ABSENCE ADVISORY

REGULATORY UPDATES FROM AFLAC'S GROUP LIFE, ABSENCE AND DISABILITY SOLUTIONS DIVISION



NOVEMBER 2026

We are pleased to share the November 2026 Absence Advisory, along with information related to state and other paid leave legislation.

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2027 STATUTORY DISABILITY AND PAID LEAVE UPDATES

The following information is being provided based on what information is available as of Nov. 1. These are educational materials only. Employers should consult their own counsel for obligations for state-mandated leave and disability programs. Please refer to the state website for current information.

Social Security/Old-Age, Survivors and Disability Insurance (OASDI): The maximum taxable earnings for OASDI will increase to $192,300 for 2027, up from $184,500 in 2026.

CALIFORNIA	
2027 benefit percentage	70% to 90% weekly benefit based on the earnings during the worker's highest earnings quarter during the base period.
2027 maximum weekly benefit	TBD
2027 contribution rate	1.4%
Additional information	Contribution Rates, Withholding Schedules and Meals and Lodging Values

COLORADO	
July 2026 to June 2027 benefit percentage	Employees whose average weekly wage is at or below 50%of the state average weekly wage will receive 90% of their average weekly wage during a qualified leave. Individuals earning more than 50% of the state average weekly wage will receive 90% of the state average weekly wage plus 50% of their average weekly wage above that amount.
July 2026 to June 2027 maximum weekly benefit	$1,448.02, which applies to both in-flight and new claims that began on or after July 1, 2026.
2027 contribution rate	0.86% of eligible wages up to the Social Security maximum taxable wage base. Small employers with fewer than 10 employees are not required to pay the employer contribution to Colorado's Family and Medical Leave Insurance (FAMLI) program. However, employers will need to withhold employees' contributions and submit them to the FAMLI Division along with wage data every quarter. Public state plan: Employers may share contributions 50/50 with their employees. Equivalent plans: Employers with an equivalent plan may share premiums with their employees 50/50, not to exceed what the employee would have contributed to the public state plan. Employers may also choose to pay a larger share of the premiums as a benefit to their employees.
July 2026 to June 2027 state average weekly wage	$1,608.91
Additional information	For more information, visit https://famli.colorado.gov/rules-guidance. For more information about rates, visit **Premium and Benefits Calculator | Family and Medical Leave Insurance**.

CONNECTICUT	
2027 benefit percentage	No change for 2027; 95% of the employee's base weekly earnings, up to 40 times the state minimum wage. For employees earning less than 40 times the state minimum wage, they will receive 95% of the 40 times the state minimum plus 60% of their base weekly earnings that are above 40 times the state minimum wage. Base weekly earnings are determined from the first four of the last five quarters. The total should not exceed the weekly maximum benefit.
2027 maximum weekly benefit	The 2027 maximum weekly benefit amount will be $1,048.80. This applies to claims that begin on or after Jan. 1, 2027.
2027 contribution rate	The contribution rate remains the same at 0.5% of wages up to the Social Security maximum.
2027 minimum wage	The 2027 minimum wage increased to $17.48 per hour.
Additional information	https://www.ctpaidleave.org/for-businesses-and-employers/i-am-an-employer?language=en_US

DELAWARE	
2027 benefit percentage	The weekly benefit amount is the average weekly wage multiplied by the benefit percentage, which is currently 0.8 (80%), not to exceed the weekly maximum benefit.
2027 maximum weekly benefit	The 2027 maximum weekly benefit amount will be $900 per week. The 2027 minimum weekly benefit amount is $100.
2027 contribution rate	**For employers with 10 to 24 employees:** Only parental leave is required (0.32% of which employees can only be charged up to 50% or 0.16% of wages). **For employers with 25 or more employees:** All types of leave are required (medical 0.4%, parental 0.32%, family caregiving 0.08% of which employees can only be charged up to 50% or 0.4% of wages). The contribution is capped up to the Social Security maximum.
Additional information	https://labor.delaware.gov/delaware-paid-leave/

HAWAII	
2027 benefit percentage	Will be published in December 2026.
2027 maximum weekly benefit	Will be published in December 2026.
2027 contribution rate	Will be published in December 2026.
2027 minimum wage	Will be published in December 2026.
Additional information	https://labor.hawaii.gov/dcd/home/about-tdi/

MAINE	
2027 benefit percentage	The portion of the covered employee's average weekly wage that is equal to or less than 50% of the state average weekly wage is replaced at 90%. The portion of the covered employee's average weekly wage that is more than 50% of the state average weekly wage is replaced at 66% up to the maximum benefit amount.
2027 maximum weekly benefit	$1,250 through June 30, 2027.
2027 contribution rate	For employers with 15 or more employees, funding is shared equally between employers and employees and is capped at 1.0% of wages up to the Social Security maximum taxable wage base. For employers with fewer than 15 employees, employers are exempt from the employer share but must still withhold 0.5% of the contribution from wages up to the Social Security maximum taxable wage base.
Additional information	https://www.maine.gov/paidleave/

MASSACHUSETTS	
2027 benefit percentage	The portion of the covered employee's average weekly wage that is equal to or less than 50% of the state average weekly wage is replaced at 80%. The portion of the covered employee's average weekly wage that is more than 50% of the state average weekly wage is replaced at 50% up to the benefit maximum.
2027 maximum weekly benefit	The 2027 maximum weekly benefit amount will be $1,284.61 per week for claims with a benefit year that begins on or after Jan. 1, 2027.
2027 contribution rate	No change to total contribution amount for 2027. Employees may ultimately contribute up to 0.46% (0.28% for family and 0.18% for medical) of their wages, up to the Social Security maximum taxable wage base for the medical and family leaves. Employers are responsible for paying 0.42% of eligible wages for family leave contributions. Employers that have 25 or more covered individuals: 0.88%of eligible wages with the contributions split between the employer and the employees. Employers that have fewer than 25 covered individuals: 0.46% of eligible wages, which may be withheld entirely from the employee's wages.
2027 state average weekly wage	For 2027, the state average weekly wage is $2,007.20.
Additional information	https://www.mass.gov/orgs/department-of-family-and-medical-leave

MINNESOTA	
2027 benefit percentage	• 90% of the portion of their weekly wages that is less than or equal to 50% of the state average weekly wage, plus: • 66% of the portion of their weekly wages that is more than 50% of the state average weekly wage but less than or equal to 100% of the state average weekly wage, plus: • 55% of the portion of their weekly wages that is more than 100% of the state average weekly wage. Wage replacement will not pay more than the max weekly benefit.
Oct. 2026 to Oct. 2027 maximum weekly benefit	$1,475.09 The change went into effect on Oct. 25, 2026.
2027 contribution rate	0.88% of the employee eligible wages up to the Social Security maximum taxable wage base. Small employers may qualify for an employer rate of 0.66% and may collect up to 0.44% of contributions from their employees. Public state plan: Employers may share contributions 50/50 with their employees. Equivalent plans: Employers with an equivalent plan may share contributions with their employees 50/50, not to exceed what the employee would have contributed to the public state plan.
Oct. 2026 to Oct. 2027 state average weekly wage	$1,475.09
Additional information	**Roles and responsibilities | Minnesota Paid Leave**

NEW JERSEY	
2027 benefit percentage	Claimants are paid 85% of their average weekly wage, up to the maximum weekly benefit rate. The average weekly wage is calculated by dividing base year earnings by the number of base weeks.
2027 maximum weekly benefit	Maximum Temporary Disability Insurance weekly benefit rate: $1,158 Maximum Family Leave Insurance weekly benefit rate: $1,158
2027 contribution rate	Temporary Disability Insurance worker contribution: 0.19% of eligible wages Family Leave Insurance worker contribution: 0.23% of eligible wages The 2027 taxable wage base is $177,100.
2027 base week	Base week maximum: $319 Alternate base amount for NJ Temporary Disability Insurance: $16,000 The base week is used for both Temporary Disability Insurance and Family Leave Insurance programs.
Additional information	**Division of Employer Accounts | Rate information, contributions, and due dates**

NEW YORK	
2027 benefit percentage	NY Disability Benefits Law: Employees may receive up to 50% of their average weekly wage up to the benefit maximum of $170 per week. NY Paid Family Leave: Employees may receive up to 67% of their average weekly wage up to a maximum of 67% of the state average weekly wage.
2027 maximum weekly benefit	NY Disability Benefits Law: $170 per week NY Paid Family Leave: $1,287.91 per week for leaves beginning on or after Jan. 1, 2027.
2027 contribution rate	NY Disability Benefits Law: Employees may contribute up to 60 cents per week. NY Paid Family Leave: 0.452% of gross wages up to the annual contribution amount of $451.81.
2027 state average weekly wage	Effective Jan. 1, 2027: $1,922.25
Additional information	If employers are taking employee contributions, they must notify their employees and update their payroll to make the appropriate changes for 2027. For more information, please visit https://www.wcb.ny.gov/content/main/DisabilityBenefits/employer-disability-benefits.jsp.

OREGON	
2027 benefit percentage	The portion of the covered employee's average weekly wage that is equal to or less than 65% of the state average weekly wage is replaced at 100%. The portion of the covered employee's average weekly wage that is more than 65% of the state average weekly wage is replaced at 50% up to the benefit maximum.
2027 maximum weekly benefit	The maximum weekly Paid Family Medical Leave benefit amount is $1,692.16 per week.
2027 contribution rate	Employees pay 60% and employers with 25 or more employees pay 40% of the total 1% contribution rates. Employers with fewer than 25 employees are not required to contribute, although they must still collect/withhold and remit the employee portion unless they qualify for/accept assistance grants.
2027 state average weekly wage	Effective July 1, 2026, through June 30, 2027: $1,461.21
Additional information	Employers are required to submit their Annual Equivalent Plan Report by Jan. 31, 2027. For more information, please visit: https://paidleave.oregon.gov/.

RHODE ISLAND	
2027 benefit percentage	85% of the average weekly wage not to exceed the maximum weekly benefit amount.
2027 maximum weekly benefit	$1,149.83 rounded to highest dollar amount $1,150.00 $1,552.00 for beneficiaries with a maximum of five dependents
2027 contribution rate	Pending state publishing for 2027.
Additional information	https://dlt.ri.gov/individuals/temporary-disability-caregiver-insurance

WASHINGTON	
2027 benefit percentage	90% of the average weekly wage, if the average weekly wage is less than or equal to 50% of the state average weekly wage. If greater, then the benefit will be 90% of one-half of the state average weekly wage plus 50% of the difference between one-half of the state average weekly wage and the employee's average weekly wage.
2027 maximum weekly benefit	$1,727 if the claim begins on or after Jan. 1, 2027. Minimum weekly benefit remains at $100.
2027 state average weekly wage	$1,919
2027 contribution rate	1.2% of employees' wages, up to the Social Security maximum taxable wage base. Employers will pay 29.3% of the total premium, and employees will pay 70.7%. Businesses classified by the Washington Employment Security Department as having fewer than 50 employees for 2027 are not required to pay the employer portion of the premium but can still collect the employee premium or pay employees' premiums if they choose.
Additional information	**New average annual wage estimates adjust unemployment insurance and paid leave benefits | Employment Security Department**

WASHINGTON, D.C.	
2027 benefit percentage	The portion of the covered employee's average weekly wage that is equal to or less than $1,077 is replaced at 90%. The portion of the covered employee's average weekly wage that is more than $1,077 is replaced at 50% up to the benefit maximum.
2027 maximum weekly benefit	$1,100
2027 contribution rate	Employers contribute 0.75% of covered employees' wages, and there is no wage limit.
Additional information	**https://dcpaidfamilyleave.dc.gov/**

FEDERAL WORKPLACE POSTERS

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act and the Pregnant Workers Fairness Act requires employers to post workplace posters in a conspicuous and accessible place. The current penalty for noncompliance is $698.

Employers should review the locations of their current posters to ensure the notices are posted and the poster is current. For more information, please visit **eCFR :: 29 CFR 1601.30 -- Notices to be posted**.

CALIFORNIA

California employees will soon have greater flexibility when taking bereavement leave following the loss of a loved one. On Sept. 27, the state of California amended the definition of a family member to include a designated person as outlined in SB1149.

Under existing California law, eligible employees are entitled to up to five days of bereavement leave after the death of a family member. Through Dec. 31, 2026, the law limits family members to specific relationships, including a spouse, child, parent, sibling, grandparent, grandchild, domestic partner or parent-in-law.

The new provision recognizes that many employees have close personal relationships that may not fit traditional family definitions. A designated person is defined as someone related to the employee by blood or someone whose relationship is equivalent to a family relationship.

Effective Jan. 1, 2027, employees may identify their designated person when requesting bereavement leave. However, employers are permitted to limit employees to one designated person during any 12-month period.

The amendment is codified in Section 12945.7 of the California Government Code.

Aflac is currently assessing impacts to administration, and employers should continue to review and update their internal policies and provide timely updates and training to management as it applies to their company. For additional details, please read **Bill Text - SB-1149 Employees: bereavement leave**.

HAWAII

The state of Hawaii has released new workplace posters for multiple laws to include **Disability Compensation Labor Law Notice 2026**, which combines Workers' Compensation and Hawaii Temporary Disability Insurance requirements. Hawaii requires employers to post the notices in a conspicuous and accessible place.

Employers should review the locations of their current posters to ensure the notices are posted and the poster is current. For more information on this and other updated posters, please visit **Labor Law Poster – Department of Labor and Industrial Relations**.

MARYLAND

Maryland employers exploring an equivalent private insurance plan may submit a Declaration of Intent through the Maryland FAMLI portal by Nov. 15. An approved Declaration of Intent will exempt employers from paying 2027 contributions to the state but is not a final approval. Employers must submit a separate private plan application and must hold 2027 contributions in escrow until the final application is approved.

Before submitting a Declaration of Intent, an employer will need to:

- Register with Maryland FAMLI.
- Consult with a licensed insurance representative.
- Obtain a completed Proof of Private Plan Consultation form.
- Have an authorized officer submit the form and Declaration of Intent through the employer's FAMLI account.

All employers with at least one employee working in Maryland must register with FAMLI. Employers should also prepare for the following responsibilities to ensure that they remain in compliance:

- **Employee contribution notice:** If collecting employee contributions beginning Jan. 1, 2027, provide notice at least one payroll period before deductions begin.
- **Quarterly reporting:** Submit electronic wage and hour reports every quarter, starting April 30, 2027 (for the first quarter of 2027), regardless of plan type.
- **Contribution remittance:** Remit State Plan contributions quarterly, starting April 30, 2027, unless the employer is holding contributions in escrow pursuant to an approved Declaration of Intent or has an approved private plan.
- **Employee protections and notices:** Provide a FAMLI leave and benefits notice by July 2027, at hire, annually, and when a leave request may qualify; maintain health benefits during leave; and return employees to the same or an equivalent position.

The Maryland Department of Labor can terminate an equivalent private insurance plan if it finds that employers are not fulfilling the required employer responsibilities. This may have financial consequences, as an employer that leaves its private plan before the end of 2029 — whether voluntarily or through termination — or an employer that submitted a Declaration of Intent but is denied a private plan by the Maryland Department of Labor, may owe the State back contributions, plus interest and possible penalties.

For more information, please visit the **Maryland FAMLI employer resource page**.

MINNESOTA

Minnesota has announced that the new state average weekly wage will be $1,475.09, which results in a new state average annual wage of $76,704. As part of the Minnesota Paid Leave administration, once a claim is established, the state average weekly wage that applies at the establishment of the claim will remain in place for the one-year benefit year regardless of the number of claims filed within that benefit year. As such, the change to the state average weekly wage will not impact claims where a benefit year was established prior to Oct. 25, 2026. Additionally, for Minnesota Paid Leave, the maximum weekly benefit is capped at the state average weekly wage of $1,475.09.

For more information, please visit **Estimate your payments | Minnesota Paid Leave**.

WASHINGTON

The Washington Employment Security Department recently adopted several Paid Family and Medical Leave rule changes affecting employer reporting, penalties, grants, claims administration, overpayments, job restoration and fraud determinations. While many of the updates are aimed primarily at the state-run program, private plan employers should still be aware of these developments because they provide insight into the Employment Security Department's evolving interpretation and administration of Washington Paid Family and Medical Leave.

Key updates for employer awareness

1. **New process for penalty waivers**

   One of the most notable additions is a new rule establishing a formal process for employers to request waiver of certain Paid Family and Medical Leave penalties. Under the rule, employers may submit a written request and supporting documentation of relevant facts and available proof when circumstances beyond their control contributed to late reporting, nonpayment of premiums, incomplete filings or certain voluntary plan penalties. Examples include serious illness, death, unavoidable absence of the employer or key employee, public health emergency, accidental destruction of records, fraud by third parties or employees, inadvertent mailing to another agency or state program, or department errors like equipment breakdowns and/or lack of staff.

2. **Increased emphasis on compliance before penalties**

   The Employment Security Department also revised its reporting penalty process to provide employers with additional opportunities to correct reporting issues before penalties are assessed. The agency stated that the intent is to encourage compliance and give good-faith employers more chances to resolve filing deficiencies before enforcement actions escalate.

3. Interest calculations simplified

The Employment Security Department amended its rules regarding delinquent premium payments by moving to a simple monthly interest calculation rather than compounded interest. Although private plan employers generally do not remit Paid Family and Medical Leave premiums to the state fund, the change illustrates the Employment Security Department's effort to simplify administration and make financial obligations more predictable.

4. Small business assistance grant updates

Changes were also adopted regarding small business assistance grants for Paid Family and Medical Leave. The rules clarify legislative changes made previously that eliminated the former limitation on application volume and instead focus on the number of grants awarded. The revisions also provide additional clarification regarding eligibility and application requirements.

5. Employee-focused clarifications

Several adopted rules provide additional clarification regarding employee benefit administration.

6. Paid Family and Medical Leave and unemployment waiting periods

The Employment Security Department clarified that employees serving a waiting period for unemployment insurance benefits are not eligible to receive Paid Family and Medical Leave benefits during that same period. This change largely codifies existing statutory requirements and provides greater clarity for benefit administration.

7. Overpayment repayment flexibility

The agency also revised its overpayment rules to allow employees to request alternative monthly repayment amounts when repaying Paid Family and Medical Leave benefit overpayments. According to the Employment Security Department, the goal is to improve affordability and encourage successful repayment while reducing financial hardship.

8. Job protection clarification

Following legislative changes that reduced the employment duration requirement from one year to 180 days, the Employment Security Department clarified that the 180-day calculation begins from the employee's most recent hire date. Prior periods of employment with the employer do not count toward the requirement if the employee was separated and later rehired. This clarification provides employers with a more predictable standard when evaluating whether a rehired employee qualifies for job restoration protections under Washington Paid Family and Medical Leave.

9. Fraud determinations

Finally, the Employment Security Department adopted a clarification stating that employees found to have committed fraud are not eligible for Paid Family and Medical Leave benefits or related rights during the period in which fraud occurred. The rule also reiterates that fraud determinations must be supported by clear, cogent and convincing evidence.

What employers should do

To ensure compliance, employers should take time to review their plans and confirm the following:

- Monitor the Employment Security Department's guidance and rulemaking activity for future updates affecting voluntary plans.
- Review internal Paid Family and Medical Leave compliance and documentation practices.
- Ensure human resources and leave administration teams understand the clarified job restoration standards.
- Maintain strong reporting, recordkeeping and claims administration processes.
- Stay informed about the Employment Security Department's evolving approach to penalties, waivers and enforcement.



These are educational materials only. Employers should consult their own counsel for obligations for state-mandated leave and disability programs. Products and services are provided by Continental American Insurance Company. In New York, products and services are provided by American Family Life Assurance Company of New York. In California, coverage is offered by Continental American Life Insurance Company. Products may not be available in all states and may vary depending on state law.

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