



New York State Paid Family Leave

Key facts for New York covered employees

Paid Family Leave (PFL) provides paid time off so an employee can:

- Bond with a newly born, adopted, or fostered child,
- Care for a family member (spouse, domestic partner, child, parent, parent-in-law, grandparent grandchild or sibling¹) with a serious health condition, or
- Assist loved ones when a family member (spouse, domestic partner, child or parent) is deployed abroad on active military duty.

Additional protections

- Employees have a right to return to the same or comparable job upon return from Paid Family Leave.
- Employees are guaranteed continued health insurance while on leave. Employers may require employees to continue to pay their health insurance premium contributions.
- Citizenship and immigration status do not impact eligibility.
- Employers cannot discriminate against employees for taking Paid Family Leave.
- The program is mandatory for all private employers to provide for all NY covered employees.

Eligibility

- Employees with a regular work schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment preceding the first full day of leave.
- Employees with a regular work schedule of less than 20 hours per week are eligible after 175 days worked (does not need to be consecutive) preceding the first full day of leave.

Benefits

In 2023, employees are eligible for up to twelve (12) weeks of paid leave at 67% of their average weekly wage, up to a maximum of \$1,131.08 per week.



Employee contributions

- Employees will be expected to pay for the PFL benefit coverage through payroll deductions at a rate based on their salary. The NY Department of Financial Services (DFS) is responsible for establishing the rate each year and the rate is the same for all employees, regardless of gender or age.
- For 2023, the employee contribution rate is 0.455% of an employee's weekly wages up to the annualized NYSAWW (\$87,785.88) for a maximum annual employee² contribution of \$399.43.

How to file a PFL claim

- Employee must notify their employer 30 days prior to a leave, when practical.
- Employee must complete an NY PFL claim form available from your employer or Guardian directly.
- Employee needs to obtain supporting documentation for a leave (i.e. birth certificate, military deployment certification, etc.) and submit with claim form.
- Employee submits claim form, along with supporting documentation, to Guardian, which will process and pay or deny the claim within 18 days of receipt of completed claim.

For more information, visit:

guardianlife.com/absence-management/nypfl-law
or ny.gov/programs/new-york-state-paid-family-leave

The Guardian Life Insurance Company of America

guardianlife.com

New York, NY

¹ As per NY legislature S.2928-A/A.06098-A, the definition of “family members” expands to include siblings, effective January 1, 2023

² The New York State Department of Labor annually publishes the NY State Average Weekly Wage by March 31 of each year, which will be the basis for determining the maximum benefit payable for the subsequent calendar year. https://labor.ny.gov/stats/avg_wkly_wage.shtm

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Future written communications may be in English only.

IMPORTANT NOTE: 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. Guardian currently offers the state-mandated disability and paid family leave insurance coverage in New York. All items of coverage, including benefits, eligibility, coverage limitations and exclusions which apply, are in compliance with the statutory requirements of New York. Any optional riders and/or features which may be available may incur additional costs. Plan documents are the final arbiter of coverage. GP-1-DBL and GPA-NY-PFL. GUARDIAN® is a registered trademark of The Guardian Life Insurance Company of America. ©Copyright 2022 The Guardian Life Insurance Company of America.