Agenda

1. Why We Need Paid Family Leave
2. Uses of Paid Family Leave
3. Benefits
4. Employee Contributions
5. Eligibility
6. How to Take Paid Family Leave
7. Resources
8. Questions

Helpline: (844) 337-6303  Website: www.ny.gov/PaidFamilyLeave
Why Do We Need Paid Family Leave?
Why Do We Need Paid Family Leave?

1. Employees struggle to choose between maintaining a job and caring for loved ones
2. Employees face the stress of weeks of lost wages
3. Employees fear losing their jobs

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Governor Cuomo worked to develop the nation’s strongest and most comprehensive Paid Family Leave policy.

April 2016 the bill was signed into law.
Paid Family Leave Basics

Provides **Paid Time Off** and **Job Protection** so you can:

- Bond with a new child
- Care for a sick family member
- Assist loved ones when a family member is deployed abroad

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Uses of Paid Family Leave
Bonding with a Child

Provides for both parents to bond with a child within the first 12 months of:

- Birth
- Adoption
- Foster Care

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Caring for a Sick Family Member

Provides paid time off to care for:

● a family member

● with a serious health condition

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These family members can live outside of New York State and even outside the U.S.

Qualifying family members include:

- spouse
- domestic partner
- child
- stepchild
- parent
- parent-in-law
- stepparent
- grandparent
- grandchild

Caring for a Sick Family Member

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Caring for a Sick Family Member

A serious health condition is an illness, injury, impairment, or physical or mental condition requiring either:

1. **inpatient care;** or
2. **continuing treatment or supervision** by a health care provider
Examples of serious health conditions:

- your mother is receiving chemotherapy
- your father is recuperating from surgery
- your child is undergoing treatment for addiction
Examples of health conditions not considered serious under Paid Family Leave:

- common cold/flu
- routine dental, orthodontia
- cosmetic treatment
Assisting During a Military Deployment

For assistance when a spouse, child, domestic partner or parent is deployed abroad on active military service. Events may include:

- Short notice military deployment
- Military events; related activities
- Service member’s rest, recuperation or counseling
- Post-deployment activities
- Making financial/legal arrangements
- Child care arrangements for military member’s child

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Benefits

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Time Off Benefits

Time off benefits phase in starting January 1, 2018 at 8 weeks and will reach 12 weeks by 2021

- **2018**: 8 WEEKS
- **2019**: 10 WEEKS
- **2020**: 10 WEEKS
- **2021**: 12 WEEKS

*The Department of Financial Services will review the marketplace every year before benefits are increased*

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Benefits phase in starting January 1, 2018 at 50% of an employee’s average weekly wage and will reach 67% by 2021.

* Benefits will be capped at the designated percentage of the New York State Average Weekly Wage.
Your Rights and Protections

Employees have paid time off and:

- Job Protection
- Health insurance continued while on leave
  - Employees continue paying their share, if any
- Protection from discrimination and retaliation for requesting or taking Paid Family Leave

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Employee Contributions
You pay for these benefits through a small weekly payroll deduction.

The 2018 payroll contribution is:
- 0.126% of your weekly wage
- Capped at 0.126% of the New York State Average Weekly Wage (SAWW)
- The SAWW for 2018 is $1,305.92

Example: In 2018, if you earn $27,000 a year ($519 a week), you will pay about 65 cents per week for Paid Family Leave.
Weekly Deduction Calculator

A weekly deduction calculator is available:
ny.gov/PFLcalculator

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## Examples for 2018 Paid Family Leave Coverage

<table>
<thead>
<tr>
<th>Weekly Salary</th>
<th>Weekly PFL contribution</th>
<th>Maximum PFL Time Off</th>
<th>Weekly Pay on PFL</th>
<th>Maximum Paid Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>$500 ($26,000 annually)</td>
<td>$0.63/week ($32.76 annually)</td>
<td>8 weeks</td>
<td>$250</td>
<td>$2000</td>
</tr>
<tr>
<td>$1305.92 ($67,907 annually)</td>
<td>$1.65/week ($85.56 annually)</td>
<td>8 weeks</td>
<td>$652.96</td>
<td>$5223.68</td>
</tr>
</tbody>
</table>

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Employee Eligibility
Who is Eligible?

- Most employees who work for private employers
- If you are a public employee, your employer may opt in
- Public employees represented by a union may be covered if Paid Family Leave is collectively bargained
Who is Eligible?

You are eligible if you regularly work:

- **20 or more** hours per week
- **For 26 consecutive weeks**
- **Less than 20** hours per week
- **For 175 days**

You are eligible regardless of your **citizenship and/or immigration status**

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Can You Waive Coverage?

Employees who do not work the minimum time may file waivers

- Available at ny.gov/PaidFamilyLeave
- Employees who file a waiver will be ineligible for benefits and exempt from making contributions
Can You Revoke a Waiver?

- The waiver will be automatically revoked if your schedule changes or you may voluntarily revoke it at any time.
- You will begin making Paid Family Leave contributions along with any retroactive amounts due.
Taking Paid Family Leave

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When Can You Take Paid Family Leave?

- Starting on January 1, 2018
- Maximum benefit available once every 52 weeks

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Insurers must pay or deny the claim within **18 days of receipt**

**Employee**
- Notifies employer of the need for PFL 30 days in advance, if foreseeable

**Employee**
- Files claim form with employer

**Employer**
- Enters information onto claim form
- Returns to employee within 3 days

**Employee**
- Attaches supporting documentation
- Submits to the insurer

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**How You Request Leave**

**Helpline:** (844) 337-6303  **Website:** www.ny.gov/PaidFamilyLeave
You can get Paid Family Leave request forms from:

- Your employer
- Your employer’s insurance carrier
- ny.gov/PaidFamilyLeaveApply

Getting Request Forms

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Handling Disputes

- If your claim is denied, you may request a review
- Arbitration under a neutral arbitrator will resolve disputes
Protection from Discrimination

If your employer:

- does not reinstate you to the same or similar position,
- terminates you,
- reduces your pay and/or benefits, or
- disciplines you for requesting or taking Paid Family Leave,

you can file a **discrimination claim** with the Workers’ Compensation Board.

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Countdown to Paid Family Leave
Visit [ny.gov/PaidFamilyLeave](http://ny.gov/PaidFamilyLeave) to access:

- Detailed information on Paid Family Leave
- Weekly payroll deduction calculator
- Paid Family Leave frequently asked questions
- Paid Family Leave request forms

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