

New York Paid Family Leave (PFL) Law

What You Need To Know

What is the New York Paid Family Leave Law?

New York Paid Family Leave (PFL) is job-protected, paid time away from work mandated by New York State. Eligible employees may take NY PFL:

- ▶ to take care of a seriously ill family member;
- ▶ to bond with a newborn, adopted, or foster child; or
- ▶ for military exigency (as defined by Federal Family Medical Leave Act (FMLA)).

New York's Disability Benefits Law (DBL) was amended to include paid family leave for New York workers beginning January 1, 2018. Employees with non-occupation disabilities will remain eligible for DBL. Draft regulations were released on February 22, 2017 and published in the State Register. These regulations are subject to a 45-day notice and public comment period before they become eligible for final issuance.

How long must employees be working to be eligible for NY PFL coverage? Who pays for the program?

Full-time employees are eligible for coverage after 26 weeks of consecutive employment. Part-time employees are eligible after 175 days of employment. Employees pay for the program through payroll deduction. The New York State Department of Financial Services will determine the amount of the employee contribution.

Which employers are required to provide NY PFL coverage?

All covered employers with one or more employees working in New York will be required to provide paid family leave coverage. Public employers are not required to provide this coverage but may opt in to paid family leave benefits.

Can employers purchase a standalone NY PFL policy?

Per New York requirements, employers with a DBL insurance policy will automatically have NY PFL included with that policy beginning January 1, 2018. The only employers who may purchase a standalone NY PFL policy are those who self-insure their DBL plans. These customers will also have the option to self-insure their NY PFL plans, with notification to the board.

When will rate information be available for NY PFL?

The New York State Department of Financial Services will determine rates no later than June 2017.

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What are our plans for NY PFL?

In the coming months, First Reliance Standard Life Insurance Company (First Reliance) will continue to closely follow developments. As we prepare to underwrite and administer this new benefit, we will provide producer and customer communications to address final regulations and their impact. First Reliance will update DBL customers' contracts to reflect the mandatory addition of NY PFL coverage.

AT A GLANCE

Program Roll-out/Evolution

Effective Date	Benefit Amount (% of Employee Salary capped at % of NY Average Weekly Wage*)	Maximum Benefit Duration
January 1, 2018	50%	8 weeks
January 1, 2019	55%	10 weeks
January 1, 2020	60%	10 weeks
January 1, 2021	67%	12 weeks

*\$1,296 is the current NY Average Weekly Wage as of 4/15/2017. This amount is updated each July 1.

Employers

Eligibility	All covered employers with one or more employees working in New York State.
Coordination with other benefits	Employers with a DBL insurance policy will automatically have PFL included with that policy beginning January 1, 2018.
Funding	PFL benefits are funded by employees through payroll deduction. (Employers may, but are not required to, contribute.)
Rates	New York State will confirm rates in June 2017.
Other	<ul style="list-style-type: none"> ▶ Benefits are payable on the first day of an eligible absence – there is no elimination period. ▶ Employers must continue to provide employees' health insurance while they are on leave. ▶ Employees returning from leave must return to a similar position without loss of benefits.

Employees

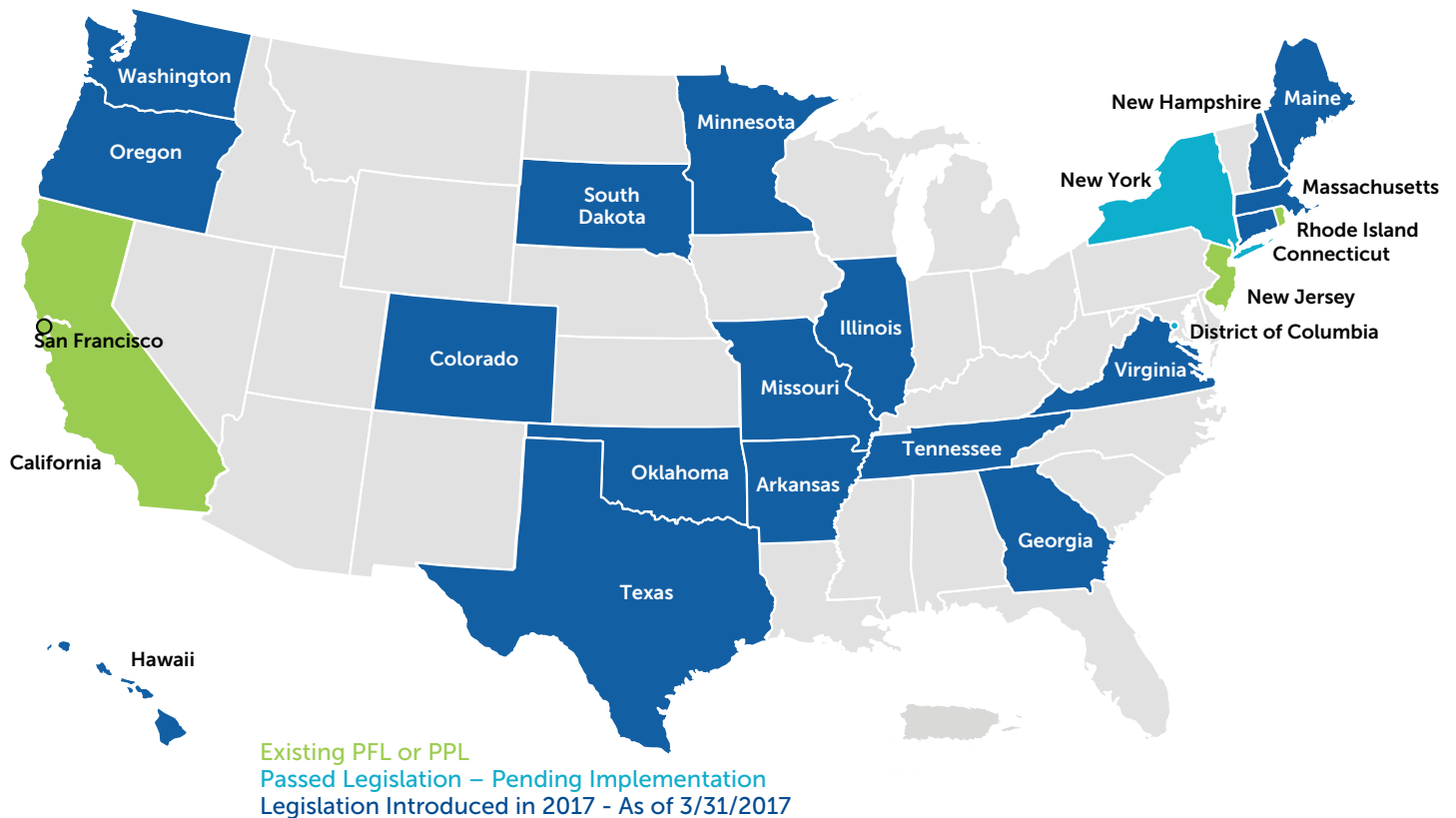
Eligibility	All NY employees who have worked with the same employer for at least 26 weeks.
Coordination with other benefits	PFL must be used concurrently with FMLA. PFL benefits may not be received at the same time as DBL benefits.
Funding	PFL benefits are funded by employees through payroll deduction. (Employers may, but are not required to, contribute.)
Benefits	The benefit structure will increase each year, beginning with 50% of average weekly wage in 2018 and becoming final at 67% in 2021.

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Paid Parental Leave (PPL) and Paid Family Leave (PFL)

More and more states are enacting PFL and PPL legislation tied to both the Family and Medical Leave Act (FMLA) and existing state leave laws and entitlements. The core principal is the same: Typically PPL or PFL equates to job-protected, paid time off from work in order to care for a loved one. However, there are no universal standards. Variables by state (and potentially municipal) program can include: funding mechanism (employer, employee, mixed); taxation/credits; applicability to employee's own health condition; benefit amount/calculation; benefit duration; and so on.



What you need to know

Not all PPL/PFL programs carry job protection. Not all PPL/PFL programs are employee funded. Not all PPL/PFL programs include civil unions. You get the idea... it's difficult and expensive to keep current on proposed legislation, let alone stay compliant. Yet the potential exposure from non-compliance is high and can put corporate resources and an otherwise sound absence management strategy at risk. The answer is a market leading partner to administer the full range of federal and statutory leaves – including comprehensive ADA management.

We can help!

Matrix has helped clients manage PFL in California since its inception and today has more than 200,000 employee lives under PFL management nationally. With a deep, eminently qualified team of legal/compliance experts and more experience administering virtually every kind of employee leave than anyone else in the market, Matrix is the preeminent provider of comprehensive absence management. Contact your Reliance Standard sales representative or account manager to discuss program options or for more information.

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Reliance Standard Life Insurance Company is licensed in all states (except New York), the District of Columbia, Puerto Rico, the U.S. Virgin Islands and Guam. Product availability and features may vary by state. In New York, insurance products and services are provided through First Reliance Standard Life Insurance Company, Home Office: New York, NY.

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