



STATE OF THE STATES:

PAID FAMILY AND MEDICAL LEAVE (PFML) OVERVIEW

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STATE OF THE STATES

State-Mandated Disability Insurance and Paid Family Leave Overview

Several states provide or require employers to provide short-term disability insurance. These short-term disability programs provide partial pay replacement to workers who are ill, injured, or otherwise, become disabled. Though similar, the rules on eligibility for these programs and how they operate vary significantly between states.

Paid Family Leave (PFL) legislation has grown in popularity, and states continue to propose, enact, and launch their own programs. Each jurisdiction's plan eases employees' financial burden when they need to take time from work to care for an ill family member or bond with a new child. These state PFL programs vary significantly, often with different eligibility requirements, funding mechanisms, length of available leave, percentage of wage replacement, and more.

In an ever-increasing trend, some states choose to combine their state-mandated short-term disability with a PFL program to create a Paid Family and Medical Leave (PFML) program. In fact, in early 2022, two more states, Maryland and Delaware, have passed PFML programs.





CALIFORNIA

State Disability Insurance (SDI) and PFL



Covered Employer: Employers of one or more employees with a quarterly payroll of \$100 or more. Employers of domestic employees with a quarterly payroll of \$750 or more.



Employee Eligibility Requirements: Employee must have been paid \$300 in wages during the base period.



Reasons for Leave:

- SDI: Eligible employees who are unable to do their regular or customary work for at least eight consecutive days.
- PFL: Eligible employees who take time off for a family member's qualifying military exigency or to care for a seriously ill child, spouse, parent, parent-in-law, grandparent, grandchild, sibling, or domestic partner. Benefits are also available to bond with a new child entering an employee's life by birth, adoption, or foster care placement.



Benefit Duration:

- SDI: The maximum duration of the benefit period is 52 weeks.
- PFL: 8 weeks in a 12-month period.



Benefit Amount: The weekly benefit amount for both SDI and PFL is 60 to 70 percent (depending on income) of wages earned, up to the maximum weekly benefit amount. Weekly benefits range from \$50 to \$1,540 (2022).



Funding Mechanism: The state administered plan is funded by employee contributions taken as deductions from each employee's paycheck. The 2022 tax rate is 1.10%, up to the annual taxable wage base (\$145,600) per employee. The maximum annual employee contribution for 2022 is \$1,601.60.



Private Plan Option: An employer can opt-out of the state plan by providing a private plan that offers all the benefits of the state plan and exceeds the state plan benefit in at least one provision. To be approved for a voluntary plan, the employer needs the written approval from the majority of eligible employees and must post a security deposit.



IMPORTANT DATES

December 2022: State releases the withholding rate and taxable wage limit for 2023.

Note about San Francisco: The San Francisco Paid Parental Leave Ordinance (SF PPO) requires employers to pay "supplemental compensation" to employees in San Francisco so that the total of CA PFL and SF PPO equals 100% of an employee's gross weekly wage, subject to a cap, while out for bonding leave.



COLORADO

Family and Medical Leave Insurance Program (FAMLI)



Covered Employer: A covered employer includes any person engaged in commerce or an industry or activity affecting commerce that employs one or more person each working day during each of 20 or more calendar workweeks in the current or prior calendar year, or that has paid wages of \$1,500 or more during any calendar quarters in the preceding calendar year.



Funding Mechanism: Funding for the program will begin on January 1, 2023 and will be funded by both employees and employers. The premium from 1/1/23 through 12/31/24 will be 0.9% of each employee's wages, up to the Social Security annual taxable wage cap, with 0.045% paid by the employee and 0.045% paid by the employer. Employers with fewer than ten employees, however, do not need to pay the employer portion of the premium.



Employee Eligibility Requirements: Any employee is eligible if they have worked for a covered employer and earned at least \$2,500 in wages subject to premium during the person's base period or alternative base period. Self-employed persons can elect coverage. An employee of a local government can also elect coverage where the local government has declined participation in the program.



Private Plan Option: Employers can apply for a private plan exemption if they have a plan that confers the same rights, protections and benefits provided to the employees under the state program and does not cost employees more than the premium charged through the state program. Employers with self-insured plans must post a bond with the state. If the employer's private plan is fully insured, the policy must be issued by an insurer approved by the State's Insurance Commissioner.



Reasons for Leave: Leave reasons include:

- Bonding with the employee's newborn or newly placed child within a year of the birth, adoption, or foster care placement;
- Caring for a family member with a serious health condition;
- Employee's own serious health condition;
- Qualifying military exigency, and
- Need for safe leave



Benefit Duration: The maximum available leave that can be taken for any leave reason is 12 weeks. However, an additional 4 weeks of leave is available due to a serious health condition related to pregnancy or childbirth complications. Therefore, the maximum available leave is 12 or 16 weeks. The leave maximums are available per "application year" which is measured as the 12-month period beginning on the 1st day of the calendar week in which an employee files an application for family and medical leave insurance benefits.



Benefit Amount: Benefits are paid at 90% of the employee's average weekly wages up to 50% of the state's average weekly wage. Earnings greater than 50% of the state's average weekly wage will be paid at 50%. The maximum benefit will be set to 90% of the state average weekly wage except that for the year 2024, the maximum will be \$1,100 per week.



IMPORTANT DATES

Fall 2022: Employer registration for the program begins.

January 1, 2023: Premiums begin and are set at nine-tenths of 1% of the employee's wages, subject to a cap.

January 1, 2024: Paid family and medical leave benefits begin.

January 1, 2025: The program director will set the premium based a percent of employee wages and at a rate necessary to obtain 135% of the amount of benefits paid in the prior calendar year plus any amount equal to 100% of the cost of administration of the program.

CONNECTICUT

PFML



Covered Employer: All employers employing one or more employees in the state of Connecticut, with a few exceptions.



Employee Eligibility Requirements: Eligible employees must have earned at least \$2,325 from one or more employers during the highest-earning quarter of the base period and are either currently employed in CT or have been employed in the previous 12 weeks. Employees need not reside in CT to be eligible.



Reasons for Leave: Paid leave is available:

- for employee's own serious health condition;
- to care for a family member who has a serious health condition;
- to bond with a new child following birth, adoption, or foster placement;
- to care for a family member injured in military duty;
- for qualifying military exigencies; and
- to address family violence situations.



Benefit Duration: Eligible employees will be entitled to up to 12 weeks of paid family and/or medical leave in any twelve-month period. An additional two weeks of paid leave is available if medical leave is needed for pregnancy-related disability for a combined maximum of 14 weeks. Pay for family violence leave is limited to 12 days in a 12-month period and is included as part of the 12-week total of PFML benefits.



Benefit Amount: Eligible employees can receive up to 95% of their average weekly earnings, up to a weekly maximum of 60 times the state minimum wage. (\$780/week max as of 1/1/22). Employees who earn more than 40 times the CT minimum wage will receive 60% of their wages that exceed that amount (subject to the cap).



Funding Mechanism: The leave program will be funded by employees through payroll deductions of 0.5% of taxable wages, up to the Social Security maximum (\$147,000 in 2022). There is no employer contribution.



Private Plan Option: Employers can apply for a private plan exemption if they have a plan that confers the same rights, protections and benefits as provided under the state program and does not cost employees more than the premium charged through the state program. Employers with self-insured plans must post a bond with the state. If the employer's private plan is fully insured, the policy must be approved by the CT Insurance Department. A majority of the employees working in CT for the employer must vote in favor of a private plan.



IMPORTANT DATES

May 1, 2022 (and annually thereafter): Deadline for employers with a private plan to file a report providing claims-related information.

July 1, 2022: Written notice of the program must be provided to each employee.

November 1, 2022: Contribution rate announced for following year and annually thereafter.

DISTRICT OF COLUMBIA

PFL



Covered Employer: All employers with one or more employees in Washington, D.C. that also pay unemployment insurance taxes for their employees.



Employee Eligibility Requirements: Employees are eligible if they work for a covered employer and spend more than 50% of their work time for that employer in D.C.; or whose employment for the covered employer is based in the District and who regularly spends a substantial amount of their work time for that covered employer in the District and not more than 50% of his or her work in another jurisdiction.



Reasons for Leave: Eligible employees will be entitled to paid leave for the birth or placement of a child into the household, to care for a family member with a serious health condition, for an employee's own serious health condition, and for prenatal care.



Benefit Duration: Eligible employees are entitled to be paid for up to:

- 8 weeks to bond with a new child (increasing to 12 weeks later in 2022);
- 6 weeks to care for a family member with a serious health condition (increasing to 12 weeks later in 2022);
- 6 weeks to care for their own serious health condition (increasing to 12 weeks later in 2022); and
- 2 weeks to receive prenatal care.

An employee may not take more than 8 weeks total of PFL in a 52-week period (expanding to a total of 12 weeks later in 2022), unless the individual takes both prenatal leave (up to 2 weeks) and parental bonding leave (up to 8 weeks/12 weeks as of later in 2022) for a total of 10 weeks of combined leave (or a total of 14 weeks later in 2022).



Benefit Amount: Weekly benefit amounts will be determined on a sliding scale based on the employee's income, up to 90% of weekly pay with a cap of \$1,009 per week.



Funding Mechanism: The program is employer funded through a 0.62% payroll tax on covered worker wages. As of July 1, 2022, the employer payroll tax decreases to 0.26%. No employee contribution is allowed.



Private Plan Option: There is no private option for the program. The PFML program is administered by the Office of Paid Family Leave (OPFL) within the Department of Employment Services (DOES). Eligible employees apply for PFML benefits, receive their eligibility determinations, and benefit awards from OPFL. NOTE: D.C. does not permit short-term disability policies to take an offset for DC PFL benefits.

IMPORTANT DATES



July 1, 2022: Decrease in employer payroll tax from 0.62% to 0.26%.

July 1 or October 1, 2022: (effective date depends on DC Council vote): Increase in number of weeks of entitlement, up to 12 weeks.



HAWAII

Temporary Disability Insurance (TDI)



Covered Employer: Employers who have one or more employees and employers of domestic employees with a quarterly payroll of \$225 or more.



Employee Eligibility Requirements: An employee must have 14 weeks of covered employment during which time the employee was paid for 20 hours or more and earned at least \$400 in the first 52 weeks prior to the day of disability. The 14 weeks need not be consecutive nor with only one employer, but the employee must be currently employed.



Reasons for Leave: Employees who are ill and/or injured (non-work related) and unable to work for at least eight consecutive days.



Benefit Duration: The maximum benefit available is 26 weeks per benefit year.



Benefit Amount: Weekly benefits are 58% of the employee's average weekly wages, up to a maximum set annually by the state (\$697/week for 2022).



Funding Mechanism: An employer may withhold TDI contributions of 50% of the premium cost but not more than 0.5% of an employee's weekly wage, subject to an annual wage cap, which cannot exceed \$6.00 per week during 2022.



Private Plan Option: Hawaii does not administer a state plan but requires that employers provide a minimum Temporary Disability Insurance (TDI) Plan, which may be insured, self-insured, or an approved collective bargaining agreement that provides sick leave & disability benefits.



IMPORTANT DATES

December 1 2022: Hawaii announces maximum weekly benefit and deduction amounts for 2023.



MARYLAND

PFML



Covered Employer: All employers who employ at least one employee in Maryland.



Employee Eligibility Requirements: Employees are eligible if they work at least 680 hours over the 12-months prior to the start of leave.



Reasons for Leave: Eligible employees are entitled to paid leave for:

- Employee’s own serious health condition;
- To care for a family member with a serious health condition;
- To bond with a newly born or newly adopted/ placed child or kinship care;
- To care for a covered service member with a serious health condition resulting from military service who is the employee’s next of kin; and
- For qualifying military exigencies arising out of the deployment of a service member who is a covered family member of the employee.



Benefit Duration: Eligible employee may take up to:

- 12 weeks of PFML in an Application Year; and
- May be entitled to an additional 12 weeks of PFML if the employee uses bonding leave and medical leave for the employee’s own serious health condition (clarity needed from the state).



Benefit Amount: Benefit amounts vary depending on the employee’s average weekly wage, up to 90% and subject to a maximum cap (\$1,000/week beginning January 1, 2025).



Funding Mechanism: Beginning October 1, 2023, contributions to the MD PFML program begin at a rate to be determined by the state, with the proportion of rate contributions split between employers and employees. Employers with fewer than 15 employees will not be required to pay an employer contribution.



Private Plan Option: Maryland will permit the use of a private employer plan consisting of employer-provided benefits, insurance, or a combination of both. The private plan must be offered to all eligible employees and meet or exceed the rights and benefits offered under the state’s PFML program. A private plan also must be approved by the Maryland Department of Labor.



IMPORTANT DATES

October 1, 2023: Contributions to the state PFML program begin.

January 1, 2025: Benefits begin.



MASSACHUSETTS

PFML



Covered Employer: All Massachusetts private sector employers with one or more employees in the Commonwealth of Massachusetts.



Employee Eligibility Requirements: Eligible employees must meet a financial eligibility requirement, which for 2022 includes earnings of at least \$5,700 during the last four completed calendar quarters, and at least 30 times more than weekly PFML benefits.



Reasons for Leave: Eligible employees are entitled to paid leave for their own serious medical condition, to care for a family member with a serious health condition, to bond with a newly born or newly adopted/placed child, to care for a covered service member, and for qualifying military exigencies.



Benefit Duration: Eligible employees may take up to:

- 20 weeks of paid medical leave for employee’s own serious health condition;
- 12 weeks of paid family, bonding, and military exigency leave; and
- 26 weeks of paid leave to care for a covered service member.

An employee may not take more than 26 weeks of combined leave in a benefit year. The “benefit year” is the 52 consecutive weeks beginning on the Sunday immediately preceding the first day that leave begins.



Benefit Amount: Benefit amounts vary depending on the employee’s average weekly wage, up to 80% and subject to the maximum cap of \$1,084.31/week in 2022.



Funding Mechanism: The program is funded by premiums paid by employees and employers. For 2022, the Massachusetts PFML contribution rate is 0.68% of an employee’s wages (employees pay 40% of the medical leave premium and 100% of the family leave premium) up to the Social Security taxable wage base of \$147,000. Employers with fewer than 25 employees need not make an employer contribution.



Private Plan Option: Employers are able to apply for a private plan exemption if their plan provides benefits that are greater than or equal to the benefits provided by the state PFML program and does not cost covered employees more than they would be required to contribute to the state plan. Private plan applications are accepted on a rolling basis, but applications must be approved in the quarter prior to the quarter in which they go into effect. Employers with an approved self-insured plan are also required to post a surety bond.



IMPORTANT DATES

July 31, 2022: Deadline to submit quarterly PFML contributions for second quarter of 2022 (April, May, June).



NEW HAMPSHIRE

PFML



Covered Employer: Mandatory for state employees (i.e., the State of New Hampshire as employer) but voluntary for private employers with more than 50 employees and all public non-state employers. A tax credit is provided to employers who opt-in to the program.



Private Plan Option: Private employers who opt-in to the state program would contract directly with the carrier that wins the state bid for administering the program on behalf of the state. If a private employer provides a PFML benefit that is at least equivalent to the state program, employees working for that employer may not opt-in to the state program on an individual basis.



Employee Eligibility Requirements: No employee eligibility requirements are established yet, but a tenure requirement is expected. Individuals who work for an employer who chooses not to offer NH PFML coverage (or an equivalent PFML benefit) may opt in for individual coverage under the state plan.



Reason for Leave: Paid leave may be used for the birth or placement of a child into the household, to care for a family member with a serious health condition, for a qualifying military exigency, or to care for a service member with a serious injury or illness. For individuals who opt into the state program and whose employer does not offer short-term disability insurance, paid leave also may be used for the individual's own serious health condition.



Benefit Duration: Up to six weeks per year.



Benefit Amount: Eligible employees receive 60% of their average weekly wage, with the wages capped at the amount of the Social Security taxable wage maximum.



Funding Mechanism: Employers who opt-in to the state program may either pay for the full premiums for their employees or use payroll deduction for contributory payments from employees. Procedures for employers to remit premiums to the state fund must be determined.



IMPORTANT DATES

January 1, 2023: Coverage must be available for purchase by non-state public employers, private employers with more than 50 employees, and individuals.



NEW JERSEY

Temporary Disability Insurance (TDI) and Family Leave Insurance (FLI)



Covered Employer: All private sector employers subject to the New Jersey Unemployment Compensation law.



Employee Eligibility Requirements: Employees must work 20 calendar weeks and for 2022, have earned a minimum of \$240 weekly, or have earned a combined total of \$12,000 in the period consisting of the first four of the last five completed quarters preceding the first day of disability.



Reasons for Leave:

- TDI: Eligible employees are entitled to paid leave when they are unable to work due to a non-work-related illness, injury, or other disability, including pregnancy.
- FLI: Eligible employees are entitled to family leave to care for a newly born or newly placed child and to care for family member with a serious health condition. Family care leave can also be used to care for eligible family members who are victims of domestic and sexual violence.



Benefit Duration:

- TDI: 26 weeks or the period necessary for benefits to equal 1/3 of total wages in base year, whichever is the lesser.
- FLI: 12 consecutive weeks or 56 intermittent days during a 12-month period beginning with the first date of the claim.



Benefit Amount:

- TDI and FLI: Up to 85% of employee's average weekly wage. The maximum weekly benefit amount for 2022 is \$993.



Funding Mechanism: The TDI program is funded by premiums paid by both employees and employers while the FLI program is funded 100% by employee payroll deduction.

- TDI: For 2022, the maximum employee contribution rate is 0.14% of the annual taxable wage base of \$151,900 with the maximum annual contribution rate of \$212.66.

The employer contribution is 0.50% on the first \$39,800 earned by each employee during the calendar year.

- FLI: For 2022, the maximum employee contribution rate is 0.14% of the annual taxable wage base of \$151,900 with the maximum annual contribution rate of \$212.66.



Private Plan Option: Employers can choose the state plan or an insured or self-insured plan, which must at least equal the provisions of the state plan.



IMPORTANT DATES

December 1, 2022: New contribution rates and maximum weekly benefits are announced.



NEW YORK

Disability Benefits Law (DBL) and PFL



Covered Employer: Employers who have one or more employees in New York for at least 30 days in any calendar year.



Employee Eligibility Requirements:

- DBL: Employees who work 4 consecutive weeks of covered employment are eligible for benefits.
- PFL: employee must have been employed by a covered employer for 26 or more consecutive weeks (or 175 days of employment for part-time employees).



Reasons for Leave:

- DBL: employee who cannot work due to an illness that was not caused by their job or a disability from a non-occupational injury.
- PFL: Paid family leave to bond with a newly born or newly placed child, to care for family member with serious health condition, or for a qualifying exigency arising out of spouse, domestic partner, child or parent being on active duty (or having been notified of an impending call or order to active duty).



Benefit Duration:

Eligible employees are entitled to:

- DBL: 26 weeks within 52-week period.
- PFL: 12 weeks within 52-week period.
- The maximum length for DBL & PFL benefits combined cannot exceed 26 weeks in a consecutive 52-week period.



Benefit Amount:

- DBL: 50% of an employee's average weekly wage based on the previous 8 weeks of earnings. Eligible employees will receive at least \$20 per week and no more than \$170 per week.
- PFL: 67% of a worker's average weekly wage not to exceed 67% of the state average weekly wage of \$1,594.57. The maximum weekly benefit for 2022 is \$1,068.36.



Funding Mechanism: DBL and PFL are funded through employee wage deductions.

- DBL: Employee contribution is 0.5% of weekly taxable wage base of \$120.00, not to exceed \$0.60 per week. Employers pay the balance of plan cost.
- PFL: The maximum employee contribution rate for PFL is 0.511% of the employee's gross annualized wages capped at the New York State Average Weekly Wage (\$1,594.57 for 2022). The 2022 maximum annual contribution per employee for PFL is \$423.71.



Private Plan Option:

- DBL: An employer can self-insure, insure the benefits through the NY State Insurance Fund (NYSIF), or insure the benefits through a private insurance carrier.
- PFL: An employer can purchase PFL coverage from a private insurer or through NYSIF. An employer can self-insure PFL if they are currently self-insured for DBL.



IMPORTANT DATES

January 1, 2023: New York PFL will expand family care to cover siblings and new contribution rates and maximum weekly benefit amounts for 2023 go into effect.



OREGON

PFML



Covered Employer: All private sector employers with one or more employees in the state of Oregon.



Private Plan Option: Employers may apply to have an approved private plan to replace the state plan. The private plan must be equivalent to the state's program.



Employee Eligibility Requirements: During the base year or alternative base year, must have earned at least \$1,000 in wages and paid into the Paid Family and Medical Leave Insurance Fund.



Reasons for Leave: Eligible employees are entitled to paid leave:

- for the employee's own serious health condition;
- to care for a family member with a serious health condition;
- for bonding with a new child (birth, adoption, or foster placement); and
- for matters related to domestic violence, harassment, sexual assault, or stalking.



Benefit Duration: Eligible employees in Oregon are entitled to 12 weeks of paid leave. Women with pregnancy related medical conditions may take two extra weeks for a total of 14 weeks of paid leave.



Benefit Amount: Employees who earn 65% of the state average weekly wage or less will be paid 100% of their average weekly wage. Employees who make greater than 65% of the state average weekly wage will be paid 65% of the state average weekly wage plus 50% of the employee's average weekly wage that exceeds 65% of the state average weekly wage. The maximum weekly benefit is capped at 120% of the state average weekly wage.



Funding Mechanism: The cost of the program is shared by employers and eligible employees. Each contribute a percentage established by the Employment Department Director, not to exceed 1% of the employee's wages, up to a maximum of \$132,900 of wages (\$1,329 contribution per year). Employers with 25 employees or more will contribute 40% of that premium and will collect 60% (of that 1%) through a payroll deduction from employee wages. Employers with fewer than 25 employees are not required to contribute the employer 40% (though are "encouraged" to do so). The Employment Department Director will adjust the maximum amount annually.



IMPORTANT DATES

Please note that Oregon has delayed the implementation of its PFML program.

New dates are:

January 1, 2023: Contributions to fund the program begin.

September 3, 2023: Benefits begin.



RHODE ISLAND

Temporary Disability Insurance (TDI) and Temporary Caregiver Insurance (TCI)



Covered Employer: All private sector employers with one or more employees in the state of Rhode Island.



Private Plan Option: There is no private plan option in Rhode Island. The Rhode Island Department of Labor and Training administers TDI and TCI. Eligible employees will apply for benefits, receive their eligibility determinations, and benefit awards from the state of Rhode Island.



Employee Eligibility Requirements: Employee must have been paid wages in Rhode Island of at least \$14,700 in the base period and paid into the TDI/TCI fund. Alternately, employees qualify if they earned at least \$2,450 in a quarter of their base period, their total base period taxable wages were at least 150 percent of their highest quarter of earnings, and their taxable wages during their base period are \$4,900 or more.



Reasons for Leave:

- TDI: Eligible employees are entitled to TDI when they have been unable to work for at least 7 days due to a non-job related illness or injury.
- TCI: Eligible employees are entitled to family leave to bond with newly born or newly placed child, or to care for family member with serious health condition.



Benefit Duration:

- TDI: 30 weeks in any benefit year.
- TCI: 5 weeks in a benefit year.

The combined maximum benefit for both TDI and TCI is 30 weeks in a benefit year.



Benefit Amount: The average weekly benefit rate is 4.62% of wages paid during the highest quarter of worker's base period. The minimum weekly benefit is \$107, and the maximum is \$978 per week. The benefit increases if the employee has dependents. The maximum dependents allowance is the greater of \$10 per dependent or 7% of the weekly benefit rate (up to five dependents) and the maximum weekly benefit with up to five dependents is \$1,320.



Funding Mechanism: TDI and TCI benefits are funded through employee contributions. The current withholding rate is 1.1 percent of worker's first \$81,500 in wages. The maximum annual employee contribution is \$897.



IMPORTANT DATES

July 1, 2022: Annual updates to rates and benefits become effective.

January 1, 2023: TCI duration increases to 6 weeks in a benefit year.



WASHINGTON

PFML



Covered Employer: All public and private employers with one or more employees in the state of Washington.



Employee Eligibility Requirements: Must have worked for at least 820 hours during the qualifying period for one or more employers in Washington.



Reasons for Leave: Eligible employees are entitled to paid leave for their own serious health condition, bonding with newly born or placed child, to care for family member with serious health condition, or for a qualifying exigency arising out of family member being on active duty (or having been notified of an impending call or order to active duty). Beginning on June 9, 2022, employees are entitled to paid bereavement leave during the 7 calendar days following the death of their child.



Benefit Duration: Eligible employees are entitled to 12 weeks of paid leave to be used for either their own medical condition or for family care. An employee may take an additional two weeks of leave if needed because of incapacity due to pregnancy-related condition, for up total of 14 weeks of medical leave. An employee cannot take more than 16 weeks of combined leave for their own serious health condition and family leave (18 if leave is needed due to pregnancy-related incapacitation) of paid leave a year.



Benefit Amount: For workers paid 50% or less of the statewide average weekly wage (AWW), the weekly benefit rate is 90% of the worker's AWW. For workers paid more than 50% of the statewide AWW, the weekly benefit rate is 90% of the employee's AWW up to 50% of the statewide AWW. For 2022, the maximum weekly benefit is \$1,327.



Funding Mechanism: For 2022, the total premium rate is 0.6% of the worker's first \$147,000 in wages. The medical leave premium is 2/3 of that rate and the family leave premium is 1/3. The employee is responsible for all of the family leave premium. Therefore, employers pay up to 26.78% and employees pay 73.22% of the total premium.



Private Plan Option: Employers are able to apply for a private plan exemption for either paid family leave, paid medical leave, or both if their plan provides benefits that are greater than or equal to the benefits provided by the state PFML program. The state must approve all voluntary plans. A plan's effective date will be the first day of the quarter following state approval.



IMPORTANT DATES

June 9, 2022: Bereavement leave added as a leave reason for a parent grieving the loss of a child during the seven calendar days following the child's death. Also, the state must begin publishing on its website a current list of all employers that have approved voluntary PFML plans.

Resources

California:

http://www.edd.ca.gov/disability/FAQ_PFL_Eligibility.htm

<https://sfgov.org/olse/paid-parental-leave-ordinance>

Colorado:

<https://famli.colorado.gov/>

Connecticut:

https://ctpaidleave.org/s/?language=en_US

Delaware:

<https://legis.delaware.gov/json/BillDetail/>

[GenerateHtmlDocumentSessionLaw?sessionLawId=79186&docTypeId=13&sessionLawName=chp301](https://legis.delaware.gov/json/GenerateHtmlDocumentSessionLaw?sessionLawId=79186&docTypeId=13&sessionLawName=chp301)

District of Columbia:

<https://dcpaidfamilyleave.dc.gov/>

Hawaii:

<http://hawaii.gov/labor/dcd/abouttdi.shtml>

Maryland:

https://mgaleg.maryland.gov/2022RS/chapters_noln/Ch_48_sb0275E.pdf

Massachusetts:

<https://www.mass.gov/orgs/department-of-family-and-medical-leave>

New Hampshire

<https://www.governor.nh.gov/sites/g/files/ehbemt336/files/documents/family-leave.pdf>

New Jersey:

<https://myleavebenefits.nj.gov/labor/myleavebenefits/worker/tdi/>

New York:

<http://www.wcb.ny.gov/>

<https://paidfamilyleave.ny.gov/>

Oregon:

<http://www.oregon.gov/EMPLOY/PFMLI/Pages/default.aspx>

Rhode Island:

www.dlt.state.ri.us

www.dlt.ri.gov/tdi

Washington:

<https://esd.wa.gov/paid-family-medical-leave>



This material is not legal advice and is provided for informational purposes only. Employers should consult their own employment or benefits counsel for advice concerning their specific obligations under state-mandated disability and paid family and medical leave laws.

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