

New York State Paid Family Leave

STARTING JANUARY 1, 2018, NEW YORK STATE EMPLOYEES MAY BE ENTITLED TO PAID FAMILY LEAVE UNDER NEW YORK LAW.

Eligibility Requirements

Employees with a regular work schedule of 20 or more hours per week are eligible to take Paid Family Leave only after 29 weeks of employment with the same employer.

Employees with a regular work schedule of less than 20 hours per week are eligible to take Paid Family Leave only after 175 days worked with the same employer.

Opting out of Wage Deduction

Employers are entitled to deduct 0.153% from wages to pay for family leave insurance, with a maximum annual contribution of \$107.97.

Employees who do not work long enough to qualify for benefits (i.e. seasonal workers) may opt out of the program by completing this [PFL Waiver](#) and returning it to Extreme Reach. Since qualifications relate to each employer, a waiver must be submitted for each job separately.

If an employee qualifies for Paid Family Leave after submitting a waiver, the deduction will occur retroactively to the hire date.

Benefits of Paid Family Leave

New York Paid Family Leave provides job-protected, paid time off so New York state employees can:

- Bond with a newly born, adopted or fostered child
- Care for a family member with a serious health condition
- Assist families in connection with a military deployment

Benefits phase in over four years. In 2019, qualified employees are eligible for up to ten weeks of leave at 55% of their Average Weekly Wage (AWW), up to a maximum of 55% of New York State Average Weekly Wage (SAWW, currently \$1,357.11).

Year	Weeks of Leave	Benefit
2019	10 weeks	55% of employees AWW, up to 55% of SAWW
2020	10 weeks	60% of employees AWW, up to 60% of SAWW
2021	12 weeks	67% of employees AWW, up to 67% of SAWW

Additional Protections

- Employers cannot discriminate or retaliate against employees for taking Paid Family Leave.
- Employees have the right to return to their same or comparable job.
- Employees are guaranteed continued health insurance while on leave. Employers may require employees continue to pay their health insurance premium contributions.
- Citizenship and immigration status do not impact eligibility.

How to Apply

1. Employee notifies employer 30 days prior to leave, when practical.
2. Employee fills out a claim form according to employer instructions. Claim forms are available from the employer, insurance carrier or ny.gov/paidfamilyleave.
3. Employee obtains supporting documentation for leave (birth certificate, military deployment certification, etc.)
4. Employee submits claim form and supporting documentation to:

Lincoln Life and Annuity Company of New York
8801 Indian Hills Drive
Omaha, NE 68114
Toll Free Number: 1-800-423-2765

The insurance carrier must respond within 18 days of receipt of the completed claim.

Disputes

If your Paid Family Leave claim is denied, you may request to have the denial reviewed by a neutral arbitrator. Lincoln Life & Annuity Company of New York will provide you with information about requesting arbitration.

Discrimination Complaints

If your employer terminates your employment, reduces your pay and/or benefits, or disciplines you in any way as a result of you taking or asking about Paid Family Leave, you may request to be reinstated by taking these steps:

1. Complete the Formal Request for Reinstatement Regarding Paid Family Leave form ([PFL-DC-119](#))
2. Send your completed form to your employer and a copy of the completed form to:
Paid Family Leave, P.O. Box 9030, Endicott, NY 13761-9030
3. If your employer does not reinstate you within 30 days, you may file a discrimination complaint with the Worker's Compensation Board using form [PFL-DC-120](#). The Worker's Compensation Board will assemble your case and schedule a hearing.

For more information, visit ny.gov/paidfamilyleave or call (844) 337-6303.