



ABSENCE ADVISORY

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



SEPTEMBER 2025

We are pleased to share the
September 2025 Absence Advisory,
along with information related to state
and other paid leave legislation.

TOP NEWS INSIDE

- [Connecticut](#)

- [Illinois](#)

- [Oregon](#)

- [Rhode Island](#)

CONNECTICUT

Earlier this summer, [Connecticut provided a newsletter](#) that shared process updates for private plans in three specific areas:

- 1. Voting.** Employers with a private plan are required by law to hold an employee vote whenever they apply for renewal or a brand-new plan, or when they make any material change. Any employer with multiple subsidiaries or Federal Employer Identification Numbers must have a separate voting process for each group to ensure that the true employee population has been included.
- 2. Material changes.** Employers making any material changes to their private plans must submit a new policy and application to be approved. The newsletter provides clear examples of what constitutes a material change from a non-material change for employers that need to review their existing policies. Employers are required to make these changes and have their applications approved by the state no later than the first day of the last month before the start of the quarter in which the changes are to take effect.
- 3. Safe leave provision.** Lastly, as of 2024, Connecticut amended their leave act to include safe leave as an added provision. Employers with a private plan do not have to make this change to reflect on their policy until Oct. 1 to remain in compliance with the program.

ILLINOIS

Illinois has been active with the amendment and introduction of various laws ranging from paid organ donation leave to paid lactation breaks.

Law	Summary of information
Illinois Military Leave Act SB 220	<p>Effective Aug. 1, the Illinois Military Leave Act, formally known as the Illinois Family Military Leave Act, requires a covered employer (employer with 51 or more employees) to provide paid leave to their employee for purposes of participation in a funeral honors detail. If qualified, an employee may use up to eight hours per calendar month, not to exceed a cumulative of 40 hours per calendar year. Additional leave may be provided by the employer or a collective bargaining agreement, if applicable.</p> <p>To qualify for the paid leave, the employee must be trained to participate in a funeral honors detail at the funeral of a veteran and meet one of the following:</p> <ul style="list-style-type: none">• They are either a retired or active member of the armed forces of the United States or a member of a reserve component of the armed forces of the United States, including the Illinois National Guard; or• They are an authorized provider, or a registered member of a nonprofit or other organization that is an authorized provider, including a member of a veterans' service organization. <p>Documentation: Employers may require proof of participation in the funeral honors details in the form of the official notice to the employee or confirmation from the applicable veterans' service organization.</p> <p>Employers should continue to review and update their internal policies and provide timely and appropriate updates/training to management, as applies to their company.</p> <p>For more information, please visit: SB0220enr 104TH GENERAL ASSEMBLY.</p>

Paid Lactation Breaks SB 212	<p>Effective Jan. 1, 2026, covered employers with five or more employees are required to provide reasonable break time for an employee to pump breast milk for their nursing infant child for one year after the child's birth. Under the amendment, employees may not be required to use paid time off during the lactation break, and instead, unless it is an undue hardship, employers are required to pay the employee for the lactation break period at their regular rate of compensation.</p> <p>Employers should continue to review and update their internal policies and provide timely and appropriate updates/training to management, as applies to their company.</p> <p>For more information, please visit: SB0212enr 104TH GENERAL ASSEMBLY.</p>
Illinois Blood and Organ Donation Leave Act HB 1616	<p>Effective Jan. 1, 2026, the Illinois Blood and Organ Donation Leave Act is amended to include part-time employees. Like full-time employees, part-time employees may be allowed to take up to 10 days of paid leave in any 12-month period to serve as an organ donor; however, the amendment does not extend to blood donation. This means that paid time for blood donor leave is limited to full-time employees.</p> <p>Paid leave calculation for part-time employees: The employer must calculate the daily average pay the employee received during their previous two months of employment and provide payment in the amount of the daily average pay for the leave days used.</p> <p>Employers should continue to review and update their internal policies and provide timely and appropriate updates/training to management, as applies to their company.</p> <p>For more information, please visit: HB1616 104TH GENERAL ASSEMBLY.</p>
Illinois Neonatal Intensive Care Leave Act HB 2978	<p>One June 1, 2026, the Illinois Neonatal Intensive Care Leave Act (NICLA) will go into effect. Dependent on the number of employees, the new law provides Illinois employees with unpaid leave when the employee's child is a patient in a neonatal intensive care unit (NICU).</p> <p>Employers with 16-50 employees: Up to 10 days of leave. Employers with 51 or more employees: Up to 20 days of leave.</p> <p>The employee may take the unpaid leave time for the duration their child is a patient in the NICU, or the maximum allotted, whichever amount is less.</p> <p>The employee's child may be the employee's biological, adopted or foster child; a stepchild; or a legal ward or a child of a person that is standing in loco parentis.</p> <p>Leave type: Leave may be taken on a continuous or intermittent basis. If taken on an intermittent basis, an employer can require that the increments must be in no less than two-hour increments.</p> <p>Documentation: Employers may require reasonable verification of the employee's child's length of stay in the NICU, but they may not ask for confidential information protected by the Health Insurance Portability and Accountability Act of 1996 or another law.</p> <p>Leave coordination: If an employee also qualifies for leave under the federal Family and Medical Leave Act (FMLA), the leave taken under the NICLA can be used upon exhaustion of and in addition to any FMLA leave. In addition, employees may not be required to use any paid leave they have available in lieu of NICLA; however, the employee may voluntarily opt to use available paid time while on NICLA leave.</p>

Aflac is currently assessing impacts to administration, and employers should continue to review and update their internal policies and provide timely and appropriate updates/training to management, as it applies to their company.

For detailed information, please visit: [Illinois General Assembly - Public Act 104-0259](#), [104-0259](#).

OREGON

Oregon has passed Senate Bill 1148, which prohibits employers from requiring employees to apply for or exhaust Paid Leave Oregon benefits before becoming eligible to access short-term disability benefits. Employers that mandate the use of Paid Family and Medical Leave prior to short-term disability must revise their policies to be compliant with this change before or by the effective date of Jan. 1, 2026. For more information, please review [the overview from the Oregon State Legislature](#).

RHODE ISLAND

Rhode Island amended H6065, an act relating to labor and labor relations, and temporary disability insurance benefits now include “bone marrow transplant donor” to the list of definitions to be added under the chapter. This newly added definition grants employees the right to take leave if they themselves serve as a bone marrow transplant donor or a living organ donor. The leave coverage will be used for any procedures, medical tests and surgeries related to the donation, not to exceed five days of recovery from a bone marrow transplant and 30 business days if recovering from a living organ donor transplant. For more information, please review [the bill text from the Rhode Island State Legislature](#).



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.

Continental American Insurance Company | Columbia, SC
Aflac New York | 22 Corporate Woods Boulevard, Suite 2 | Albany, NY 12211

AGC2501309

EXP 9/26