



New York State Mandated Benefits DBL vs. PFL Product Comparison Chart – 2021

The comparison chart below is intended to serve as helpful guidance in showing basic key differences between the New York Disability (DBL) and the New York Paid Family Leave (PFL) coverages.

Benefit Description	New York Disability (DBL)	New York Paid Family Leave (PFL)
Class Covered	All Active FT and PT employees eligible under the DBL/PFL Law (working in NY State).	All Active FT and PT employees eligible under the DBL/PFL Law (working in NY State).
Minimum Number of Employees	One (1)	One (1)
Eligibility	<p>Full-time employees are eligible after completion of four (4) consecutive weeks of NY employment unless eligibility was previously satisfied.</p> <p>Part-time employees are eligible on the 25th day of regular NY employment unless eligibility was previously satisfied.</p> <p>Eligibility transfers when entering new employment.</p>	<p>Employees with a regular work schedule of 20 or more hours per week are eligible after 26 consecutive weeks of NY employment preceding the first full day of leave.</p> <p>Employees with a regular work schedule of less than 20 hours per week are eligible after 175 days worked preceding the first full day of leave (days do not need to be consecutive).</p> <p>Eligibility does NOT transfer when entering new employment.</p>
Weekly Benefit Percentage	50% of an employee's Average Weekly Wage, up to a maximum of \$170 per week.	67% of Average Weekly Wages, up to a maximum of \$971.61 per week.
Elimination Period	7 day waiting period. Benefits begin on the 8th day for accident or for sickness.	No waiting period. Benefits begin on the 1st day of qualified paid leave event.
Maximum Benefit Duration Period	26 weeks minus any days that were taken for paid family leave during any 52 consecutive calendar weeks.	12 weeks. Intermittent benefits are paid in full-day increments. DBL and PFL combined cannot exceed 26 weeks during any 52 consecutive calendar weeks.

Benefit Description	New York Disability (DBL)	New York Paid Family Leave (PFL)
Job Protection	No.	Yes, even those employers with less than 50 employees (not subject to FMLA).
Premium Liability	Employer Paid or Employer/Employee Paid.	Employee Paid (employer can fund the premium if they choose).
Employee Maximum Contributions	0.50% of the first \$120 of weekly wages up to a maximum of \$0.60 per week.	0.511% of an employee's weekly wages up to an annual maximum of \$385.34.
Coverage Type	For Employee's Own Disability.	Allows for Employee to care for qualified family members, specifically to... <ul style="list-style-type: none"> 1. bond with a newborn, adopted or foster care child during the first 12 months; 2. care for a family member's serious health condition; or 3. address important needs related to a family member's military service. PFL is not available for an employee's own serious health condition.
Funding Method	Fully Insured; Self-Insured (ASO)	Fully Insured; Self Insured (only if DBL is Self-Insured)
Employer Reimbursement	Yes, if the employer is paying the employee full wages while on DBL.	Yes, if the employer is paying the employee full wages while on PFL.
FMLA Impact to Benefits (only applicable to employers with 50+ employees)	Runs concurrently if the leave qualifies for both FMLA and DBL.	Runs concurrently if the leave qualifies for both FMLA and PFL.

For more information, visit:
guardianlife.com/absence-management/nypfl-law or
paidfamilyleave.ny.gov/

The Guardian Life Insurance Company of America
New York, NY
guardianlife.com

This document presents only a brief overview of the New York Paid Family Leave law. The law and its implementing regulations, as well as the PFL policy documents issued to covered employers, will govern the actual administration of the PFL benefits and control in case of any conflict in or absence of information. This is not intended as legal advice. Please consult with appropriate professionals for legal, compliance and tax advice. Links to external sites are provided for your convenience in locating related information and services. Guardian, its subsidiaries, agents and employees expressly disclaim any responsibility for and do not maintain, control, recommend, or endorse third-party sites, organizations, products, or services and make no representation as to the completeness, suitability, or quality thereof. GUARDIAN® is a registered trademark of The Guardian Life Insurance Company of America. ©Copyright 2020 The Guardian Life Insurance Company of America.

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