

Law & Policy Group | GRIST

2024 state paid family and medical leave contributions and benefits

By Rich Glass and Katharine Marshall

Jan. 31, 2024



Contents

Introduction	1
• New programs	1
• Common elements	1
• Mandatory PFML program highlights	2
• California	2
• Colorado	2
• Connecticut.....	3
• Delaware	3
• Hawaii.....	4
• Maryland.....	4
• Massachusetts.....	4
• New Jersey	5
• New York	5
• Oregon.....	5
• Puerto Rico	6
• Rhode Island.....	6
• Washington.....	6
• Washington, DC.....	7
• Voluntary PFML program highlights.....	7
• Alabama	7
• Arkansas.....	7
• Florida.....	7
• Michigan	8
• New Hampshire	8
• Tennessee.....	8
• Texas.....	9
• Vermont	9
• Virginia.....	9
Table: Paid disability/medical and family leave programs	10
• California	10
• Colorado.....	12

- Connecticut 13
- Delaware (contributions will start Jan. 1, 2025; benefits will become available Jan. 1, 2026) 14
- Hawaii..... 15
- Maine (contributions will start on Jan. 1, 2025; benefits will start May 1, 2026)..... 16
- Maryland (contributions will start Oct. 1, 2024; benefits will start Jan. 1, 2026) 17
- Massachusetts 18
- Minnesota (contributions, benefits will start Jan. 2026) 19
- New Jersey..... 21
- New York..... 22
- Oregon 24
- Puerto Rico..... 25
- Rhode Island 26
- Washington 27
- Washington, DC 29

Section 1

Introduction

As of January 2024, California, Colorado, Connecticut, Delaware, Hawaii, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New York, Oregon, Puerto Rico, Rhode Island, Washington, and Washington, DC, mandate paid leave for an employee's own serious health condition or disability. Except for Hawaii and Puerto Rico, these jurisdictions also require paid family leave to bond with a new child, care for a seriously ill or injured family member, and handle certain other matters. Despite some common elements, differences in these laws make compliance and administration particularly challenging for multistate employers.

In addition, two states — New Hampshire and Vermont — have adopted voluntary paid family and medical leave (PFML) insurance programs. Six states — Alabama, Arkansas, Florida, Tennessee, Texas and Virginia — permit life and disability insurers to write group family leave insurance (FLI) policies for employers.

This GRIST provides a high-level summary of these programs.

New programs

Maine and Minnesota passed PFML laws in 2023. Contributions to Maine's program will start on Jan. 1, 2025; benefits will become available on May 1, 2026. In Minnesota, contributions and benefits will both start on Jan. 1, 2026.

Oregon's PFML contributions and benefits got underway in 2023 (on Jan. 1 and Sept. 3, respectively). Colorado started contributions in 2023, and benefits became available in 2024, both on Jan. 1. Maryland is scheduled to start PFML contributions on Oct. 1, 2024. Looking ahead, Delaware will start contributions on Jan. 1, 2025; both Maryland and Delaware are scheduled to make benefits available on Jan. 1, 2026. At the start of 2024, Maryland's Department of Labor (MDOL) proposed delaying the start dates for contributions to July 1, 2025, and for benefits to July 1, 2026. Pending legislation (HB 571 and SB 485) would achieve this delay.

Common elements

Common elements in nearly all of these programs include:

- Overseen and/or administered by a state/district agency (except in Hawaii)
- Funded at least partially by employees (except in Washington, DC)
- Provide at least partial wage replacement during leave (some low-wage employees may receive full wage replacement)
- Require mandated leave to run concurrently with leave under the federal Family and Medical Leave Act (FMLA) when both laws apply
- Determine covered individuals by work location (not residence)
- Require employee documentation of the need for leave
- Limit total leave duration (generally eight to 16 weeks in a 12-month period)

- Annually adjust contribution rates and maximum weekly benefits (except for disability leave in New York and Puerto Rico)
- Permit Intermittent leave (although a few jurisdictions apply a separate duration maximum for intermittent leave)
- Require continuation of health benefits
- Allow employers to adopt a voluntary/private plan and opt out of participating in state program (except no opt-out is allowed in Rhode Island and Washington, DC, and for family leave benefits in New Jersey)

Compared with the FMLA, state programs typically have less stringent eligibility standards, longer leave durations and additional qualifying reasons for leave. But job protections tend to be less clear than FMLA requirements, and some states have a parallel law providing job protection. For a comprehensive overview of state PFML programs, see [*Paid Family and Medical Leave in the United States*](#) (Congressional Research Service, Sept. 25, 2023).

Mandatory PFML program highlights

The 2024 contribution rates, taxable wage bases, maximum weekly benefit amounts and other program updates are highlighted below. New York's and Puerto Rico's statutory disability benefits do not change annually; however, [legislation](#) (SB 921) [backed](#) by Gov. Kathy Hochul would change this in New York).

California

The 2024 employee contribution rate, which includes both State Disability Insurance (SDI) and paid family leave (PFL), has increased from 0.9% in 2023 to 1.1% in 2024 (the same rate as in 2022). Effective Jan. 1, 2024, the state program has no wage cap on contributions, although voluntary plans can choose to maintain a wage cap. The 2024 maximum weekly benefit remains steady at \$1,620. Benefit rates will increase from 60%–70% of the employee's average weekly wage (AWW) this year to 70%–90%, starting in 2025.

Employers with workers in the city and county of San Francisco may be subject to the [Paid Parental Leave Ordinance](#) (PPLO), which requires covered employers to top off PFL benefits when employees take leave to bond with a new child. The ordinance applies to employers with 20 or more employees globally; governmental employers are excluded. Covered employers must top off the PFL benefit up to 100% of the employee's AWW or \$2,700, whichever is less. A [PPLO calculator](#) is available. For more details, see this [SF.gov webpage](#).

Colorado

The taxable wage base for Colorado's [Family and Medical Leave Insurance \(FAMLI\) program](#) mirrors the annually adjusted [Social Security maximum taxable wage base](#) (Social Security max), which is \$168,600 in 2024. The contribution rate remains unchanged at 0.9%, half of which employers may require employees to pay. Benefits became available on Jan. 1, 2024.

The FAMLI Division had a busy 2023 amending [program rules](#) ([7 CO Code Regs. §§ 1107-1 through 1107-9](#)), including:

- **Benefits and employer participation.** The application year is now the 12-month period measured forward from the claim filing date. An employer may not discipline an employee for failure to provide notice. For certification purposes, healthcare providers cannot be the claimant or a family member.
- **Coordination of benefits.** An employer may not count wage replacement or duration of FAMI benefits against past or future balances of a short- or long-term disability (STD/LTD) policy or a separate paid time-off bank. The definition of “employer-provided paid leave” for PFML purposes excludes other types of leave like STD/LTD, paid parental leave or other paid family leave. A “bank of time off solely for ... paid family and medical leave” is newly defined as meeting the state program’s purposes but must be separate from accrued vacation, accrued sick time, or paid time off (PTO).
- **Premiums/elections.** Employer size is based on the national, not state, headcount. (Employers with fewer than 10 employees do not have to contribute.) A new \$50 penalty per individual and accrued interest apply to delinquent quarterly premium remittances.

For details on other regulations, see [Roundup of selected state health developments, second-quarter 2023](#) (Aug. 14, 2023).

One other notable change to the program came in the form of a statutory amendment, effective March 23, 2023 ([2023 Pub. L. No. 40, SB 46](#)). The AWW calculation now includes wages from previous jobs (not just the current job) held during the base period.

Connecticut

The maximum weekly [Connecticut paid leave](#) benefit of \$900 increased to \$941.40 on Jan. 1, 2024. The employee 2024 contribution remains at 0.5% of wages up to the Social Security max.

Delaware

Contributions to the [Delaware paid leave](#) (DPL) program will begin Jan. 1, 2025. The initial rate will be 0.8% of wages up to the Social Security max and will be shared equally by employers and employees (with some exception for small employers). Benefits will become available on Jan. 1, 2026, with a \$900 weekly maximum for the first two years. Thereafter, the maximum benefit will annually increase by the average change in the prior October’s [Consumer Price Index for All Urban Consumers \(CPI-U\), Philadelphia–Camden–Wilmington area](#).

[Program regulations](#) (19 DE Admin. Code § 1401) adopted in 2023 clarify a number of important issues, including:

- An **employee** for DPL purposes is an individual who primarily reports to a Delaware work site and works at least 60% of the time physically in the state each quarter. Telecommuting workers outside of Delaware are not considered employees unless the employer and employee agree to that status. Employees do not include part-time, casual or seasonal state or Department of Education employees.
- Comparable preexisting employer plans in place before May 10, 2022 (called “**grandfathering plans**”) may continue through 2029 if the employer submitted an exceptions application before Jan. 1, 2024, and earned approval. Grandfathering plans can include self-insured plans, employee handbook plans and some short-term disability (STD) plans.

- Applications for **private plans** — other than grandfathering plans — can be submitted between Sept. 1 and Dec. 1, 2024, for the 2025 calendar year, and between Oct. 1 and Dec. 1 for later years. Insured and self-insured private plans must meet all of the requirements of the DPL law. A self-insured private plan must have at least 100 covered individuals at all times, unless it can show administrative capacity to manage the plan.

Hawaii

The 2024 Temporary Disability Insurance (TDI) weekly wage base has increased to \$1,374.78 from \$1,318.48 in 2023. Hawaii law permits employee contributions of up to 0.5% of wages (capped at the weekly wage base), with a maximum weekly contribution of \$6.87, up from \$6.59 in 2023. The 2024 maximum weekly benefit is \$798, an increase from \$765 in 2023. Hawaii currently has no paid family leave mandate or program.

Maryland

PFML contributions will begin Oct. 1, 2024, as a result of Ch. 2023-149 (HB 988/SB 828), which delayed the effective dates for contributions and benefits by one year. For details, see Roundup of selected state health developments, second-quarter 2023 (Aug. 14, 2023). The state Department of Labor has established an initial contribution rate of 0.9% of covered wages (up to the Social Security max), split evenly between employers and employees. Benefits will become available on Jan. 1, 2026, with a weekly maximum of \$1,000. As stated above, the state legislature is considering a further delay. In later years, the maximum will change based on the annual percentage growth in the CPI-U, Washington–Arlington–Alexandria area.

Massachusetts

The PFML maximum weekly benefit for 2024 is \$1,149.90, up from \$1,129.82 in 2023. Total contributions in 2024 have increased to 0.88% from 0.63% of an employee's wages up to the Social Security max. Employers with at least 25 Massachusetts employees owe a medical leave contribution of 0.42% in 2024, up from 0.312% in 2023. Employees' 2024 contributions have increased to 0.46%, up from 0.318% in 2023. Employers with fewer than 25 Massachusetts employees do not have to contribute but must collect and remit employee contributions of 0.46% (specifically, 0.18% for family leave and 0.28% for medical leave), up from 0.318% in 2023 (specifically, 0.11% for family leave and 0.208% for medical leave).

Amendments to the law's provision on topping off PFML benefits with employer-provided benefits took effect on Nov. 1, 2023 (2023 Ch. 55, HR 4053). As a result, employers now must let employees top off PFML benefits received from the state plan or an employer's approved private plan with STD benefits, accrued paid leave (like vacation, sick or PTO), or other paid leave benefits (like parental bonding time), subject to the conditions of the employer's policy. Before this change, employees couldn't use accrued paid leave benefits to top off PFML benefits from the state plan, but private plan employers had the option to allow topping off PFML benefits. FAQs from the Department of Family and Medical Leave (DFML) provide more information.

Regulations (458 MA Code Regs. § 2.00) related to maintaining group health benefits took effect Jan. 6, 2023. An employer can meet this obligation via these methods:

- Continue to pay the employer portion of contributions
- Reimburse amounts above the active employee rate during a COBRA or state coverage continuation period

- Allow employees to continue coverage as long as they remain eligible for a multiemployer (union) plan that bases eligibility on hours worked or contributions made during an earlier qualifying period

Employers have no duty to maintain coverage if an employee was ineligible for benefits when leave began, resigns during leave or was a former employee when the leave begins.

New Jersey

The 2024 taxable wage base is \$161,400, up from \$156,800 in 2023, for both TDI and FLI. TDI has no employee contribution rate for 2024, similar to 2023. The 2024 FLI contribution rate is 0.09%, up from 0.06% in 2023. The maximum weekly benefit for TDI or FLI beginning in 2024 is \$1,055, up from \$1,025 in 2023.

The Department of Labor and Workforce Development published [final FLI regulations \(NJ Admin. Code § 12:21-1.8\)](#) in 2023 to conform with a 2019 law. The regulations clarify that employers may provide a private plan notice via email or a website designed exclusively for employee use.

New York

The [Disability Benefits Law \(DBL\)](#) sets employee contributions equal to 0.5% of wages up to a maximum of \$0.60 per week. The maximum weekly benefit for a nonwork-related disability is \$170. These statutory amounts have not changed since 1989 and are distinct from the state's annually adjusted [PFL benefit](#).

The employee contribution rate for PFL coverage drops from 0.455% of an employee's wages in 2023 to 0.373% in 2024. Contributions are limited to an annual maximum of \$333.25 in 2024, down from \$399.43 in 2023. The weekly PFL benefit is 67% of an employee's AWW to a maximum weekly benefit of \$1,151.16 in 2024, an increase from \$1,131.08 in 2023.

Numerous [changes](#) to the DBL claim administration requirements took effect Jan. 1, 2024, including the criteria for claim denials and the timing for sending denial notices and paying approved claims. In addition, the definition of disability now includes incapacity due to organ donation or transplant or "caused by or in connection with a pregnancy." Certification is no longer required to demonstrate disability due to pregnancy in the four weeks prior to the due date and the six weeks after birth (eight weeks for delivery via Cesarean section).

Oregon

Paid Leave Oregon (PLO) contributions started on Jan. 1, 2023, and PFML benefits became available on Sept. 3, 2023. As a result of [2023 Ch. 292 \(SB 913\)](#), the total contribution rate in 2024 is 1% of wages up to the Social Security max, a change from the 2023 wage maximum of \$132,900. Employers with 25 or more Oregon employees contribute 0.4% of wages, with employees contributing 0.6%. Employers with fewer than 25 employees do not have to contribute, but those that do may receive a grant of up to \$3,000. The 2024 maximum weekly benefit is approximately \$1,523.63; the 2024 minimum weekly benefit is approximately \$63.48. These amounts are based on the state AWW (updated every July 1).

As of Jan. 1, 2024, safe leave under PLO has expanded to include bias crimes. Safe leave has been available for survivors of sexual assault, domestic violence, harassment and stalking. Due to [2023 Ch. 549 \(HB 3443\)](#), safe leave now is also available for victims of a

crime motivated partly or wholly by bias based on race, color, disability, religion, national origin, sexual orientation, or gender identity.

The Oregon Employment Department (OED) finalized regulations effective Aug. 1, 2023, including these topics:

- **Benefits.** Employees on intermittent leave may work for another employer on any day they are not taking leave. The additional two weeks of pregnancy leave (beyond the standard 12 weeks of leave) are available only once per pregnancy.
- **Contributions.** PLO benefits are not wages subject to PLO contributions.
- **Equivalent plans.** OED has the right to review eligibility information. The rules also make technical changes for plan terminations and withdrawals.

OED also published temporary administrative orders (effective Aug. 9, 2023) in response to laws passed earlier in 2023. The temporary orders were incorporated into final rules effective Jan. 12, 2024, and include the following:

- A nonexhaustive list of factors for determining whether an affinity relationship exists
- Clarification that a healthcare provider must be someone other than the employee or the person for whom the employee is providing care
- The process for an employee to name a claimant-designated representative
- An employer's right to deduct up to 10% of an employee's gross pay each pay period after return from leave for any unpaid balance of the employee's share of health or other insurance premiums
- An employer's ability to require written attestation when an employee requests paid leave to care for or deal with the death of a family member related by affinity

Puerto Rico

The disability law — Seguro por Incapacidad No Ocupacional Temporal (SINOT) — permits employee contributions at the rate of 0.3% of wages up to \$9,000. The maximum weekly benefit is \$113 (\$55 for agricultural workers); the minimum weekly benefit is \$12. These statutory amounts have not changed since July 1972.

The table in Section 2 includes a summary of key provisions of Puerto Rico's Working Mothers Protection Act (WMPA), which requires employers to provide women 100% pay during leave related to pregnancy, childbirth or adoption.

Rhode Island

The 2024 taxable wage base is \$87,000 (up from \$84,000 in 2023) for the combined TDI and Temporary Caregiver Insurance (TCI) programs. The 2024 employee contribution rate increases to 1.2% of wages, up from 1.1% in 2023. Rhode Island updates its maximum weekly benefit amount each July. The maximum weekly benefit is currently \$1,043 until a new rate is announced starting July 1.

Washington

The overall PFML contribution rate has decreased from a 2023 rate of 0.8% to a 2024 rate of 0.74% up to the Social Security max. Of this amount, employees pay 71.43%, and employers

with 50 or more Washington employees pay up to 28.57%. Smaller employers do not have to contribute. The maximum weekly benefit has increased to \$1,456 in 2024, up from \$1,427 in 2023.

The state legislature made two tweaks to the PFML law in 2023. First, [2023 Ch.116](#) (SB 5286) changed the rate calculation methodology and removed a solvency surcharge from the family-leave portion of the premium, effective July 23, 2023. Second, [2023 Ch. 375](#) (SB 5586) allows employers, third-party administrators (TPAs) and employees to obtain information about an employee's PFML claim from the state's Employment Security Department for the sole purpose of administering leaves and benefits, effective Jan. 1, 2024.

Washington, DC

The required employer contribution rate to the [paid family leave](#) program remains 0.26% of wages for the start of 2024. Due to the city's home rule structure, employees cannot be charged an employment tax to help cover the cost of program. Wages subject to the tax are uncapped. Effective July 1, 2023, the maximum weekly benefit is \$1,118, up from \$1,049 for the previous period. The weekly benefit max is subject to change every July 1.

Voluntary PFML program highlights

New Hampshire and Vermont continue to move forward with voluntary PFML programs. Virginia is entering the second year in which employers can voluntarily purchase FLI policies regulated by the state. In 2023, Alabama, Arkansas, Florida, Tennessee and Texas all passed laws allowing the sale of group family leave insurance policies to employers. Michigan's tax incentive for adoption leave is still unfunded, and Tennessee added a new tax incentive modeled after a seldom-used federal program.

Alabama

The [Paid Family Leave Income Replacement Benefits Act](#) (2023 Act 112, [HB 141](#)) enables insurers to offer group FLI policies or voluntarily purchased employee policies. The policies would provide partial wage replacement for leave needed to care for a family member who has a serious health condition or was injured during military duty, bond with a new child, handle qualifying exigencies as defined in the federal FMLA, and address other matters specified in the policy. The law took effect Aug. 1, 2023.

Arkansas

As a result of [2023 Act 84](#) (SB 111), insurers may offer FLI providing partial wage replacement during leave to bond with a new child, care for a family member with a serious health condition or handle qualifying exigencies. FLI is available as a separate group policy or an amendment to a group disability policy. The law took effect Feb. 17, 2023.

Florida

[Ch. 2023-149](#) (HB 721) creates a new line of FLI, which insurers may offer as a rider or an amendment to a disability policy or as a separate policy. These policies must cover leave to bond with a new child, care for a family member's serious health condition and handle qualifying exigencies. The law took effect July 1, 2023.

Michigan

Starting with the 2023 tax year, [2022 Pub. Act 207](#) provides tax incentives to employers offering paid leave for adoption. The tax credit equals 50% of an employee's wages, capped at \$4,000 per employee, for up to 12 weeks of leave to bond with an adopted child. The state Department of Treasury has [confirmed](#) that the tax credit is unavailable until funded by legislative appropriations.

New Hampshire

Under the [Granite State PFL Act](#), New Hampshire [selected](#) MetLife as its insurance partner for the voluntary benefit that became available on Jan. 1, 2023. New Hampshire is providing PFL benefits to state employees and encouraging other public and private employers to do the same for their employees. Individuals who do not have access through their employer can purchase PFL benefits, paid medical leave (PML) benefits or both.

Employers may contract with other insurance companies or choose to self-insure equivalent benefit coverage. PFML highlights for employers include:

- Wage replacement benefits are 60%.
- The duration may be six or 12 weeks.
- Employers offering MetLife coverage are eligible for a 50% business enterprise tax credit for the first six weeks of leave.
- Covered reasons for leave are the employee's or family member's serious health condition, including childbirth; child bonding after birth, adoption or foster placement; qualifying need related to military deployment or service; and caring for a military service member.
- Contributions can be funded by the employer, employee or both.
- Leaves covered by a STD plan or workers' compensation are not eligible for PFML benefits.

Even if not providing PFML benefits, employers with 50 or more employees nationwide must meet these minimum requirements:

- Premium collection and remittance
- Job protection
- Group health plan continuation at active employee rates

Tennessee

The Paid Family Leave Insurance Act ([2023 Ch. 91](#), SB 454) authorizes FLI as a separate group policy or as an amendment or a rider to a group disability or life insurance policy, starting on or after Jan. 1, 2024. The policies would provide partial wage replacement for leave to bond with a new child, care for a family member with a serious health condition, or manage a family member's impending call or order to active military duty.

The Tennessee Works Tax Act ([2023 Ch. 377](#), HB 323 and SB 275) offers a franchise and excise tax credit for the 2024 and 2025 tax years to employers providing PFML benefits that

comply with [Section 45S of the federal Internal Revenue Code](#). For details, see this [Department of Revenue notice](#).

Texas

Under [2023 HB 1996](#), employers can choose to purchase FLI as a separate policy or as an amendment or a rider to a disability policy. Group FLI policies would provide partial wage replacement during leave to care for a family member with a serious health condition or a military injury, bond with a new child, handle qualifying exigencies, and address other matters specified in the policy. The law took effect Sept. 1, 2023.

Vermont

Vermont [selected](#) The Hartford to design and administer the voluntary VT-FMLI program, with a staged rollout that started July 1, 2023. This program is a result of the governor's initiative, not an actual law.

VT-FMLI provides covered employees 60% wage replacement, capped at the Social Security max, for six weeks in a 12-month period. Qualifying events are:

- Bond with a new child after birth, adoption or foster care placement and to care for a child within one year after birth
- Care for the serious health condition of a family member, including a spouse, a civil union partner (under applicable state law), a parent, a foster child or ward living with an employee
- Care for the employee's own serious health condition
- Handle a qualifying exigency related to active military duty

The program is now in effect for state employees and will become available to private and other governmental employers with two or more employees starting July 1, 2024. Starting in 2025, eligible employees whose employers do not opt in and self-employed individuals may participate. More information is available on [The Hartford website](#).

Virginia

Insurers authorized in Virginia can offer family coverage as a class of insurance. According to this [guidance document](#) from the State Corporation Commission, coverage must include these qualifying reasons:

- Bond with new child after birth, adoption or foster placement
- Care for a family member with a serious health condition
- Handle circumstances related to a family member's active military duty or notice of an impending call or order to active duty

Coverage may be an amendment or a rider to a group disability income policy, a provision included in a group disability income policy, or a separate group insurance policy. The law does not dictate cost, benefit amount or duration.

Section 2

Table: Paid disability/medical and family leave programs

The tables below summarize the mandatory programs in [California](#), [Colorado](#), [Connecticut](#), [Delaware](#), [Hawaii](#), [Maine](#), [Maryland](#), [Massachusetts](#), [Minnesota](#), [New Jersey](#), [New York](#), [Oregon](#), [Puerto Rico](#), [Rhode Island](#), [Washington](#) and [Washington, DC](#). The tables include 2024 contribution and benefit rates, eligibility criteria, and other important program elements.

Paid disability/medical and family leave program summaries	
California	
Covered employer	Employers paying wages exceeding \$100 in a calendar quarter to 1 or more employees working in the state <ul style="list-style-type: none"> State and local government employers can opt in.
Eligible employee	Earned at least \$300 subject to SDI withholding during the base period; generally includes employees subject to unemployment insurance (see website for details)
Leave duration	<ul style="list-style-type: none"> SDI (employee’s own nonwork-related disability): 52 weeks per disability PFL (new child, military exigency or family member’s health condition): 8 weeks in a 12-month period Intermittent and reduced-schedule leave permitted
Family member	Employee’s child, parent, parent-in-law, grandparent, grandchild, sibling, spouse or registered domestic partner
Public plan	Administered with unemployment insurance by the Employment Development Department (EDD)
Private plan	Permitted for self-insured SDI and PFL; insured not available
Employer contribution	None
Employee contribution	SDI and PFL combined: 1.1% of wages (no cap)
Benefit calculation	One of the following three calculation methods for 2024 (depending on greatest quarterly base period earnings): <ul style="list-style-type: none"> Method 1: \$50 if highest quarterly earnings are less than \$929 Method 2: 70% of AWW if highest quarterly earnings are \$929 to \$7,154.32 Method 3: 60% of AWW if highest quarterly earnings exceed \$7,154.33 Calculation is 90% of AWW starting on Jan. 1, 2025.
Base period	First 4 of last 5 completed calendar quarters preceding leave
Maximum weekly benefit	\$1,620
Waiting period	7 days for SDI benefits; no waiting period for PFL

Paid disability/medical and family leave program summaries

Job protections	Job protections and continued health benefits under the California Family Rights Act and Pregnancy Disability Law and the California Fair Employment and Housing Act
Employer notice	Conspicuously display notice ; provide brochure on hire and when employees request time off for a nonwork-related illness, injury, pregnancy, or childbirth
Legal cites	2022 Ch. 878 (SB 951) ; CA Unemp. Ins. Code §§ 2601–3308 ; CA Code Regs. Tit. 22, §§ 2601 et seq.
Website	EDD
Mercer resource	Changes to California’s paid leave programs coming in 2023 (Oct. 8, 2021)

Paid disability/medical and family leave program summaries	
Colorado	
Covered employer	<p>State and local governmental employers, and other employers that meet either of these 2 requirements:</p> <ul style="list-style-type: none"> • Employ at least 1 person for each workday during 20 or more calendar workweeks • Paid wages of at least \$1,500 during any calendar quarter in the prior calendar year <p>Local government employers can opt out.</p>
Eligible employee	Employee must have earned at least \$2,500 in the prior year.
Leave duration	<ul style="list-style-type: none"> • PFML for new child bonding, employee’s or family member’s serious health condition, military exigency, domestic violence, sexual assault or stalking: 12 weeks • Additional leave for pregnancy/childbirth complications: 4 weeks • Reduced-schedule and intermittent leave permitted (minimum increments of 1 hour or employer’s typically measurement, whichever is shorter)
Family member	Employee’s, spouse’s or domestic partner’s child, parent, stepparent, grandparent, grandchild, sibling, spouse, domestic partner, and any individual with a significant personal bond that is or is like a family relationship
Public plan	Administered by the FAMLI Division of the Department of Labor and Employment
Private plan	<ul style="list-style-type: none"> • Permitted through insurer or self-insured plan approved by state • Employer attestation required every November
Employer contribution	<ul style="list-style-type: none"> • 0.45% of wages up to Social Security max • None for employers with fewer than 10 employees
Employee contribution	0.45% of wages up to Social Security max
Benefit calculation	90% of employee’s AWW in the base period up to 50% of state AWW, plus 50% of amounts above 50% of state AWW
Base period	First 4 of the last 5 consecutive completed calendar quarters immediately preceding the application for benefits
Maximum weekly benefit	\$1,100
Waiting period	None
Job protections	Job protections and continued health benefits included in the PFML law for employees who have worked at least 180 days for the same employer
Employer notice	Conspicuously display program notice and provide copy on hire and after learning of employee’s need for leave; required paycheck stuffer ; optional break room poster and FAMLI employee handbook
Legal cite	CO Rev. Stat. §§ 8-13.3-501 et seq. ; CO adopted rules
Website	FAMLI Division
Mercer resources	Colorado moves forward on paid family and medical leave (Dec. 14, 2022) Colorado voters approve paid family and medical leave law (Nov. 10, 2020)

Paid disability/medical and family leave program summaries	
Connecticut	
Covered employer	Employers with 1 or more Connecticut employees, along with state and local governmental employers <ul style="list-style-type: none"> Private and secondary elementary schools, and public employers subject to a collective bargaining agreement are excluded.
Eligible employee	Employed (or recently employed) in Connecticut and earned wages of at least \$2,325 in the highest-earning quarter of the base period
Leave duration	<ul style="list-style-type: none"> PFML for new child bonding, employee’s/family member’s serious health condition, organ/bone marrow donation, military exigency or military caregiving: 12 weeks (including 12 days for matters related to family violence) Additional leave for serious health condition during pregnancy: 2 weeks Reduced-schedule and intermittent leave permitted, but job protections under <u>Connecticut’s Family and Medical Leave Act (CT FMLA)</u> don’t extend to intermittent leave for birth, adoption or foster care (child bonding must be taken consecutively for CT FMLA job protection)
Family member	Spouse, son, daughter, parent, sibling, grandparent and grandchild, including by blood, marriage, adoption, foster care or <i>in loco parentis</i> relationships; and anyone with whom the employee has family-equivalent relationship
Public plan	<u>Connecticut Paid Leave</u> administered by Aflac
Private plan	Permitted through insurer or self-insured plan approved by state
Employer contribution	None
Employee contribution	0.5% of wages up to Social Security max
Benefit calculation	95% of AWW up to \$560 (\$600 beginning June 1), plus 60% of AWW exceeding \$560 (\$600 beginning June 1)
Base period	2 highest-earning quarters in the first 4 of last 5 completed calendar quarters
Maximum weekly benefit	\$941.40
Waiting period	None
Job protections	Job protections under <u>CT FMLA</u> and <u>Discriminatory Employment Practices law</u>
Employer notice	Conspicuously display <u>notice of employee rights</u>
Legal cites	<u>Conn. Gen. Stat. §§ 31-49e to 30-49t, 31-51kk to 31-51rr</u>
Website	<u>Connecticut Paid Leave</u>

Paid disability/medical and family leave program summaries	
Delaware (contributions will start Jan. 1, 2025; benefits will become available Jan. 1, 2026)	
Covered employer	Employers with 10 or more Delaware employees, along with state and local government employers <ul style="list-style-type: none"> Employers with 10 to 24 Delaware employees only have to comply with the law’s parental leave requirements.
Eligible employee	Employed at least one year and worked at least 1,250 hours in the previous 12 months <ul style="list-style-type: none"> Part-time, casual and seasonal state and Department of Education employees are excluded.
Leave duration	<ul style="list-style-type: none"> Parental leave for new child bonding: 12 weeks in a 12-month period Employee’s/family member’s serious health condition or military exigency: 6 weeks in a 24-month period Maximum combined leave in a 12-month period: 12 weeks Reduced-schedule and intermittent leave permitted only when taking medical leave or caring for family member’s serious health condition (minimum 1-day increments)
Family member	Spouse, son, daughter and parent, including by blood, marriage, adoption, foster care or <i>in loco parentis</i> relationships
Public plan	Administered by the Delaware Department of Labor (DDOL)
Private plan	Permitted for some or all PFML components through insurer or self-insured plan approved by state
Employer contribution	<ul style="list-style-type: none"> Employers with ≥ 25 Delaware employees: 0.4% of wages up to Social Security max Employers with 10–24 Delaware employees: 0.16% of wages (for parental leave) up to Social Security max Employers with < 10 Delaware employees: none
Employee contribution	0.4% of wages up to Social Security max
Benefit calculation	80% of employee’s AWW
Base period	52 weeks before claim submission
Maximum weekly benefit	<ul style="list-style-type: none"> Maximum weekly benefit for 2026 and 2027: \$900 Minimum weekly benefit: \$100
Waiting period	None
Job protections	Job protections and continued health benefits included in PFML law
Employer notice	Provide notice of employee rights at hire and on request for leave; conspicuously display poster (not yet available)
Legal cites	Healthy Delaware Families Act ; 19 DE Code Ch. 37 ; 19 DE Admin. Code § 1401
Website	DDOL
Mercer resource	Delaware enacts paid family and medical leave law (July 7, 2022)

Paid disability/medical and family leave program summaries	
Hawaii	
Covered employer	Employers (including state and local governments) with 1 or more employees working in Hawaii
Eligible employee	Currently employed (or separated for less than 2 weeks), worked at least 20 hours/week for 14 weeks, and earned at least \$400 in past 52 weeks
Leave duration	<ul style="list-style-type: none"> • TDI (employee’s own nonwork-related injury or sickness, including pregnancy): 26 weeks in a 52-week period • Family leave: None
Family member	Not applicable
Public plan	No public plan
Private plan	Permitted through <u>insurer</u> or self-insured plan approved by state
Employer contribution	Balance of plan costs after employee contribution; employer may pay entire cost of TDI or share cost with eligible employees
Employee contribution	One-half of the premium cost but not more than 0.5% of weekly wage base of \$1,374.78 (\$6.87 per week)
Benefit calculation	58% of employee’s AWW in the base period
Base period	<ul style="list-style-type: none"> • Generally, 8 weeks preceding disability • For employees paid by commissions or piecework: 52 weeks preceding disability
Maximum weekly benefit	\$798
Waiting period	7 consecutive days or until 1st day of hospital stay, whichever occurs sooner
Job protections	None
Employer notice	Conspicuously display <u>notice</u>
Legal cites	<u>HI Rev. Stat. Chs. 392 and 398</u> ; <u>HI Admin. R. § 12-11</u>
Website	Labor and Industrial Relations Department’s Disability Compensation Division <u>TDI website</u>

Paid disability/medical and family leave program summaries	
Maine (contributions will start on Jan. 1, 2025; benefits will start May 1, 2026)	
Covered employer	Employers with 1 or more Maine employees, along with state and local governmental employers
Eligible employee	All employees (including part-time employees); self-employed individuals can opt in
Leave duration	<ul style="list-style-type: none"> • Medical leave for employee's serious health condition: 12 weeks • Family leave for family member's serious health condition, child bonding in first year, qualifying exigency, military caregiving, safety matters, organ donation, or military family member's death or serious health condition: 12 weeks • Intermittent leave permitted (minimum 8-hour increments) • Combined leave limit in a benefit year: 12 weeks
Family member	Spouse, domestic partner, child, parent, sibling, grandparent, grandchild, and designated individual who has significant personal bond with employee
Public plan	Administered by the Maine Department of Labor (MDOL)
Private plan	Permitted through insurer or self-insured plan approved by state
Employer contribution	<ul style="list-style-type: none"> • Employers with ≥ 15 employees: 0.5% of wages up to Social Security max • Employers with < 15 employees: none
Employee contribution	0.5% of wages up to Social Security max
Benefit calculation	<ul style="list-style-type: none"> • Employee's AWW is $\leq 50\%$ of state AWW: 90% of employee's AWW • Employee's AWW is $> 50\%$ of state AWW: 90% of employee's AWW up to 50% of state AWW, plus 66% of employee's AWW exceeding 50% of state AWW
Base period	4 completed calendar quarters immediately before first day of benefit year
Maximum weekly benefit	100% of state AWW (currently \$1,103.71)
Waiting period	None
Job protections	Job protections and continued health benefits apply to employees who have worked at least 120 days for the same employer before taking PFML
Employer notice	Workplace poster (MDOL will provide sample); written notice within 30 days of hire
Legal cites	2023 Ch. 412 (LD 258) ; see Subch. 6-C of Part AAA
Website	MDOL
Mercer resources	Maine paid family and medical leave overview (slide deck) (Sept. 12, 2023); Maine law requires paid family and medical leave (Sept. 11, 2023)

Paid disability/medical and family leave program summaries	
Maryland (contributions will start Oct. 1, 2024; benefits will start Jan. 1, 2026)	
Covered employer	Employers with 1 or more Maryland employees, along with state and local government employers
Eligible employee	Employees who worked at least 680 hours in Maryland during the 12 months immediately before leave starts
Leave duration	<ul style="list-style-type: none"> • PFML for employee’s/family member’s serious health condition, new child bonding, military caregiving or military exigency: 12 weeks • Additional leave for employee’s serious health condition and new child bonding leave in the same rolling 12-month period: 12 weeks • Intermittent leave permitted (minimum 4-hour increments)
Family member	Spouse or domestic partner, child, parent, sibling, grandparent, and grandchild, including by blood, marriage, adoption, foster care, or <i>in loco parentis</i> relationships
Public plan	Administered by the Maryland Department of Labor (MDOL)
Private plan	Permitted through insurer or self-insured plan approved by state
Employer contribution	<ul style="list-style-type: none"> • Employers with ≥ 15 employees: 0.45% of wages up to Social Security max • Employers with < 15 employees: none
Employee contribution	0.45% of wages up to Social Security max
Benefit calculation	<ul style="list-style-type: none"> • Employee’s AWW is ≤ 65% of state AWW: 90% of employee’s AWW • Employee’s AWW is > 65% of state AWW: 90% of employee’s AWW up to 65% of state AWW, plus 50% of employee’s AWW exceeding 65% of state AWW
Base period	Last 680 hours for which employee was paid
Maximum weekly benefit	<ul style="list-style-type: none"> • Maximum weekly benefit: \$1,000 • Minimum weekly benefit: \$50 Minimum and maximum weekly benefits are subject to change.
Waiting period	None
Job protections	Job protections and continued health benefits required, unless denial of reinstatement is “necessary to prevent substantial and grievous economy injury to the operations of the employer”
Employer notice	Notice of employee rights (not yet available) provided at hire, annually and when leave is requested
Legal cites	MD Code Ann. Lab. & Empl. §§ 8.3-101 to 8.3-1001
Website	MDOL
Mercer resources	Maryland paid family and medical leave overview (slide deck) (July 25, 2023); Maryland revises paid family and medical leave (Aug. 11, 2022)

Paid disability/medical and family leave program summaries	
Massachusetts	
Covered employer	Employers with at least 1 employee in Massachusetts <ul style="list-style-type: none"> State and local government employers can opt in.
Eligible employee	Earned at least \$5,700 during the last 4 completed calendar quarters and at least 30 times more than weekly PFML benefits
Leave duration	<ul style="list-style-type: none"> Family leave for new child bonding, caring for family member's serious health condition or handling military exigency: 12 weeks Medical leave for employee's own serious health condition: 20 weeks Military caregiving leave for covered service member: 26 weeks Intermittent leave permitted
Family member	Employee's parent, spouse, domestic partner, child (including foster, adopted or step-child or legal ward), grandchild, grandparent, and sibling; spouse's or domestic partner's child and parent; and anyone with whom employee has an <i>in loco parentis</i> relationship
Public plan	Administered by the DFML
Private plan	Permitted for medical and/or family leave benefits through insurer or self-insured plan approved by state
Employer contribution	<ul style="list-style-type: none"> Employers with > 25 Massachusetts employees: 0.42% of wages up to Social Security max for family leave; none for medical leave Employers with ≤ 25 Massachusetts employees: none
Employee contribution	<ul style="list-style-type: none"> Family leave: 0.18% of wages up to Social Security max Medical leave: 0.28% of wages up to Social Security max
Benefit calculation	80% of employee's AWW up to 1/2 of state AWW (\$1,796.72), and 50% of employee's AWW over that amount
Base period	Last 4 completed calendar quarters within past 5 quarters before start of claim
Maximum weekly benefit	\$1,149.90
Waiting period	7 consecutive calendar days
Job protections	Job protections and continued health benefits included in the PFML law and the Massachusetts Parental Leave Act
Employer notice	Workplace poster ; written notice (paper or electronic) within 30 days of hire with acknowledgement of receipt (or documentation of decline)
Legal cites	MA Gen. Laws Chs. 149, § 105D and 175M ; 458 MA Code Regs. 2.00
Website	DFML ; Employer FAQs ; Employer contributions calculator
Mercer resources	Massachusetts family/medical leave private plan renewal due soon (Sept. 8, 2020); Massachusetts readies for paid family and medical leave (Jan. 13, 2020)

Paid disability/medical and family leave program summaries	
Minnesota (contributions, benefits will start Jan. 2026)	
Covered employer	Employers with 1 or more Minnesota employees, along with state and local governmental employers
Eligible employee	Earnings of at least 5.3% of state AWW in the base period <ul style="list-style-type: none"> Seasonal hospitality employees are excluded.
Leave duration	<ul style="list-style-type: none"> Medical leave for employee’s own serious health condition: 12 weeks Family leave for a family member’s serious health condition, child bonding, qualifying exigency, and matters related to domestic abuse, sexual assault, or stalking of employee/family member: 12 weeks Maximum combined leave in a benefit year: 20 weeks Employer option to cap intermittent leave at 480 hours per 12-month period (any remaining leave time must be taken continuously).
Family member	Employee’s parent, spouse or domestic partner, child, grandchild, grandparent and sibling; spouse’s parent and grandparent; individual with whom “a relationship ... creates an expectation and reliance that the applicant care for the individual, whether or not the applicant and the individual reside together”
Public plan	Administered by the Family and Medical Benefit Insurance (FMBI) Division of the Department of Employment and Economic Development
Private plan	Permitted through insurer or self-insured plan approved by state
Employer contribution	<ul style="list-style-type: none"> 0.35% of wages up to Social Security max Employers < 30 employees: reduced contribution based on employee count
Employee contribution	0.35% of wages up to Social Security max
Benefit calculation	<ul style="list-style-type: none"> Employee’s AWW is ≤ 50% of state AWW: 90% of employee’s AWW Employee’s AWW is > 50% of state AWW and ≤ 100% of state AWW: 90% of employee’s AWW up to 50% of state AWW, plus 66% of employee’s AWW exceeding 50% of state AWW Employee’s AWW is > 100% of state AWW: 90% of employee’s AWW up to 50% of state AWW, plus 66% of employee’s AWW up to remaining 50% of state AWW, plus 55% up to the maximum weekly benefit
Base period	Most recently completed 4 calendar quarters
Maximum weekly benefit	State AWW (currently \$1,337)
Waiting period	None
Job protections	Job protections and continued health benefits included in the PFML law
Employer notice	Workplace poster; written notice within 30 days of hire or premium collection (whichever is later); payroll earnings statement information; ineligibility notice to applicable seasonal hospital employees by Dec. 1, 2025
Legal cites	MN Stat. Ch. 268
Website	FMBI Division

Paid disability/medical and family leave program summaries

Mercer resources

[Minnesota paid family and medical leave overview \(slide deck\) \(July 25, 2023\)](#); [Minnesota passes paid family and medical leave law \(July 10, 2023\)](#)

Paid disability/medical and family leave program summaries	
New Jersey	
Covered employer	Employers with at least 1 NJ employee and annual payroll of \$1,000 or more <ul style="list-style-type: none"> State and local governmental employers exempt from TDI but required to participate in FLI
Eligible employee	Worked at least 20 weeks earning at least \$283 weekly or earned a combined total of \$14,200 in the base period
Leave duration	<ul style="list-style-type: none"> TDI (employee’s own nonwork-related disability/serious health condition, including organ and bone marrow donation): 26 weeks or 8 weeks on a reduced schedule (with a potential extension to 12 weeks) FLI (new child bonding; family member’s serious health condition; state of emergency, isolation or quarantine required by healthcare provider or public health authority; or safe leave related to domestic or sexual violence): 12 weeks Maximum combined leave in a 52-week period: 38 weeks Intermittent FLI leave permitted, but limited to 56 days
Family member	Employee’s spouse or domestic partner, child (of any age), parent or person standing <i>in loco parentis</i> , parent-in-law, sibling, grandparent, grandchild, any blood relative, and anyone with a family-equivalent relationship
Public plan	Administered by Division of Temporary Disability and Family Leave Insurance
Private plan	<ul style="list-style-type: none"> Permitted for TDI (self-insured, insured or through a union welfare fund) No private plans approved for FLI
Employer contribution	<ul style="list-style-type: none"> TDI: balance of plan costs after any required employee contribution FLI: none
Employee contribution	<ul style="list-style-type: none"> TDI: none for 2024 FLI: 0.09% of the first \$161,400 earned
Benefit calculation	85% of employee’s AWW
Base period	First 4 of last 5 completed calendar quarters preceding leave
Maximum weekly benefit	\$1,055
Waiting period	<ul style="list-style-type: none"> TDI: 7 consecutive days (unless TDI taken for organ or bone marrow donation); benefit payments are paid retroactively to the start of disability after 3 additional weeks FLI: no waiting period
Job protections	No, but the Family Leave Act provides job and health benefit protections for family leave, and the Security and Financial Empowerment Act (SAFE Act) provides job protections for up to 20 days of safe leave.
Employer notice	Conspicuously display posters for TDI and FLI
Legal cites	NJ Stat. Ann. §§ 43:21-25 to 43:21-56 ; NJ Admin. Code tit. 12, Chs. 18 and 21
Website	Division of Temporary Disability and Family Leave Insurance
Mercer resource	New Jersey updates, expands family and disability benefits (March 26, 2019)

Paid disability/medical and family leave program summaries	
New York	
Covered employer	Employers with 1 or more New York employees for 30 days in the year <ul style="list-style-type: none"> State and local governmental employers can opt in.
Eligible employee	DBL: Worked 4 consecutive weeks <ul style="list-style-type: none"> Part-time employees are eligible after 24 workdays. PFL: Worked 26 consecutive weeks <ul style="list-style-type: none"> Employees working fewer than 20 hours per week are eligible after 175 workdays.
Leave duration	<ul style="list-style-type: none"> DBL (nonwork-related disability): 26 weeks (for pregnant employees, 4 weeks before birth and 6 weeks — 8 weeks for Cesarean section — after birth) PFL (new child, family member’s health condition or qualifying military exigency): 12 weeks Maximum combined leave in a 52-week period: 26 weeks Intermittent PFL permitted, but limited to the average number of days worked per week multiplied by 12 (e.g., workers averaging 3 days per week can take 36 days of intermittent leave); increments may not be less than one day
Family member	Employee’s spouse or domestic partner, child, stepchild, parent, stepparent, parent-in-law, sibling, grandparent, and grandchild
Public plan	Available through NY State Insurance Fund
Private plan	Permitted for either or both DBL and PFL (insured or self-insured)
Employer contribution	<ul style="list-style-type: none"> DBL: Balance of plan costs after employee contribution PFL: None
Employee contribution	<ul style="list-style-type: none"> DBL: 0.5% of wages up to maximum contribution of \$0.60/week PFL: 0.373% of the first \$89,343.17 earned
Benefit calculation	<ul style="list-style-type: none"> DBL: 50% of employee’s AWW PFL: 67% of employee’s AWW
Base period	8 weeks of covered employment preceding leave
Maximum weekly benefit	<ul style="list-style-type: none"> DBL: \$170 PFL: \$1,151.16
Waiting period	<ul style="list-style-type: none"> DBL: 7 consecutive days PFL: No waiting period
Job protections	<ul style="list-style-type: none"> Job protections and continued health benefits included in the PFL law; none for DBL 2022 Ch. 604 (AB 8092 and SB 1958) generally prohibits adverse actions against employees for taking legally protected absences.
Employer notice	<ul style="list-style-type: none"> DBL: Conspicuously display notice of coverage PFL: Conspicuously display notice of compliance; use or customize model language for written materials (e.g., employee handbook)
Legal cite	NY Workers’ Comp. Law §§ 200–242; NY Comp. Codes R. & Regs. tit. 12, §§ 355.1 et seq.

Paid disability/medical and family leave program summaries

Website [Paid Family Leave; Workers' Compensation Board's disability benefits information for employers](#)

Paid disability/medical and family leave program summaries	
Oregon	
Covered employer	Employers with 1 or more Oregon employees, along with state and local governmental employers
Eligible employee	Earned at least \$1,000 in the base period
Leave duration	<ul style="list-style-type: none"> • PFML for employee’s/family member’s serious health condition, new child bonding or safe leave: 12 weeks • Additional leave for pregnancy- or childbirth-related disability or medical condition: 2 weeks • Additional unpaid family, child-bonding or medical leave for employees who have worked 180 days and at least 25 hours/week: 4 weeks • Intermittent leave permitted (minimum 1-day increments)
Family member	Child, spouse, parent, grandparent, grandchild, sibling, domestic partner, and any individual related by blood or affinity
Public plan	Administered by <u>PLO</u>
Private plan	Permitted through insurer or self-insured plan approved by state
Employer contribution	<ul style="list-style-type: none"> • Employers with ≥ 25 employees: 0.4% of wages up to Social Security max • Employers with < 25 employees: none
Employee contribution	0.6% of wages up to Social Security max
Benefit calculation	<ul style="list-style-type: none"> • Employees earning ≤ 65% of state AWW: 100% of employee’s AWW • Employees earning > 65% of state AWW: 65% of state AWW, plus 50% of employee’s AWW over that amount
Base period	<ul style="list-style-type: none"> • First 4 of the last 5 completed calendar quarters • Alternatively, the last 4 completed calendar quarters
Maximum weekly benefit	<ul style="list-style-type: none"> • Maximum weekly benefit: \$1,523.63 • Minimum weekly benefit: \$63.48 • Minimum and maximum weekly benefits may change effective July 1, if state AWW changes.
Waiting period	None
Job protections	Job protections and continued health benefits apply under PFML law for employees who have worked at least 90 days for the same employer with at least 25 employees. Rights also apply under state <u>Family Leave Act</u> and <u>Military Family Leave Act</u> for workers of employers with at least 25 employees.
Employer notice	Conspicuously display <u>model notice poster</u> at each worksite and distribute a copy electronically or by mail to remote workers; provide at hire and on learning of employee’s need for leave
Legal cite	<u>OR Rev. Stat. Ch. 657B (PFMLI), § 659A.272 (safe leave) and § 659A.150 (family leave)</u>
Website	<u>PLO</u>
Mercer resource	<u>Oregon’s paid family and medical leave contributions delayed to 2023 (Aug. 5, 2021)</u>

Paid disability/medical and family leave program summaries	
Puerto Rico	
Covered employer	Employers with 1 or more employees in Puerto Rico during any day of current or previous calendar year
Eligible employee	SINOT: Earned at least \$150 through covered employment during base period Working Mothers Protection Act (WMPA): any woman employed in any capacity
Leave duration	<ul style="list-style-type: none"> • SINOT disability leave for nonwork-related disability, including pregnancy: 26 weeks in any consecutive 52-week period • WMPA paid maternity leave for female employees: 8 weeks (4 weeks prenatal and 4 weeks postnatal or 1 week prenatal and 7 weeks postnatal with medical certification showing ability to work close to due date), with possible extension for late births • WMPA additional unpaid maternity leave: up to 12 weeks for postnatal complications • WMPA paid adoption leave for female employees: 8 weeks for a child age 5 or younger and not in school; 5 weeks for a child age 6 or older
Family member	Not applicable
Public plan	<u>SINOT</u>
Private plan	SINOT: Permitted through insurer or self-insured plan approved by Puerto Rico WMPA: No
Employer contribution	<ul style="list-style-type: none"> • SINOT: 0.3% of wages up to \$9,000; administrative expenses as determined by secretary of Labor • WMPA: 100% wage replacement
Employee contribution	<ul style="list-style-type: none"> • SINOT: 0.3% of wages of up to \$9,000 • WMPA: None
Benefit calculation	<ul style="list-style-type: none"> • SINOT: 65% of employee’s AWW in base period • WMPA: 100% of average wages earned in base period
Base period	<ul style="list-style-type: none"> • SINOT: First 4 of last 5 consecutive calendar quarters immediately preceding application for benefits • WMPA: 6 months before leave
Maximum weekly benefit	SINOT <ul style="list-style-type: none"> • Maximum weekly benefit: \$113 (\$55 for agricultural workers) • Minimum weekly benefit: \$12 WMPA: Not applicable
Waiting period	<ul style="list-style-type: none"> • SINOT: 7-day waiting period or until 1st day of hospital stay, whichever occurs sooner • WMPA: none
Job protections	Job protections under WMPA; none for SINOT
Employer notice	Not applicable
Legal cite	<u>PR Laws Ann. tit. 11, §§ 201–212; PR Laws Ann. Tit. 29 §§ 467 et seq.</u>
Website	<u>SINOT</u>

Paid disability/medical and family leave program summaries	
Rhode Island	
Covered employer	Employers with 1 or more employees in Rhode Island <ul style="list-style-type: none"> • State and local governmental employers can opt in.
Eligible employee	Earned \$14,700 in base-period wages; alternative earnings test available if needed
Leave duration	<ul style="list-style-type: none"> • TDI (employee’s own nonwork-related disability): 30 weeks • TCI (new child bonding or caring for seriously ill family member): 6 weeks • Maximum combined leave in a 52-week period: 30 weeks • Intermittent leave permitted for TDI, but not permitted for TCI
Family member	Employee’s child, parent, parent-in-law, grandparent, and spouse or domestic partner
Public plan	Administered by the Department of Labor and Training (DLT)
Private plan	None permitted
Employer contribution	None
Employee contribution	TDI and TCI together: 1.2% of wages up to \$87,000
Benefit calculation	4.62% of highest quarterly earnings in base period (~60% of employee’s AWW)
Base period	First 4 of last 5 completed calendar quarters before start of claim
Maximum weekly benefit	\$1,043 through June 30, 2024; rate later in 2024 set based on change in state AWW
Waiting period	None (but benefit eligibility requires at least 7 days of unemployment due to nonjob-related illness)
Job protections	Job protections and continued health benefits included the TCI law and the Rhode Island Parental and Family Medical Leave Act ; none for TDI
Employer notice	Conspicuously display poster
Legal cite	RI Gen. Laws §§ 28-39 to 28-41
Website	DLT

Paid disability/medical and family leave program summaries	
Washington	
Covered employer	Employers with one or more Washington employees, along with state and local governmental employers
Eligible employee	Worked \geq 820 hours in the first 4 of the last 5 completed calendar quarters before leave
Leave duration	<ul style="list-style-type: none"> Family leave to care for a family member's serious health condition, bond with new child or handle military exigency: 12 weeks (including bereavement leave during the 7 calendar days after a miscarriage or the death of a child for whom the employee could have taken bonding leave) Medical leave for employee's serious health condition or organ/bone marrow donation: 12 weeks Additional pregnancy-related disability leave: 2 weeks Maximum combined leave in a 52-week period: 16 weeks (18 weeks if a pregnancy-related disability occurs in addition to other allowed uses) Intermittent leave permitted (1-hour minimum increment)
Family member	Employee's child, son-in-law, daughter-in-law, parent or person standing <i>in loco parentis</i> , spouse or domestic partner, sibling, grandchild, grandparent, and someone who expects to rely on the employee for care (regardless of whether that person lives with the employee)
Public plan	Administered by the Employment Security Department
Private plan	<ul style="list-style-type: none"> Permitted through state-approved self-insured plan for family leave, medical leave or both insured plan permitted but no insurers currently participate
Employer contribution	<ul style="list-style-type: none"> Employers with \geq 50 Washington employees: 0.21142% of wages up to Social Security max (for medical leave) Employers with $<$ 50 Washington employees: none (for medical leave) Family leave: none
Employee contribution	Medical and family leave combined: 0.52858% of wages up to Social Security max
Benefit calculation	90% of employee's AWW up to 50% of the state AWW, plus 50% of employee's AWW over that amount
Base period	First 4 of last 5 completed calendar quarters before start of claim
Maximum weekly benefit	\$1,456
Waiting period	7 consecutive days, but none for bonding leave
Job protections	Job protections and continued health benefits included in the PFML law for employees with at least 12 months and 1,250 hours of service with same employer that has at least 50 employees; continued health benefits required if at least one day of PFML overlaps with federal FMLA leave
Employer notice	Conspicuously display poster ; give notice to PFML-eligible employees absent more than 7 consecutive days; use optional paystub insert
Legal cite	WA Rev. Code tit. 50A ; WA Admin. Code Ch. 192-500 .
Website	Washington Paid Family & Medical Leave

Paid disability/medical and family leave program summaries

Washington (cont'd)

Mercer resource [Washington enacts numerous benefit, insurance and related laws \(April 14, 2022\)](#)

Paid disability/medical and family leave program summaries	
Washington, DC	
Covered employer	Employers with 1 or more employees working in the district <ul style="list-style-type: none"> Local government employers are exempt
Eligible employee	Worked in the city some or all of the 52 calendar weeks immediately before leave
Leave duration	<ul style="list-style-type: none"> Medical leave for employee’s own serious health condition: 12 weeks New child bonding: 12 weeks Prenatal care: 2 weeks Family leave for family member’s serious health condition: 12 weeks Maximum combined leave in a 52-week period: 12 weeks (14 weeks if taking both child bonding and prenatal leave) Intermittent leave permitted All leaves (including intermittent leave) must have minimum increments of 1 day
Family member	Employee’s spouse or domestic partner, child, parent or person standing <i>in loco parentis</i> , sibling, grandchild, grandparent; spouse’s or domestic partner’s child and parent
Public plan	Administered by the Department of Employment Services
Private plan	None allowed
Employer contribution	0.26% of Washington, DC, payroll (no cap)
Employee contribution	None
Benefit calculation	90% of AWW up to 1.5 times the city’s minimum wage, plus 50% of employee’s AWW over that amount
Base period	4 of the last 5 completed calendar quarters
Maximum weekly benefit	\$1,118
Waiting period	None
Job protections	Job protections and continued health benefits under the DC FMLA
Employer notice	Conspicuously display poster and provide notice of rights at hire, annually and on notice of need for leave
Legal cites	DC § 32-541.01 et seq. ; 7 DC Mun. Regs tit. 7, §§ 34 and 35
Website	DC Office of Paid Family Leave
Mercer resources	Washington, DC, amends and extends paid family and medical leave (Nov. 2, 2021) Washington, DC’s paid leave program starts July 1 (June 10, 2020) Employers need to prepare now for Washington, DC’s universal paid leave (June 11, 2019)



Mercer US LLC

1166 Avenue of the Americas

New York, NY 10036

www.mercer.com

Copyright © 2024 Mercer US LLC. All rights reserved.