Paid Statutory Leave Guide

For clients and brokers

Life, Absence and Disability Solutions

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Preface

Although the Family and Medical Leave Act of 1993 provides eligible workers with a federal entitlement to unpaid leave for a particular set of leave reasons, there is no nationwide set of regulations that requires employers to provide a payment component. Historically, employees may access medical/disability leave if it is offered by an employer by combining unpaid leave with short-term disability insurance or statutory disability through programs such as New York Disability Benefits Law (NY DBL), New Jersey Temporary Disability Insurance (NJ TDI), Rhode Island Temporary Disability Insurance (RI TDI), California State Disability Insurance (CA SDI), etc.

These states, sometimes known as "Legacy States," then used their disability programs to structure paid family leave (PFL) benefits, or the equivalent, in that the PFL programs are administered through the pre-existing disability programs and funded through employee payroll deductions.

Until 2020, when Washington implemented its Paid Family and Medical Leave program, there were only a few states with statutory disability benefits. Those states included:

- California
- Hawaii
- New Jersey
- New York
- Puerto Rico
- Rhode Island

In early 2002, California understood the economic impact when workers needed time away from their job to care for their family members. The state recognized that families were faced with the difficult decision of working to maintain income and benefits instead of taking a leave of absence or if they took a leave of absence, it was unpaid possibly causing financial hardship, or they had to leave their job entirely. As a result, California created a state program to support workers and on January 1, 2004, California Paid Family Leave (PFL) was born. Five in-a-half years later, New Jersey created a paid family leave program that went live on July 1, 2009. Rhode Island followed and implemented their program on January 1, 2014.

It wasn't until 2018, after New York implemented their Paid Family Leave program that employers started to witness a chain reaction of states submitting proposals for income replacement programs for both the employee's own medical condition and to care for a family member. California, whose policies were once viewed as "excessive', are now viewed by many as the pioneer of Paid Family Leave.

Multiple states and Washington, DC require paid medical leave. For those states who require both paid medical and family leave, PFML allows workers to take time off for one's own serious health condition or injury as well as allowing workers to take time off to care for a family member with a serious health condition or to bond with a new child. Some states have also added safe leave, organ and blood donor leave, military exigency, and military caregiver leaves.

This this Statutory Guide provides a useful summary of paid statutory programs throughout the United States.

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California

State Disability (CA SDI) and Paid Family Leave (CA PFL)

Overview	
State Website	CA SDI: https://edd.ca.gov/Disability/Disability_Insurance.htm CA PFL: https://edd.ca.gov/disability/paid-family-leave/
Key Dates	Disability (CA SDI) start date: 1946 Paid Family Leave (CA PFL): 2004 Premium and benefit rate announcements expected annually in Q4
How coverage is provided	State or Private plan. • Private plan must be self-funded and include both CA VDI and CA PFL. • Private plan must have at least one benefit that is better than the state plan and cannot cost the employee more than the state plan.
Eligibility and Covered Family Members	
Covered Employers	All employers that have more than one employee and pays more than $100 per calendar quarter.
Employee Eligibility	The employee must have earned at least $300 during the base period. • The base period includes wages which were paid approximately 5 to 18 months before the first date of the leave. • Citizenship and immigration status do not affect eligibility.
Eligible Leave Reasons	CA SDI • Employee's own serious health condition. • Pregnancy and childbirth • Are a resident for a limited period in an alcoholic recovery home or drug-free residential facility that is licensed and certified by the state in which the facility is located CA PFL • Care for a seriously ill family member. • Bond with a new child. • Participate in a qualifying event because of a family member's military deployment.
Covered Family Members	Child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner.
Benefits	
Benefit Duration	CA SDI: 52 x Weekly Benefit Amount and intermittent leave is allowed. CA PFL: 8 x Weekly Benefit Amount. Intermittent leave can be taken in hourly, daily, or weekly increments. Employers may limit bonding leave. CA SDI and CA PFL do not share entitlement

Waiting Period	CA SDI: 7 days (benefits are payable on the 8th day) CA PFL: None
Replacement Rate	CA SDI and CA PFL both provide benefits that are approximately 70% of an employee's salary for higher income earners and 90% for lower income earners. The weekly benefit amount is based on a seven-day calculation; therefore, benefits are payable on weekends.
Minimum and Maximum Benefit	$50.00 and $1,681.00 per week in 2025
Other Information	**Job Protection**: No. Job protection is provided through FMLA, CFRA, CA PDL and other unpaid state leave laws or a combination of them. **Funding**: The contribution rate for 2025 is 1.2%. As a reminder, effective January 1, 2024, SB 951 removed the taxable wage limit and withholdings for contributions. **Appeals**: The state California Unemployment Insurance Appeals Board local Office of Appeals **Aflac's Offering**: In coordination with Innovative Care Systems, Inc. (ICS), Aflac offers self-funded CA VDI plans, which automatically includes PFL.

Colorado

Family and Medical Leave Insurance Program (CO FAMLI)

Overview	
State Website	https://famli.colorado.gov/
Key Dates	Contributions began January 1, 2023 Claims administration began January 1, 2024
How coverage is provided	• State or private plan. • A private plan can be self-funded or fully insured. • Private plans must offer all of the same rights, protections, and benefits as the State program.
Eligibility and Covered Family Members	
Covered Employers	Covers all employers with one or more employees. Local governments, independent contractors, sole proprietors, partners, and joint ventures can opt into the program.
Employee Eligibility	An eligible employee is one who has: • Earned at least $2,500 in wages within the state in the past four calendar quarters. • For the self-employed (1099 or contract workers) to be eligible, they must live and work in Colorado, as well as have opted into the coverage.
Eligible Leave Reasons	• Employee's own serious health condition. • Bonding with a newly born, adopted, or fostered child. • Care for a family member with a serious health condition. • Assist loved ones when a family member is deployed abroad or on active military service (military exigency). Safe leave for an employee experiencing issues related to domestic violence, harassment, sexual assault, or stalking.
Covered Family Members	Child, parent, spouse, domestic partner, grandparent, grandchild, sibling, in loco parentis, "any other individual with whom the covered individual has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship"
Benefits	
Benefit Duration	12 weeks. However, benefits are payable up to an additional four weeks to a covered individual with a serious health condition related to pregnancy complications or childbirth complications
Waiting Period	None
Replacement Rate	90% of an employee's average weekly wage for the portion of their wages equal to or less than 50% of the state average weekly wage; and 50% of the portion of their wages that exceeds the state average weekly wage.

Minimum and Maximum Benefit	No minimum benefit. Maximum of $1,324.21 per week in 2025.
Other Information	**Job Protection**: Yes, if the employee has been employed by their employer for at least 180 days before taking leave and when applicable, runs concurrently with FMLA. **Funding**: CO PFML is funded by employee and employer contributions. Employee contributions are capped at 0.45% up to the social security cap. The employer contributes the other 0.45%. **Appeals**: For a public plan, appeals may be filed with the Division Home | Family and Medical Leave Insurance (FAMLI.colorado.gov) within 45 days of the notification of an adverse decision. Private plans allow an appeal to be filed with the private plan or the Division within 45 days of the notification of an adverse decision. **Aflac's Offering**: Aflac offers both self-funded and fully insured CO FAMLI.

Connecticut
Paid Leave (CT PL)

Overview	
State Website	https://ctpaidleave.org
Key Dates	Program effective January 1, 2022 Premium and benefit rate announcements expected annually in Q4
How coverage is provided	• State or private plan. • A private plan can be self-funded or fully-insured. • Private plans must offer all of the same rights, protections, and benefits as the State program. • Private plans cannot present substantial risk to the solvency of the CT Paid Leave Authority trust fund.
Eligibility and Covered Family Members	
Covered Employers	Covers all employers with one or more employees. Those who are self-employed or are sole proprietors are also eligible to opt-in to the program.
Employee Eligibility	Employees must have earned wages of at least $2,325 in the highest quarter of the first four of the five most recently completed quarters and are currently employed, or have been employed within the last 12 weeks, or are self-employed, a sole proprietor and a Connecticut resident enrolled in the program.
Eligible Leave Reasons	• Employee's own serious health condition. • Serve as an organ or bone marrow donor. • Bonding with a newly born, adopted, or fostered child. • Care for a family member with a serious health condition. • Assist loved ones when a family member is deployed abroad or on active military service (military exigency). • Care for a military member injured during active duty or for other reasons. • Safe leave for an employee experiencing issues related to domestic violence, harassment, sexual assault, or stalking.
Covered Family Members	Spouse, child, parent, sibling, grandchild, grandparent, in loco parentis, "individual related to the employee by blood or whose close association to the employee is the equivalent of those family relationships."
Benefits	
Benefit Duration	12 workweeks within a 12-month period. May be extended to 14 weeks if the employee has an incapacity related serious health condition during a pregnancy. 12 days for matters related to safety leave which counts as part of the 12 workweeks
Waiting Period	None
Replacement Rate	95% of base weekly earnings up to 40 times fair minimum wage plus 60% of the difference between 40 times minimum wage and base earnings.

Minimum and Maximum Benefit	$981.00 for 2025
Other Information	**Job Protection**: No. Job protection is provided through FMLA and CT FMLA **Funding**: CT PL is funded 100% by employee contributions. Employee contributions are capped at 0.5% up to the social security cap. **Appeals**: CT Department of Labor; however, if an employee receives benefits through an insurance carrier, there may be an internal review process, but employees can skip that step and appeal directly to the CT Department of Labor. **Aflac's Offering**: Aflac offers both self-funded and fully-insured CT PL.

Delaware
Paid Family Medical Leave (DE PFML)

Overview	
Statute Website	https://labor.delaware.gov/delaware-paid-leave-is-coming/
Key Dates	Contributions begin January 1, 2025 Claims administration begins on January 1, 2026
How coverage is provided	State and private Private plans are allowed under the statute with varying requirements.
Eligibility and Covered Family Members	
Covered Employers	All employers who employ at least 10 employees in Delaware. However, different sized employers have different obligations.
Employee Eligibility	Employees must work in the state of Delaware and have been employed by the employer for at least 12 months and performed 1,250 hours of service for the employer during the previous 12 month period.
Eligible Leave Reasons	• Employee's own serious health condition. • Bonding with a newly born, adopted, or fostered child. • Care for a family member with a serious health condition. • Assist loved ones when a family member is deployed abroad or on active military service (military exigency). Determining which of these leaves are available to an employee will depend on the size of the employer.
Covered Family Members	Employee, parent, child, and spouse as defined under the FMLA.
Benefits	
Benefit Duration	• Care for a new child (up to 12 weeks per year), • Care for a family member with a serious health condition (up to 6 weeks, every 24 months), • Address a personal serious health condition or injury (up to 6 weeks, every 24 months), or • Assist while loved ones are on overseas military deployment (up to 6 weeks, every 24 months) Employees are limited to a maximum of 12 weeks of total, combined leave per year.
Waiting Period	none
Replacement Rate	Employees may receive up to 80% of their average weekly wage
Minimum and Maximum Benefit	$100, unless the employee earns less than $100, then the minimum benefit is the employee's full wage The maximum for 2026 and 2027 will be $900
Other Information	**Job Protection**: Yes

Funding: DE PFML will be funded by both employees and employers (split) through a payroll deduction. .32% (parental leave); .4% (medical leave); and .08% (family caregiver leave)

Appeals: Yes

Aflac's Offering: Aflac will have a private plan offering for DE PFML and benefits will not be a bifurcation and up to 12 weeks combined per year.

Hawaii
Temporary Disability Insurance (HI TDI)

Overview	
State Website	https://labor.hawaii.gov/dcd/home/about-tdi/
Key Dates	Program effective date 1969 Premium and benefit rate announcements expected annually in late Q4
How coverage is provided	There is no State plan. Plans may be self-funded or fully insured and can be administered through an approved carrier/Third Party Administrator (TPA) or the employer can administer in-house. Self-funded/fully insured plans are required to have claims offices located in Hawaii to process claims and pay benefits.
Eligibility and Covered Family Members	
Covered Employers	Every employer is required to provide HI TDI when its eligible employees are unable to work because of a nonwork-related illness or injury.
Employee Eligibility	14 weeks of Hawaii employment during each of which the employee was paid for 20 hours or more and earned not less than $400 in the 52 weeks preceding the first day of disability. The 14 weeks do not need to be consecutive or with only one employer. The employee must also be in current employment to be eligible.
Eligible Leave Reasons	Employee's own serious health condition.
Covered Family Members	N/A.
Benefits	
Benefit Duration	26 weeks of benefit payments during a benefit year, not inclusive of the waiting period
Waiting Period	7 days (benefits are payable on the 8th day).
Replacement Rate	58% of an employee's average weekly wage rounded to the next higher dollar, but not to exceed the max benefit.
Minimum and Maximum Benefit	If the employee's average weekly wage is less than $26, the weekly benefit amount is equal to the average weekly wage but not to exceed $14/week. ~~Premium and benefit rate announcements expected annually in late Q4~~
Other Information	**Job Protection**: No. Job protection is provided through FMLA and HI Family Leave **Funding**: ~~The employer may pay for the entire cost of providing HI TDI coverage, or the employer may share the cost equally with the employees eligible for coverage. However, the employee's contribution cannot exceed 0.5% of the employee's weekly wages, nor the maximum weekly deduction set by the date.~~ **Appeals**: The State of Hawaii Disability Compensation Division or to the Department of Labor and Industrial Relations field office closest to the employee. **Aflac's Offering**: Aflac offers fully insured HI TDI.

Maine
Paid Family Medical Leave (ME PFML)

Overview	
Statute Website	https://www.maine.gov/labor/pfml/
Key Dates	Contributions begin January 1, 2025 Claims administration begins on May 1, 2026
How coverage is provided	State and private Private plans are allowed under the statute with varying requirements.
Eligibility and Covered Family Members	
Covered Employers	All employers with limited exceptions.
Employee Eligibility	Employees must work in the state of Maine and have earned at least six times the state average weekly wages in the year prior to taking leave.
Eligible Leave Reasons	• Employee's own serious health condition. • Bonding with a newly born, adopted, or fostered child. • Care for a family member with a serious health condition. • Assist loved ones when a family member is deployed abroad or on active military service (military exigency). • Safe leave. • Any reason set forth in Maine's Family Medical Leave requirements. • For the death or serious health conditions of certain family members in the military who died or incurred a serious health condition while on active duty. • For the donation of an organ of the employee for a human organ transplant.
Covered Family Members	Family member is defined as biological, foster, step or adopted child; grandparent; grandchild; sibling; spouse; domestic partner; or an "individual with whom the covered individual has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship."
Benefits	
Benefit Duration	• Employees are eligible for up to 12 weeks of paid family medical leave in a benefit year.
Waiting Period	7 days for medical leave
Replacement Rate	Employees may receive up to 90% of their average weekly wage.
Minimum and Maximum Benefit	The max benefit will equal the state's average weekly wage which is reviewed only.
Other Information	**Job Protection**: Yes, after 120 days of employment **Funding**: The 1% payroll tax will be split equally between employers and employees **Appeals**: Yes **Aflac's Offering**: Aflac will have a private plan offering for ME PFML.

Maryland

Family and Medical Leave Insurance (MD FAMLI)

Overview	
Statute Website	https://www.dllr.state.md.us/famli/
Key Dates	Contributions begin July 1, 2025 Claims administration begins on July 1, 2026
How coverage is provided	State or private plan Employers are permitted to apply for approval of an equivalent plan.
Eligibility and Covered Family Members	
Covered Employers	All employers who employ at least one employee in Maryland.
Employee Eligibility	Employees who have worked at least 680 hours over 12 month period immediately preceding the first date of the leave
Eligible Leave Reasons	• Medical: To address an employee's own serious health condition including disabilities due to pregnancy • Family: To bond with a new child; to care for a family member with a serious medical condition; to care for an injured servicemember • Military exigency: To address a qualifying exigency arising out of a family member with military deployment (does not need to be foreign deployment)
Covered Family Members	Employee (for employee's own condition), employee's child — a foster child or a legal ward, grandchild, spouse, parent, grandparent, parent-in-laws, sibling, next of kin
Benefits	
Benefit Duration	Up to 12 weeks in a benefit year to care for themselves or a family member. Certain employees may be eligible for up to 24 weeks of paid leave if they take 12 weeks off to care for a child and then become eligible to take 12 weeks for their own serious health condition and vice versa.
Waiting Period	TBD
Replacement Rate	Employees may receive up to 90% of their average weekly wage.
Minimum and Maximum Benefit	$50 minimum and $1,000 maximum
Other Information	**Job Protection**: Yes **Funding**: The funding for MD PFML is shared by both employees and employers at 0.75% capped at the social security cap. **Appeals**: Yes **Aflac's Offering**: Aflac will have a private plan offering for MD PFML.

Massachusetts
Paid Family and Medical Leave (MA PFML)

Overview	
State Website	https://www.mass.gov/orgs/department-of-family-and-medical-leave
Key Dates	Program was effective January 1, 2021: own serious health condition, bonding, military exigency, and military caregiver leaves Program was effective July 1, 2021: care of family member with serious health condition and other leave reasons Premium and benefit rate announcements expected annually in Q4
How coverage is provided	Commonwealth-run or private plan exemption • A private plan can be self-funded or fully-insured. • Private plans must offer all the same rights, protections, and benefits as the State program.
Eligibility and Covered Family Members	
Covered Employers	Private employers with one or more employees are subject to the MA PFML law.
Employee Eligibility	Employees must meet financial eligibility earnings requirements to be eligible (Financial Eligibility Test). There is no eligibility distinction for part-time vs full-time employees. Once an employee meets earnings requirements, they are eligible. Localization of employment impacts employee eligibility (i.e., must work in MA).
Eligible Leave Reasons	• Employee's own serious health condition. • Bonding with a newly born, adopted, or fostered child. • Care for a family member with a serious health condition. • Assist loved ones when a family member is deployed abroad or on active military service (military exigency). • Care for a military member injured during active duty or for other reasons.
Covered Family Members	Spouse, domestic partner, child, parent, in loco parentis, sibling, grandparents, grandchild
Benefits	
Benefit Duration	Medical leave – payable for up to 20 weeks Family leave – payable for up to 12 weeks Care of a covered service member – 26 weeks
Waiting Period	7 calendar days for all leave reasons except medical leave during pregnancy or recovery from childbirth if supported by a medical certification and bonding when it immediately follows the medical leave. Intermittent: Waiting period is 7 consecutive calendar days from the date of the first instance of leave from the employer, NOT the aggregate accumulation of 7 days of leave
Replacement Rate	80% of the portion of the employee's weekly wage that is equal to or less than 50% of the State average weekly wage (SAWW);

	Plus 50% of the portion of the employee's weekly wage that is more than 50% of the SAWW
Minimum and Maximum Benefit	N/A and $1,170.64 per week in 2025
Other Information	**Job Protection**: Yes. MA PFML provides employees with job protection, health benefits protection and protection against retaliation for taking leave **Funding**: The combined employee and employer contribution percentage 0.88% in 2025. **Appeals**: Carriers can have an internal review process. If the decision stands as declined, the employee can appeal to the Department of Family and Medical Leave (DFML). **Aflac's Offering**: Aflac offers fully insured and self-funded MA PFML.

Minnesota

Paid Family Medical Leave (MN PFML)

Overview	
Statute Website	https://mn.gov/deed/programs-services/paid-family/
Key Dates	Contributions begin January 1, 2026 Claims administration begins on January 1, 2026
How coverage is provided	State or private plan Employers are permitted to apply for approval of an equivalent plan.
Eligibility and Covered Family Members	
Covered Employers	All employers who employ at least one employee in Minnesota.
Employee Eligibility	Employees who have earned at least 5.3% of the state average annual wage over their base period.
Eligible Leave Reasons	• Medical: To address an employee's own serious health condition including disabilities due to pregnancy • Family: To bond with a new child; to care for a family member with a serious medical condition; to care for an injured servicemember • Military exigency: To address a qualifying exigency arising out of a family member with military deployment • Safe leave
Covered Family Members	Spouse or domestic partner; sibling; grandchild; grandparent or spouse's grandparent; son- or daughter-in-law; child (including biological, adopted, or foster child, stepchild, or child to whom the applicant stands in loco parentis, is a legal guardian, or is a de facto parent); parent or legal guardian of the applicant (including biological, adoptive, de factor, foster, or step-parent, or legal guardian or individual who stood in loco parentis to the applicant when the applicant was a child); and an individual who has a relationship with the applicant that creates an expectation and reliance that the applicant care for the individual, whether or not the applicant and the individual reside together
Benefits	
Benefit Duration	Up to 12 weeks per benefit year; however, employees are limited to a combined total of 20 weeks of paid leave in a benefit year. Example: If an employee takes 12 weeks for a serious health condition, the employee can take an additional 8 weeks for a different type of leave.
Waiting Period	Yes, except for bonding leave, benefits are based on one qualifying event of at least 7 calendar days; however, is retroactively payable
Replacement Rate	90% of the employee's average weekly wage, up to 50% of the state's average weekly wage (SAWW); plus 66% of their wages exceeding 50% of the SAWW, up to 100% of the SAWW; plus 55% of their wages exceeding 100% of SAWW.
Minimum and Maximum Benefit	The max benefit will equal the state's average weekly wage which is reviewed annually.
Other Information	**Job Protection**: Yes **Funding**: The funding for MN PFML is shared by both employees and employers at 0.7% capped at the social security cap.

Appeals: Within 30 calendar days after a financial eligibility determination or amended financial eligibility determination sent by mail or electronic transmission

Aflac's Offering: Aflac will have a private plan offering for MN PFML.

New Jersey
Temporary Disability Insurance (NJ TDI) and Family Leave Insurance (NJ FLI)

Overview	
State Website	NJ TDI: https://www.myleavebenefits.nj.gov/worker/tdi/ NJ FLI: https://www.myleavebenefits.nj.gov/worker/fli/
Key Dates	NJ TDI has been effective since 1948. Since July of 2009, NJ FLI has been available to NJ employees. Premium and benefit rate announcements expected annually in Q4
How coverage is provided	State-run or private plan exemption Private plan can be self-funded or fully-insured.
Eligibility and Covered Family Members	
Covered Employers	Private employers with one or more employees and a minimum payroll of $1,000 must contribute to the state fund or provide an approved private plan for their employees.
Employee Eligibility	For 2024, the employee must have at least 20 calendar weeks in covered New Jersey employment in which they earned $283 or more (called base weeks) or have earned $14,200 or more in such employment during the “base year” period. • The base year is the 52 weeks prior to the week before the disability began. Only covered wages earned during the base-year period can be used in determining the claim.
Eligible Leave Reasons	NJ TDI: • Employee’s own serious health condition not caused by employee’s job. • Childbirth and recovery. • Unable to work because the employee is at high risk for COVID-19 due to underlying health condition NJ FLI: • Bonding with a newly born, adopted, or fostered child. • Care for a family member with a serious health condition. • To handle certain matters related to domestic or sexual violence.
Covered Family Members	Parents, spouse, domestic partner, child of any age, sibling, parent-in-law, grandparent, grandchild, any other individual related by blood, chosen family, any other individuals the employee considers to be family.
Benefits	
Benefit Duration	NJ TDI: 26 weeks NJ FLI: 12 weeks (or 84 days intermittently)
Waiting Period	NJ TDI: 7 days (benefits are payable the 8th day) NJ FLI: None

Replacement Rate	Approximately 85% of an employee’s average weekly wage up to the maximum benefit
Minimum and Maximum Benefit	N/A and $1,081 per week for 2025.
Other Information	**Job Protection**: No. Job protection is provided through FMLA and NJ Family Leave Act **Funding**: While both the employer and employee contribute to NJ TDI, for NJ FLI, only the employee contributes to the program. The employee contribution rate for NJ TDI is 0.23% for 2025. The employee contribution rate for NJ FLI is 0.33% for 2025. **Appeals**: Employees can appeal directly through the Division of Temporary Disability and Family Leave Insurance. **Aflac’s Offering**: Aflac provides fully-insured and self-funded NJ TDI and FLI.

New York

Disability Benefits Law (NY DBL) and Paid Family Leave (NY PFL)

Overview	
State Website	NY DBL: http://www.wcb.ny.gov/content/main/DisabilityBenefits/employee-disability-benefits.jsp NY PFL: https://paidfamilyleave.ny.gov/
Key Dates	NY DBL has been effective since 1949 and NY PFL began claims administration on January 1, 2018. Premium and benefit rate announcements expected annually in Q3
How coverage is provided	There is no State plan. Plans may be self-funded or fully- insured and must be administered through an approved carrier. Large employers may choose to become authorized to self-fund the benefits. NY PFL is a rider on an employer's disability benefits insurance policy.
Eligibility and Covered Family Members	
Covered Employers	NY DBL: An employer of one or more persons on each of 30 days in any calendar year becomes a "covered" employer four weeks after the 30th day of such employment. NY PFL: Most private employers with one or more employees in employment in New York State are required to have NY PFL insurance in place.
Employee Eligibility	NY DBL: Worked at least 4 consecutive weeks for any covered employer(s). NY PFL: Employees with a regular work schedule of 20 hours per week are eligible after 26 weeks of consecutive employment. Employees with a regular work schedule of less than 20 hours per week are eligible after 175 days worked.
Eligible Leave Reasons	NY DBL: • Employee's own serious health condition. • When employee is subject to an order of quarantine due to COVID-19. NY PFL: • Bonding with a newly born, adopted, or fostered child. • Care for a family member with a serious health condition. • Assist loved ones when a family member is deployed abroad or on active military service (military exigency). • When an employee or their minor, dependent child is subject to an order of quarantine or isolation issued by the appropriate authority.
Covered Family Members	Spouse, domestic partner, child/stepchild, parent/stepparent, parent-in-law, grandparent, grandchild, in loco parentis, and sibling.
Benefits	
Benefit Duration	NY DBL: 26 weeks NY PFL: 12 weeks

	An employee cannot take more than a total of 26 weeks of leave within a 52-week period for combined NY PFL and NY DBL reasons.
Waiting Period	NY DBL: 7 days (benefit are payable the 8th day) NY PFL: None
Replacement Rate	NY DBL: The employee is eligible to receive 50% of their average weekly wage with a benefit maximum of $170 per week. NY PFL: Employees are eligible to receive 67% of their average weekly wage with a benefit maximum of $1,177.32 per week.
Minimum and Maximum Benefit	NY DBL: None and $170.00 per wk. NY PFL: None and $1,177.32 per wk.
Other Information	**Job Protection**: NY DBL: No. Job protection is provided through FMLA. NY PFL: Yes. **Funding**: NY DBL: An employee's contribution is computed at the rate of one-half of one percent of his/her wages, but no more than sixty cents a week. NY PFL: In 2025, the employee contribution will be set at 0.388% of an employee's wages each pay period up to and not to exceed an annual maximum employee contribution of $354.53. **Appeals**: NY DBL: Review is completed by the Workers' Compensation Board – Disability Benefits Bureau. NY PFL: Arbitration for NY PFL is handled by NAM (National Arbitration and Mediation). **Aflac's Offering**: Aflac provides self-funded and fully insured NY DBL and NY PFL. They must be bundled together.

Oregon
Paid Leave (OR PL)

Overview	
State Website	https://paidleave.oregon.gov/Pages/default.aspx
Key Dates	Contributions will begin January 1, 2023 Claims administration begins September 3, 2023
How coverage is provided	State-run or private plan exemption • Private plan can be self-funded or fully-insured. • Private plan must offer all of the same rights, protections, and benefits as the State program.
Eligibility and Covered Family Members	
Covered Employers	The law applies to employers — including political subdivisions of the state government — with at least one employee working in Oregon but exempts tribal and federal governments. Self-employed people and tribal governments may opt into the program.
Employee Eligibility	The employee must have earned $1,000 or more in the previous year.
Eligible Leave Reasons	• Employee's own serious health condition. • Bonding with a newly born, adopted, or fostered child. • Care for a family member with a serious health condition. • Safe leave to respond to issues related to domestic violence, harassment, stalking, or sexual assault.
Covered Family Members	Child, spouse, domestic partner, parent, sibling, grandparent, grandchild, family members of a spouse or domestic partner, in loco parentis, "any individual related by blood or with a family-like relationship to the employee."
Benefits	
Benefit Duration	Employees can take up to 12 weeks of paid leave ina 52-week period (starting the Sunday before the date their leave begins) for family, medical or safe leave.
Waiting Period	None
Replacement Rate	Employees whose average weekly wage (AWW) is at or below 65% of the state average weekly wage (SAWW) will receive 100% of their AWW during qualified leave. Individuals earning more will receive 65% of the SAWW plus 50% of their AWW above that amount.
Minimum and Maximum Benefit	$65.36 and $1,568.60 per week for any claims that begin on or after July 7, 2024
Other Information	**Job Protection**: Yes. An employee who has worked for an employer for 90 days before leave begins must be reinstated to the same or equivalent position with pay and benefits; however, employers with fewer than 25 employees have different obligations. As of July 1, 2024,, leaves which are not for bereavement, pregnancy disability or to care for your child's illness, injury or a condition that requires home care, will no longer be protected by the Oregon Family Leave Act

Funding: Through a payroll-based contribution of no more than one percent, shared by employers and employees. The contribution rate will be set annually by the Employment Department and will be determined once program costs are estimated.

Employees will contribute 60 percent and employers will contribute 40 percent of the required contribution.

Appeals: For private plans, first level of appeal is through the carrier. Subsequent appeals are through the Oregon Employment Department.

Aflac's Offering: Aflac provides fully-insured and self-funded OR PL.

Puerto Rico

Seguro por Incapacidad No Ocupacional Temporal (SINOT)

Overview	
State Website	https://www.trabajo.pr.gov/sinot.asp
Key Dates	SINOT was enacted on June 26, 1968.
How coverage is provided	State-run or private plan exemption • Private plans can be self-insured or fully-insured. • Private plans must offer all of the same rights, protections, and benefits as the State program.
Eligibility and Covered Family Members	
Covered Employers	Employers who employ one or more persons in Puerto Rico during the current or prior year.
Employee Eligibility	The employee must have earned at least $150 in wages during the base year. Base year means in any one of the first four of last five consecutive calendar quarters immediately preceding date on which application for benefits is filed.
Eligible Leave Reasons	Employee's own illness or injury that is non-work related or not related to an automobile accident. SINOT benefits include pregnancy.
Covered Family Members	N/A
Benefits	
Benefit Duration	26 weeks
Waiting Period	Benefits are payable on the eighth day or first day of hospitalization if hospitalized within first seven days.
Replacement Rate	The weekly benefit is 65% of the employee's average weekly wage.
Minimum and Maximum Benefit	$12 per week and $113 per week ($55 per week for agricultural workers). There are additional benefits for death or dismemberment.
Other Information	**Job Protection**: No. **Funding**: The employee and employer contributions are a shared cost. Employees may be charged up to 50% of the plan's costs, but not more than 0.3% of the first $9,000 of the employee's annual wages. The maximum annual employee cost is $27. **Appeals**: Departamento del Trabajo y Recursos Humanos. **Aflac's Offering**: Aflac does not have a SINOT offering.

Rhode Island

Temporary Disability Insurance (RI TDI) and Temporary Caregiver Insurance (RI TCI)

Overview	
State Website	https://dlt.ri.gov/individuals/temporary-disability-caregiver-insurance
Key Dates	RI TDI has been effective since 1942 and RI TCI began claims administration on January 1, 2014. Premium and benefit rate announcements expected annually in Q2.
How coverage is provided	No private plans are permitted by Rhode Island. Employers must obtain coverage directly from the state.
Eligibility and Covered Family Members	
Covered Employers	The law applies to employers with at least one employee during part of a day in the current or preceding calendar year.
Employee Eligibility	$15,600 in base period wages; or $2,600 in one of the base period quarters and total base period wages of at least 1.5 times the highest quarter earnings, and total base period earnings of at least $5,200. Employed by Rhode Island covered employer and have qualified leave reason.
Eligible Leave Reasons	RI TDI: Employee's own serious health condition. RI TCI: • Bonding with a newly born, adopted, or fostered child. • Care for a family member with a serious health condition.
Covered Family Members	Child, parent, spouse, domestic partner, parent-in-law, or grandparent.
Benefits	
Benefit Duration	RI TDI: 30 weeks RI TCI: 7 weeks in 2025 and 8 weeks in 2026
Waiting Period	No waiting period but must be unemployed due to illness/injury at least 7 days.
Replacement Rate	4.62% of the wages paid to an employee in the highest quarter of the employee's base period. If an employee has dependent children less than 18 years old or incapacitated children over the age of 18, the employee may be entitled to a dependency allowance. The base period is the first 4 of the last 5 completed calendar quarters before the start date of an employee's claim.
Minimum and Maximum Benefit	$1,043.00 effective July 1, 2024, which does not include the dependency allowance.

Other Information	**Job Protection**: No. Job protection is provided through FMLA and other Rhode Island laws. **Funding**: Entirely employee paid. Employers must deduct from employee's wages, 1.1% of the first $84,000 an employee earns. **Appeals**: TDI Appeals Coordinator at the Department of Labor and Training. **Aflac's Offering**: None. RI TDI and TCI are state run programs.

Washington
Paid Family and Medical Leave (WA PFML)

Overview	
State Website	https://paidleave.wa.gov/
Key Dates	Program effective January 1, 2020. Annual premium and benefit rate announcements in Q4 (November).
How coverage is provided	State-run or self-funded private plans only.

Eligibility and Covered Family Members	
Covered Employers	All employers in the state of Washington, including out-of-state employers with employees working in Washington, are required to participate with very few exceptions.
Employee Eligibility	To be eligible under the state plan, an employee must work 820 hours during the “qualifying period” and employee can earn these total hours under more than one employer. The qualifying period is the first four of the last five full quarters in the calendar. To be eligible for benefits under a private plan, an employee must: • Work 820 hours during the “qualifying period” and have at least 340 hours of employment with the employer, or • Have been covered by an approved voluntary plan with their previous employer. • Employees working for an employer with a voluntary plan who have not yet met the voluntary plan eligibility requirements are eligible for benefits under the state plan if all other requirements are met. Under both options, employees must work or mostly work in Washington with some work done temporarily out of state.
Eligible Leave Reasons	• Employee’s own serious health condition • Bonding with a newly born, adopted or fostered child • Care for a family member with a serious health condition • Assist loved ones when a family member is deployed abroad on active military service (military exigency) • Child loss bereavement
Covered Family Members	Spouses and domestic partners, child, parent, legal guardian, sibling, grandchild, grandparent, parent-in-law, son in law, daughter in law, “someone who has an expectation to rely on the employee for care whether they live together or not.”

Benefits	
Benefit Duration	• Medical leave: 12 weeks • Family leave: 12 weeks • Child loss bereavement: 7 calendar days • An employee is eligible for an additional 2 weeks of leave for a pregnancy that results in incapacity • Overall family and medical leave duration: Up to a maximum of 16 weeks (up to 18 weeks for a pregnancy that results in incapacity)

	• Child loss bereavement allows for 7 calendar days following the death of a qualifying family member
Waiting Period	7 days (benefit are payable the 8th day) but waived for post natal, bonding and military exigency leaves. The waiting period is not embedded in the duration of the leave.
Replacement Rate	The sum of 90% of employee average weekly wage (AWW) up to 50% of the state average weekly wage (SAWW); plus 50% of the employee's AWW that is greater than 50%.
Minimum and Maximum Benefit	For employees with an average weekly wage of $100 or less, the benefit amount is equal to their AWW and $1,542 for 2025.
Other Information	**Job Protection**: Yes, but there are different eligibility requirements under the state plan and a private plan. **Funding**: 0.92% of each employee's gross wages, up to the 2025 Social Security cap. **Appeals**: Carriers may have an internal review process; however, employees may also appeal directly to the Washington Employment Security Department. **Aflac's Offering**: Aflac offers a self-funded WA PFML private plan.

Washington D.C.
Universal Paid Leave (DC UPL)

Overview	
State Website	https://dcpaidfamilyleave.dc.gov/
Key Dates	Program effective July 1, 2020.
How coverage is provided	District-run only. No private plan exemption allowed.

Eligibility and Covered Family Members	
Covered Employers	All private-sector employers in the District of Columbia (DC) must participate in the program and contribute on behalf of their employees.
Employee Eligibility	To be covered by the DC UPL law, an employee must: • Spend more than 50% of work time in DC • Be based in DC but spend less than 50% of work time in DC
Eligible Leave Reasons	• Employee's own serious health condition • Bonding with a newly born, adopted or fostered child • Care for a family member with a serious health condition
Covered Family Members	Spouse, domestic partner, child, legal ward, legal guardian, parent-in-law, grandparent, siblings.

Benefits	
Benefit Duration	For claims on or after September 25, 2022: • Medical leave: 12 weeks • Parental leave: 12 weeks • Family leave: 12 weeks • Pre-natal leave: 2 weeks
Waiting Period	None
Replacement Rate	90% of a worker's average weekly wage up to an amount equal to 40 times 150% of the DC minimum; plus 50% of a worker's average weekly wage above an amount equal to 40 times 150% of the DC minimum wage.
Minimum and Maximum Benefit	N/A and $1,153 per week. 2025
Other Information	**Job Protection**: No. Job protection is provided through FMLA and other Washington, DC laws. **Funding**: 100% employer-paid; 0.75% of the covered individual's wages. **Appeals**: The Office of Paid Family Leave within the Department of Employment Services. **Aflac's Offering**: None. DC UPL is a district run program.