregon

On Jan. 1, 2026, Oregon employees were allowed to begin using their accrued sick time under state law for blood donation. This expansion is in line with a trend in leave laws nationwide to allow time off for blood, organ and bone marrow donors.

Rhode Island

On Jan. 1, 2026, the permitted annual leave amount under the state's temporary caregiving insurance program (effectively paid family leave) was expanded to eight weeks from seven. This change is in line with the expansion of other older leave laws to match the benefits of newer, more generous leave laws in other states.

Washington

On Jan. 1, 2026, significant amendments to Washington's paid family and medical leave law took effect. Notable changes included:

- Expanding job restoration rights to employees who have worked for their employer for 180 days (replacing work tenure requirements of 12 months and 1,250 hours);
- Expanding job restoration rights to employees of employers with 25 (instead of 50) employees or more;
- Discouraging leave stacking by allowing employers to count an employee's leave under the federal Family and Medical Leave Act against the employee's state paid family and medical leave job protection;
- Requiring employers to maintain health insurance during any paid family and medical leave for which the employee is entitled to job protection; and
- Adding new employer notice obligations related to job restoration.

In addition, also effective Jan. 1, 2026, the Washington Domestic Violence Leave Act added reasonable leave for victims of hate crimes, following a trend seen in domestic violence leave laws in other states.

Upcoming State Leave Law Changes

Illinois

Effective June 1, 2026, all employers with at least 16 employees must provide unpaid leave to parents whose child is a patient in a NICU. The amount of leave required differs depending on the size of the employer, as follows:

- Employers with 16-50 employees: Up to 10 days of leave; and
- Employers with 51 employees or more: Up to 20 days of leave.

Leave may be intermittent or continuous, but the employer may require that it be used in increments of at least two hours. Employees must exhaust any available FMLA leave before using the new leave. They may substitute any paid or unpaid leave to which they are entitled. Employers may require reasonable verification of the child's NICU stay.

Maine

On May 1, 2026, benefits begin under the state's new paid family and medical leave program, providing employees with up to 12 weeks of partially compensated leave per year. Employees who have earned at least six times the state average weekly wage during a base period are eligible for coverage. Individuals who are self-employed may opt into the program.

Leave is job-protected for employees who have worked for at least 120 days. Employees and employers with at least 15 employees contribute equally to the program, through payroll taxes that began Jan. 1, 2025. The Maine Department of Labor began accepting applications on March 30, 2026, for leave beginning on or after May 1, 2026.

New Jersey

Effective July 17, 2026, unpaid, job-protected leave under the New Jersey Family Leave Act will expand to cover private employers with 15 employees (previously 30). Additionally, eligibility requirements for employees under the Act will be reduced: Leave will be available to employees who have worked for their employer for only three months (instead of 12), and for 250 hours (instead of 1,000) during the 12 months before leave. The act provides employees with family leave of up to 12 weeks every two years, for reasons such as baby bonding and caring for a family member with a serious health condition.

Also on July 17, amendments to the state's temporary disability insurance (TDI) and family leave insurance (FLI) programs take effect that appear to require job protection for employees receiving TDI or FLI benefits. Most New Jersey workers are covered by TDI/FLI if they meet earnings and work tenure requirements. The programs have historically been cash benefit-only programs that did not provide a job-protected right to leave.

Employees may receive up to 26 weeks per year of TDI for nonwork-related illnesses or injuries, including pregnancy, that prevent them from working. FLI benefits are capped at 12 weeks per year and are available for leave for reasons similar to those under the FLA, plus for specific purposes related to domestic violence and sexual assault.

Employer Takeaways

Employers operating in the states mentioned above should become familiar with any employee leave changes or new leave rights that apply to them or their employees. Employers should ensure that any necessary updates to their policies or procedures related to these changes are made in a timely manner. Supervisors and managers should also be made aware of changes to ensure compliance.

In addition, employers in states with new programs, like Delaware, Minnesota and Maine, should watch for new guidance and regulations issued by the state to help implement the programs. New Jersey employers should similarly stay alert for official state guidance on new job protection rights for employee recipients of TDI and FLI benefits.