



December 1, 2017

Dear Employee,

You may have heard or read about the new **New York Paid Family Leave** law (PFL) that has passed. While the new law doesn't go into effect until January 1, 2018, it presents some important changes for you and your family. We have prepared this summary for you so that you are aware of your rights under the law. Let's start with the basics:

### ***What is the New York Paid Family Leave Law?***

New York Paid Family Leave (PFL) is job-protected, paid time away from work mandated by New York State. That means eligible employees may take NY PFL:

- to take care of a seriously ill family member;
- to bond with a newborn, adopted, or foster child;
- or to attend to family issues related to a qualifying military deployment.

### ***Who is eligible?***

Every employee working full time (20 or more hours per week) in the state of New York is eligible for coverage after 26 weeks of consecutive employment. Part-time employees are eligible after 175 days of employment. Every employer is required to comply.

### ***What is the benefit?***

The New York PFL benefit for 2018 is set as follows:

- 50% of your average weekly wage, not to exceed 50% of the New York State average weekly wage, for a maximum of 8 weeks

However, the benefit is set to increase each year for the following three years, as follows:

- 2019 55% of average weekly wage for a maximum of 10 weeks
- 2020 60% of average weekly wage for a maximum of 10 weeks
- 2021 67% of average weekly wage for a maximum of 12 weeks

### ***Who pays for the program?***

The state has mandated that ***all employees will pay for the new coverage through payroll deduction*** at a rate of 0.126% of your weekly wages, not to exceed the statewide average weekly wage. As of right now, that average is \$1,306, which means your deduction will not exceed \$1.65 per week. This cap means that while your actual contribution is dependent upon your wages, it will not exceed \$85.56 for all of 2018. Deduction for SSA eligible employees will automatically start December 7, 2017.

### **Opting out**

You can **only** opt out of Paid Family Leave if you do not expect to work for your employer for the minimum amount of time required for eligibility. If you meet one of the criteria below and wish to opt out, you can do so by completing a Paid Family Leave waiver, which is [available here](#)



(<http://www.statesecurityagency.net/NY-PFL-Opt-Out-Form.pdf>). A waiver of family leave benefits may be filed when:

- Your schedule is 20 hours or more per week, but you will not work 26 consecutive weeks; or
- Your schedule is less than 20 hours per week and you will not work 175 days in a 52-consecutive week period.

### **Health insurance benefits.**

Under the NY PFL law, employees are entitled to continue their group health insurance benefits during their covered leave. Employees will be responsible for continuing to pay their share of insurance premiums during this period.

### **Relationship to FMLA and NY statutory disability benefits.**

Because the new law shares many of the same requirements and definitions as the federal Family and Medical Leave Act (FMLA), in most cases the two leave of absence programs will be applied concurrently, NOT one after the other. It will never intersect with your New York State mandated disability benefits (DBL), which provide a benefit when you need to miss work because of your own disabling illness or injury. PFL only comes into play when you need to miss work to care for someone else.

### **Process for taking NY PFL.**

Employees will be required to submit a request for NY PFL containing information prescribed by the State of New York. Employees will also be required to submit a certification (again, in a format being prepared by the State of New York) to support the need for the leave.

- For bonding leave, employees will need to provide verification of the date of the child's birth, adoption, or placement.
- For leave to care for a family member with a serious health condition, employees will be required to submit a medical certification from the family member's health care provider.
- For military exigency leave, an employee will need to submit a copy of the family member's military documentation and possibly other documentation relating to the specific reason for the leave.

### **Intermittent NY PFL Leave.**

The NY PFL law permits employees to take intermittent NY PFL in increments of no less than one work day. If you work any part of a day, you are not eligible for NY PFL benefits for that day.

### **Notice requirements.**

Under the NY PFL law, for leaves which can be anticipated, employees must give employers at least 30 days' advance notice. Employees may "pre-file" for NY PFL before a qualifying event has occurred. If the need for the leave cannot be anticipated,



employees must give notice as soon as practicable. Employees are required to list the dates of intermittent leave in their NY PFL request, and if such dates are not known, employees must provide notice as soon as practicable.

***More information***

Please sign, download and review the updated Employee Handbook for more information at <http://statesecurityagency.net/employee-handbook.html> or visit (<http://www.statesecurityagency.net/NY-PFL.html>)

SSA's NY Paid Family Leave Benefits Insurance Carrier:  
Standard Security Life Ins. Co. of NY  
485 Madison Avenue  
New York, NY 10022 (212) 355-4141

If you have specific or further questions, please contact Human Resources at (206)388-3065 or [charina.flores@barbelogroup.com](mailto:charina.flores@barbelogroup.com)

Thank you for your continued hard work and contribution to our shared success.

Thank you,  
State Security Agency Leadership Team