

A guide for bonding



Agenda

- 1. Why do we need Paid Family Leave?
- 2. Paid Family Leave for bonding
- 3. 2023 benefits and contributions
- 4. Employee eligibility
- 5. Taking Paid Family Leave for bonding
- Top questions about Paid Family Leave for bonding
- 7. Paid Family Leave and COVID-19
- 8. Resources
- 9. Questions









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.





New York leads the nation

In April 2016, New York State enacted the nation's strongest and most comprehensive Paid Family Leave policy into law.

- Paid Family Leave is employee-funded insurance that helps workers be there for their family when they're most needed.
- Workers no longer have to choose between caring for their loved ones and their jobs.









Paid Family Leave basics

Provides paid time off and job protection so you can:



Bond with a new child



Care for a family member with a serious health condition



Assist loved ones when a spouse, domestic partner, child, or parent is deployed abroad





Paid Family Leave & COVID-19



Care for yourself or your minor dependent child when under an order of quarantine or isolation due to COVID-19.









Your rights and protections

Paid time off and:

- Job protection.
- Continued health insurance while on leave, on the same terms as if you had continued to work.
- Protection from discrimination and retaliation for requesting or taking Paid Family Leave.











Why Paid Family Leave for bonding is important

- New mothers have fewer postpartum depression symptoms, higher breastfeeding rates, and breastfeed longer.
- Parents are less stressed and have stronger parent-child bonding.
- Infants have fewer infections and are generally healthier.





Paid Family Leave for bonding

Paid Family Leave provides time for parents to bond with a child within the first 12 months of:

- Birth
- Adoption
- Foster Care













Higher maximum benefit

In 2023, eligible employees may take up to **12** weeks of PFL at 67% of their AWW, up to 67% of the NYSAWW.

BENEFITS FOR 2023		
12 weeks	67% of employee's AWW, up to 67% of NYSAWW	New maximum weekly benefit \$1,131.08









Wage benefits calculator

A wage benefit calculator is available:

PaidFamilyLeave.ny.gov/ PFLbenefitscalculator2023

PAID FAMILY LEAVE

2023 Wage Benefit Calculator

Employees who take Paid Family Leave will receive 67% of their average weekly wage (AWW), capped at 67% of the New York State Average Weekly Wage. Generally, your AWW is the average of your last eight weeks of pay prior to starting Paid Family Leave, including bonuses and commissions. The maximum weekly benefit for 2023 is \$1131.08.

Use the calculator below to view an estimate of your weekly benefit.

Enter your last eight weeks of gross wages:

0.00	0.00
0.00	0.00
0.00	0.00
0.00	0.00

SUBMIT

Note: When calculating benefits, Paid Family Leave insurers must use whichever is higher: the last eight weeks worked **including** the week when PFL started, or the last eight weeks worked **not including** the week PFL started.









Lower employee contribution

- The 2023 payroll contribution is **0.455**% of an employee's gross wages each pay period, capped at an annual maximum of **\$399.43**.
- If an employee earns less than the New York State Average Weekly Wage of \$1,688.19, their annual contribution will be less than the cap.









Weekly deduction calculator

A weekly deduction calculator is available:

PaidFamilyLeave.ny.gov/ paid-family-leave-calculator2023

PAID FAMILY LEAVE

2023 Paid Family Leave Payroll Deduction Calculator

If you are eligible for Paid Family Leave, you pay for these benefits through a small payroll deduction equal to 0.455% of your gross wages each pay period. In 2023, these deductions are capped at the annual maximum of \$399.43.

Use the calculator below to view an estimate of your deduction.

Enter your gross wages for the pay period, including estimated bonuses/commissions:

0.00

*This calculator is meant to give only an estimate of your PFL deduction. Your actual deduction amount may change depending on whether you receive bonuses and commissions or other forms of compensation as part of your wages.

SUBMIT









2023 benefit and contribution summary

As of January 1, 2023:

- Maximum weekly benefit: Increases from \$1,068.36 to \$1,131.08.
- Employee contribution rate: Employers may deduct at the rate of 0.455% of an employee's gross wages each pay period, capped at an annual maximum of \$399.43.

Full details at: PaidFamilyLeave.ny.gov/2023











Who is covered?

- Most employees who work for private employers.
- If you work for a public employer, your employer may opt in.
- If you're a public employee represented by a union, you may be covered if Paid Family Leave is collectively bargained.











Who is eligible?

Employees who work for covered employers are eligible if you:

- Regularly work 20 or more hours per week.
 - After 26 consecutive weeks of employment with the same employer.
- Regularly work fewer than 20 hours per week.
 - For 175 days with the same employer.

Citizenship and/or immigration status is not a factor in eligibility.









Who is eligible?

- Domestic workers
 - Effective January 1, 2022.
 - Covered for disability benefits and Paid Family Leave if employee is working 20 or more hours per week for the private homeowner.
 - Eligible once in employment for 26 consecutive weeks.
- NEW! Effective January 1, 2023, siblings are included in family members eligible to receive family care under Paid Family Leave.









Can you waive coverage?

You can only waive coverage if you:

- Regularly work 20 or more hours per week but won't be in employment with your employer for 26 consecutive weeks; or
- Regularly work fewer than 20 hours per week and won't work 175 days in a 52-week period.

Employers must provide a waiver form to all employees who qualify.

Employees who properly file a waiver will be **ineligible** for benefits and **exempt** from making contributions.













How to request leave



Notify your employer at least 30 days before the start of your leave if foreseeable, or as soon as possible. Insurers must pay or deny the request within 18 days of receiving a completed request, or the first day of leave, whichever is later.









Step 1: Inform your employer

Let your employer know at least 30 days before your leave will start, if it's foreseeable.









Step 2: Complete the required PFL request forms

Bonding leave package includes two forms:

- Request for Paid Family Leave (Form PFL-1)
- Bonding Certification (Form PFL-2)









Getting request forms

You can get Paid Family Leave request forms from:

- Your employer,
- Your employer's insurance carrier, or
- PaidFamilyLeave.ny.gov/forms











- Employee fills out Part A.
- Employer fills out Part B.
- You must also state why you are requesting the leave and how it pertains to you.











PART A - EMPLOYEE INFORMATION (to be completed by the employee) - continued from prior page		
Form PFL-1	continued fro	om prior page
13. Will PFL be for a continuous period of time and/or periodic?		
	Continuous	PFL start date (MM/DD/YYYY) PFL end date (MM/DD/YYYY) Dates are estimated
F	^p eriodic	Identify dates periodic PFL will be taken: Dates are estimated
14. If pro	viding less	than 30 day's advance notice to the employer, please explain:









Er	nployment Information (to be completed by the em	ployee)		
15.	Business name			
16.	Employee's date of hire (MM/DD/YYYY)			
17.	17. Employee's work location			
	Street address			
	City, State	Zip code	Country (if not U.S.A.)	
18.	Employee's average gross weekly wage (This data will be	e requested of both emplo	yee and employer)	
19.	Employer's telephone number for contact regarding th	is request (у	
20a	. Does employee have more than one employer?	Yes No		
20b	20b. If yes, is employee taking PFL from the other employer? Yes No			
21.	21. Is employee currently receiving Workers' Compensation Lost Wage Benefits? Yes No			
Dis	Disclosure statement: Information regarding PFL benefits received by the employee, such as payments received and types of leave, will be provided to the employer.			









Declaration and signature	
	or other person files an application for insurance or statement of claim containing formation concerning any fact material thereto, commits a fraudulent insurance act, thousand dollars and the stated value of the claim for each such violation.
I am hereby making a request for paid family leave benefits under the NYS W providing is true and accurate to the best of my knowledge and belief.	lorkers' Compensation Law. My signature affirms that the information I am
Employee's signature	Date signed (MM/DD/YYYY)
I am submitting this form in advance (see instructions about pre-submitt required missing information.	ing). I understand the insurance carrier will contact me to advise how to submit the

PFL-1 (11-17) Page 2 of 4 If you need assistance, please call (844) 337-6303 www.ny.gov/PaidFamilyLeave





Employer to complete
Request for Paid Family
Leave (Form PFL-1, Part B)

_	iployee's	ETED BY THE EMPLOYEE name (first name, middle initial, last na	ame) E	employee's date of t	oirth (MMDDYYYY)	
PA	RTB-E	MPLOYER INFORMATION (to be completed by th	ne employer)		
1.	Business's full legal name and mailing address Business name					
	Mailing add	Making address				
	City, State		Zip o	ade	Country (finat U.S.A.)	
	Employer					
		's Standard Industrial Classifi				
4.	Employer	's contact name for questions	related to PFL			
		's contact email address				
8.	Employee Employee	e's date of hire (MA/DD/YYYY) e's occupation Codes are available last 8 weeks of gross wages fo			e gross weekly wage	
8.	Employee Employee	e's date of hire (MMDD/YYYY)			•e gross weekly wage	
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8.	Employee Employee Enter the Week no. 1 2 3	e's date of hire (MA/DDAYYY) e's occupation Codes are available last 8 weeks of gross wages for	or the employee and o	alculate the averag	•e gross weekly wag e	
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8.	Employee Employee Enter the Week no. 1 2 3 4 5 6	e's date of hire (MA/DDAYYY) e's occupation Codes are available last 8 weeks of gross wages for	or the employee and c	alculate the averag		

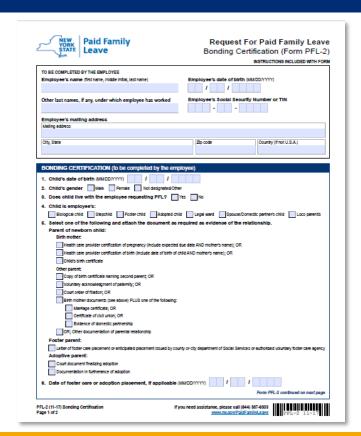








Completing the *Bonding*Certification (Form PFL-2)







Proof of relationship

A parent's claim for Paid Family Leave to bond with a child must be supported by documentation.

- Birth certificate
- Certification of pregnancy or birth
- Acknowledgment of paternity/parentage
- Certificate of marriage or civil union

- Evidence of domestic partnership
- Letter of foster care placement
- Court document finalizing adoption





Proof of relationship

If you are a(n)	Bonding Form/Certification needed:
Birth parent submitting before the birth of your child	Health Care Provider certification of pregnancy
Birth parent submitting after the birth of your child	 Child's birth certificate or Health Care Provider certification of birth
Non-birth parent	 Child's birth certificate; or Voluntary Acknowledgment of Paternity (Form LDSS-4418); or Court Order of Filiation; or Documentation from health care provider of pregnancy or birth AND a second document verifying relationship with the birth parent or child (marriage certificate, civil union, or domestic partner documents)
Foster parent	A foster care placement letter
Adoptive parent	Court documents of adoption



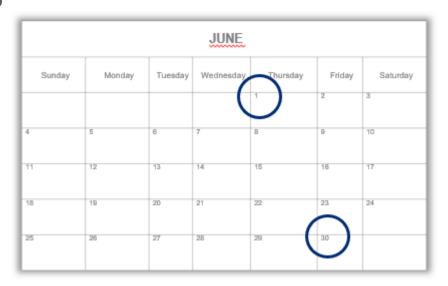






Step 3: Send forms to insurance carrier

- Send all forms and documentation to your employer's insurance carrier.
- The insurance carrier must pay or deny within 18 calendar days of receiving your completed request, or the first day of leave, whichever is later.











Handling disputes

- If your claim is denied, or you have another claim-related dispute, you may request arbitration.
- Arbitration for Paid Family Leave is handled by NAM (National Arbitration and Mediation) nyspfla.namadr.com.









Protection from discrimination

If your employer:

- does not reinstate you to the same or comparable position,
- terminates you,
- reduces your pay and/or benefits, or
- disciplines you in any way for requesting or taking Paid Family Leave, you can file a discrimination claim with the Workers' Compensation Board.

NEW YORK STATE	Paid Family Leave	PAID FAMILY LEAVE DISCRIMINATION / RETALIATION COMPLAINT
Paid Family L	cave • PO Box 9030, E	indicott, NY 13781-9030
You your You	employer AND the Wo	rmal Request for Reinstatement Regarding Paid Family Leave (Form PFL-DC-119) to rikers' Compensation Board, and conded within 30 days OR you were not satisfied with their explanation as to why you or changed.
A hearing wi	Il be scheduled after yo	our employer receives this form and has an opportunity to respond.
2. You 3. Evid requ	of of receipt of family lear request for family leav lence, such as a letter of lesting or taking Paid Fr	e benefits (if benefits were not received), and of termination or the name of a witness, that the following occurred in relation to arriby Leave: nstate you to your original or comparable position, ent.
Sen Sen	ave completed the form d it to the Workers' Con d a copy to your employ p a copy for your record	npensation Board: Paid Family Leave, PO Box 9030, Endicott, NY 13761-9030.
Failure to co	mplete this form, includ	ling the required attachments, may delay processing of your complaint.
	Information	Proto of Birth
Name (LAST,	FIRST, MI):	Date of Birth:
Name (LAST,	FIRST, MI):	
Name (LAST, Address: Phone #:	FIRST, MI):	Social Security #/Tax Identification #:
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How are Paid Family Leave and FMLA similar?

Both Paid Family Leave and the Family and Medical Leave Act provide:

- Leave for:
 - bonding with a child,
 - caring for a family member with a serious health condition, and
 - assisting when a family member is called to active military service abroad.
- Job protection.
- Continued health insurance during leave on the same terms as if you had continued to work.



How do Paid Family Leave and FMLA differ?

	PFL	FMLA
Benefits	Paid	Unpaid
Coverage	 Almost all private employers Public employers may opt in One or more employees in employment on each of at least 30 days in any calendar year 	 Public and private employers 50 or more employees in a 75-mile radius
Eligibility	 After 26 consecutive weeks of employment if regularly working 20 or more hours per week After 175 days worked if regularly working less than 20 hours per week 	 12 months of employment 1,250 hours of work in the 12-month period preceding leave
Reason for Leave	Employees cannot use for own serious health conditionCan be used to care for a child of any age	 Employee can use for own serious health condition Can only be used to care for a child if the child is under 18 years old, or "incapable of self-care because of a mental or physical disability"
Length of Leave	Only in full-day increments	■ Hourly basis
Paid Time Off	 Employers cannot require employees use paid time off while on PFL 	 Employer can compel an employee to use paid time off while on FMLA



Can you take both Paid Family Leave and short-term disability?

Employees cannot collect disability and Paid Family Leave benefits at the same time.

- A birth parent may be eligible to take short-term disability and then Paid Family Leave (or vice versa).
- Total disability and Paid Family Leave cannot exceed 26 weeks in a 52-week period.



How does Paid Family Leave work with other maternity/paternity leave policies?

- Employers are free to supplement Paid Family Leave with additional benefits.
- Employers can require Paid Family Leave to run concurrently with their own maternity/paternity leave policies.
- Check with your employer about how the benefits interact.



What if the child being fostered or adopted is not an infant?

- There is no age limit on taking Paid Family Leave to bond with a fostered or adopted child.
- Bonding leave must be completed within the first year after the child's foster or adoption placement.









COVID-19 quarantine leave

Available when:

- You are subject to an order of mandatory or precautionary quarantine or isolation due to COVID-19.
- Your minor, dependent child is subject to an order of mandatory or precautionary quarantine or isolation due to COVID-19.







Taking leave for personal quarantine

- You may apply for a combination of Paid Family Leave and disability benefits to receive your full pay (up to a cap).
- Paid Family Leave benefits are 67% of pay, up to a maximum of \$840.70 weekly.
- Disability benefits make up the difference, up to a maximum of \$2,043.92 weekly.
- The total combined weekly benefit is \$2,884.62.
- There is no waiting period for either benefit.

You will have job protection for the duration of the quarantine.





Taking leave for your child's quarantine

You may also apply for NYS Paid Family Leave if your minor, dependent child is under an order of mandatory or precautionary quarantine or isolation.

NYS Paid Family Leave provides 67 percent of pay, up to a maximum weekly benefit of \$840.70.







Full details

PaidFamilyLeave.ny.gov/COVID-19













Learn more

Visit PaidFamilyLeave.ny.gov to access:

- Detailed information on Paid Family Leave.
- Paid Family Leave request forms and fact sheets.
- Weekly benefit and payroll deduction calculators.
- Paid Family Leave updates for 2023.
- Information about COVID-19 quarantine leave benefits.









Learn more

Helpline:

(844) 337-6303

Website:

PaidFamilyLeave.ny.gov

Get Email Updates:

Select "Get Paid Family Leave Updates" on the bottom of the PFL homepage.





Questions?