

2025 State Disability and Paid Leave Reference Guide



California • Colorado • Connecticut • Delaware • District of Columbia • Hawaii • Maine Maryland • Massachusetts
Minnesota • New Hampshire • New Jersey • New York • Oregon • Puerto Rico • Rhode Island • Vermont •
Washington

State Disability Insurance and Paid Leave Reference Guide from AJM Associates, Inc.

This document is provided for informational purposes only and is subject to change at any time. It is not intended to serve as a substitution for consultation with your legal or other professional advisors.

California – State Disability Insurance (SDI)



About

Eligibility

Contributions

Plan Design

The California State Disability Insurance (SDI)

program provides short-term Disability Insurance (DI) and Paid Family Leave (PFL) wage replacement benefits to eligible workers who need time off work. In addition, San Francisco has a paid parental leave that coordinates with CA PFL.

Qualifying leave reasons

DI: inability to work due to non-work related illness or injury, pregnancy, or childbirth.

PFL: caring for a seriously ill family member, bonding with a new child, and participating in a qualifying event because of a family member's military deployment to a foreign country.

Private Plan Options

Employers can participate in the state-run program or self-insure the DI and PFL coverages with a voluntary plan. Voluntary plans may cover DI only; PFL only; or combined Family and Medical Leave coverage.

CA SDI Resources:

<https://edd.ca.gov/Disability/>

https://edd.ca.gov/en/Disability/Employer_Voluntary_Plans

Covered Employers: Any private business that has more than one employee (other than household workers) and pays more than **\$100** a calendar quarter must register with the Employment Development Department (EDD). Such businesses must pay and collect state taxes, including CA SDI.

Employers of domestic employees with a quarterly payroll of **\$750** or more.

Covered Individuals: All employees working for a covered employer are eligible for benefits. Employees must be employed or actively looking for work at the time leave begins. Employees must have earned at least **\$300** during the base period, from which they contributed to DI/PFL. To be eligible for benefits, employees must have lost wages due to a qualifying event for disability or paid family leave

Contributions:

The SDI program is state-mandated. The employer may pay for the entire cost of providing SDI coverage, or the employer may share the cost with employees through payroll deduction.

Contribution Rate for SDI and PFL combined: **1.2%**

Annual Taxable Wage Base:
No taxable wage cap for 2025, all wages are taxed.

Maximum Annual Contribution for SDI and PFL combined:
No maximum annual contribution for 2025.

Elimination period for DI: 7 consecutive or non-consecutive days. Benefits start on 8th day. Benefits are payable once employee is out of work for disabling condition for 7 total days.

Elimination period for PFL: None

Benefit Calculation:

2025:

- For individuals with the highest quarterly wage less than \$722.50: \$50
- For individuals with a highest quarterly wage between (and inclusive of) \$722.50 and 70% of the state average quarterly wage: 90% of the individual's highest quarterly wage divided by 13.
- For individuals with a highest quarterly wage greater than 70% of the state average quarterly wage, the greater of:
 - 70% of the individual's highest average quarterly wage divided by 13, and
 - 63% of the state average weekly wage.
- The State Average Quarterly Wage is defined as the state average weekly wage (SAWW) multiplied by 13.
- State Average Weekly Wage (SAWW): **\$1,704**
- Maximum Weekly Benefit: **\$1,681**
- Maximum Annual Benefit: **\$87,412**
- Minimum Weekly Benefit: **\$50.00**

Maximum Duration:

DI provides a maximum of 52 times the weekly benefit amount

PFL provides up to 8 times the weekly benefit amount in a 12-month period

Intermittent Leave:

Intermittent leave or reduced schedule with wage loss may be compensable under CA SDI

Topping off / Coordination of Benefits:

Employers are permitted to top up wages while employees are receiving SDI or PFL benefits, but total income cannot exceed pre-claim income.

Job Protection: The CA PFL and DI plans do not provide job protection, only monetary benefits.

Benefit Continuation: continuation of benefits not required by law.

Taxation:

DI: Benefits are not subject to taxes with an exception if they become a replacement income for unemployment insurance.

PFL: Benefits are subject to taxation.

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Colorado – Paid Family & Medical Leave (PFML)



About

Eligibility

Contributions

Plan Design

PFML for Colorado enacted Payroll deductions began January 1, 2023. Claims began 1/1/2024. Qualifying leave reasons include non-work related own serious health condition, care of family member, bonding, military exigency, and safe leave due to domestic violence, stalking, sexual assault or abuse. Private Plan Options Employers can satisfy compliance obligations under the state plan, an approved self-funded private plan or a fully-insured private plan. State plan opt-out vote is only required for local governments (which include school districts and charter schools) Minimum coverage under private plan, to return to state plan without penalty: 3 years. No contributions due to the state after private plan approval. Employer must continue to maintain internal records. CO PFML Resources: https://famli.colorado.gov/	Covered Employers: Employers with at least one employee working each day during 20 or more calendar workweeks per year or paid wages of \$1500 or more during any quarter in the preceding calendar year. Employer includes state and political subdivisions. Federal government exempt. Local governments can opt out but may allow individual employees to participate. Independent contractors, sole proprietors, partners, and joint ventures, are not required to participate in the program. Covered Individuals: Covered Individuals include CO employees who have worked at least 180 days and who earned at least \$2,500 in wages during the base period from all CO employers. Includes seasonal employees. Employee definition is broad and includes any individual performing labor or services for the benefit of another. However, independent contractors are not considered “employees”.	Contributions based on percent of eligible wages can be fully employer paid or shared between employer and employee. An employer may deduct up to 50% of required premium from employee payroll. Employers with fewer than 10 employees are not required to pay the employer portion of the premium. The entire employee population is counted when determining employer size; however only CO worker wages are subject to contributions. Initial contribution: 0.9% of wages up to Social Security Wage Base. 2025 Social Security Wage Base: \$176,100 Premiums in 2025 and beyond will be adjusted so that the total amount equals 135% of the prior year claims cost + 100% of the administration cost. Current law caps future premium at 1.2% of wages.	Elimination period: none Benefit Calculation: • 90% of wages that do not exceed 50% of the state's average weekly wage, plus • 50% of wages that exceed 50% of the state's average weekly wage. Maximum Benefit: \$1,381.45 SAWW: Effective July 1, 2025, through June 30, 2026, the state average weekly wage for the purposes of PFML benefits is \$1,534.94 Maximum Duration: 12 weeks of paid family or medical leave. An additional 4 weeks of leave for pregnancy or childbirth complications. Intermittent Leave: Allowed in increments of 1 hour or less, if consistent with employer policy. Benefits are not payable until 8 hours of leave have accumulated. Topping off / Coordination of Benefits: Employers cannot require use of vacation or PTO while employees are on PFML, but accrued paid time an employee chooses to use can “top up” PFML to 100% wage replacement, by mutual employer/employee agreement. Employers have the right to require concurrent use of PFML with FMLA when the leave reasons are the same. With written employee notice, employer may require PFML benefits to run concurrent with its short-term or long-term disability benefits. PFML and WC not collected concurrently for same condition. Job Protection: Own position or equivalent position with equal seniority, status, employment benefits, and pay for employees who have been employed by current employer for at least 180 cumulative days prior to leave. Benefit Continuation: Maintenance of health benefits provided during leave under same conditions as if actively working, and employee continues to pay their regular share of cost. Continued accrual of employer-provided leave or any other benefits during a period of paid family and medical leave not required. Taxation: PFML benefits are not subject to Colorado state income tax. If the IRS determines PFML benefits are subject to federal income tax, the Division will inform claimants of any requirements pertaining to estimated tax payments. It is anticipated the FAMLI Division will issue 1099 forms.
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Connecticut – Paid Family & Medical Leave (PFML)

About	Eligibility	Contributions	Plan Design
PFML was enacted June 2019. Premiums began 1/1/2021, and benefits started 1/1/2022, providing paid family and medical leave benefits for covered individuals. Qualifying leave reasons include caring for one's own serious health condition, caring for a family member with a serious health condition, bonding with a new child, serving as an organ or bone marrow donor, addressing a military exigency, or managing impacts of family violence. Private Plan Options Employers can participate in the state-run program, or they can self-insure or fully insure a private plan. A private plan requires a majority vote of all CT employees. A self-insured private plan will also require a surety bond. Private plans must cover both medical leave and family leave under a single plan. CT PFML Resources: https://ctpaidleave.org/s/?language=en_US	Covered Employers: All private employers are covered, regardless of size. Excludes: the federal government; the state, municipalities, or local or regional boards of education, except to the extent their employees are "covered public employees"; and nonpublic elementary or secondary schools. Coverage may be collectively bargained for unionized employees. Covered Individuals: Have earned wages of at least \$2,325 from employment in Connecticut in the employee's highest-earning quarter of the base period (the first 4 of the 5 most recently completed quarters), and: • Are currently employed and working in CT, or • Have been employed and working in CT within the last 12 weeks, or • Are self-employed, a sole proprietor and a CT resident who has opted into the program.	Contributions are based on percent of eligible wages and can be fully employer paid or shared between employer and employee. The maximum premium that may be deducted from employee wages is 0.5% of covered wages up to the Social Security Maximum Earnings cap. Eligible Wages: Social Security Maximum Earnings \$176,100 Total Maximum Employee Contribution \$880	Elimination period: None Benefit Calculation: If employee's base weekly earnings are less than or equal to the CT minimum hourly wage multiplied by 40, the CT PFML benefit will be 95% of the covered employee's base weekly earnings, less any offsets. If the employee's weekly earnings are more than the CT minimum hourly wage multiplied by 40, the CT PFML benefit rate will be 95% of the CT minimum hourly wage multiplied by 40 PLUS 60% of the amount the base weekly earnings that exceed the CT minimum hourly wage multiplied by 40, less any offsets. The CT PFML benefit is capped at sixty times (60x) the CT minimum hourly wage. • CT Minimum Hourly Wage: \$16.35 • Maximum Weekly Benefit: \$981.00 Maximum Duration: Safe Leave: 12 days Combined paid Family and Medical leave - 12 weeks per benefit year. Two additional weeks may be available for serious health conditions resulting in incapacitation during pregnancy. Care of Service Member - 26 weeks, 12 of which may be paid Intermittent Leave There is no minimum increment of intermittent or reduced leave, however an employer may limit leave increments to the shortest period of time that the employer's payroll system uses to account for absences or use of leave, provided it is one hour or less. Topping off / Coordination of Benefits: Accrued paid leave may be used to supplement CT PFML, as long as the combined amount of supplemental payments plus CT PFML does not exceed 100% of the employee's pre-leave wages. Job Protection: coverage is not job-protected Benefit Continuation: continuation of benefits not required by law. Taxation benefits are subject to federal and state taxes

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Delaware – Paid Family & Medical Leave (PFML)

(PROGRAM IN DEVELOPMENT)

About

Eligibility

Contributions

Plan Design

Governor, John Carney signed the Healthy Delaware Families Act On May 10, 2022, enacting PFML, which is currently in development. Contributions begin on January 1, 2025, with benefits effective January 1, 2026. Qualifying leave reasons include Parental Leave (birth, adoption, and foster care); Care of a family member with a serious health condition; Employee's own serious health condition; and Qualifying military exigency Private Plan Options Employers can satisfy compliance obligations under the state plan, an approved self-funded private plan or an approved fully-insured private plan DE PFML Resources: https://labor.delaware.gov/delaware-paid-leave-is-coming/	Covered Employers: 10-24 employees: Must provide Parental Leave only 25 or more employees: Must provide all leave types Excludes federal government and any business that is closed in its entirety for 30 consecutive days or more per year. Employers with 10-24 employees can opt in for Medical and Caregiver Leave. Employers may opt into coverage they are not statutorily required to provide due to their size. When opting into coverage the employer must participate for 3 years. Covered Individuals: 12 months of service 1250 hours worked in 12 months prior to leave. Casual seasonal employees employed by public employers are excluded.	Contributions: An employer may elect to pay all contributions or may deduct up to 50% of the required contributions from the employee's wages up to the social security wage base. 2025 Social Security Wage Base: 176,100 Total contribution rate: 0.8% Medical leave benefits: 0.4% of wages for 2025 and 2026 Family caregiving benefits: 0.08% of wages for 2025 and 2026 Parental leave benefits: 0.32% of wages for 2025 and 2026	Elimination period: none Benefit Calculation: 80% of employee's Average Weekly Wage (AWW) during the 12 months preceding leave application Minimum Weekly Benefit: \$100 or employee's actual AWW if lower than \$100 Maximum Weekly Benefit: \$900 2026 and 2027; subject to annual adjustments 2028 forward Maximum Duration: Combined aggregate of 12 weeks in a benefit year. Up to 12 weeks for parental leave. Limitations may apply if two parents work for the same employer. Up to 6 weeks combined every two years for own medical, care of family members, and military exigency. Intermittent Leave Intermittent and reduced schedule permitted. Minimum leave time not specified Benefits not payable for less than 1 workday of leave in 1 week Topping off / Coordination of Benefits: - Runs concurrently with leave under the federal FMLA, where applicable. - Employers can require the use of unused accrued paid time off (PTO) before accessing family and medical leave benefits. - If the employee is not required to exhaust all their PTO, the use of accrued PTO can count toward the total length of leave under DE PFML. - An employee cannot receive more than 100% of their weekly wages if on DE PFML and other paid benefits. - An employer can require DE PFML payments run concurrently for similar benefits under a collective bargaining agreement or employer policy. The employer must give employees written notice of this requirement. Job Protection: Employees are entitled to reinstatement to same or equivalent position Benefit Continuation: Benefits continue during leave and the employee continues to pay regular share of health care benefits Taxation additional detail will be provided
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District of Columbia – Paid Family Leave (PFL)

About	Eligibility	Contributions	Plan Design
The District of Columbia Paid Family Leave (PFL) began paying benefits on July 1, 2020. Qualifying leave reasons include care of a family member with a serious health condition; Employee's own serious health condition; prenatal leave; and bonding. Private Plan Options District of Columbia Department of Employment Services administers Paid Family Leave. No privately insured or self-insured plans allowed DC PFL Resources: https://dcpaidfamilyleave.dc.gov/	Covered Employers: Any business performing services in the District of Columbia that also pays unemployment insurance taxes for its employees. This also includes non-profit organizations and domestic (household) employers paying unemployment insurance tax. Employers are required to participate if they indirectly control a worker through an agency like a staffing or temp agency. Covered Individuals: A covered employee is anyone who performs 51% or more of their work services in the District, as well as self-employed individuals who opt in.	Contributions The PFL tax rate is variable but may not exceed 0.75%. Employers pay a payroll tax on each employee's gross wages each quarter. The cost cannot be deducted from an employee's pay. There is no wage limit on the DC PFML tax. A self-employed individual who has opted-in to the paid leave program will contribute quarterly an amount equal to 0.75% of the total gross earnings from all of the self-employed businesses for which the individual performs at least fifty percent their work in the District of Columbia	Elimination period: none until 365 days after the end of the COVID-19 Public Health Emergency Order or any extension thereof by the mayor. Benefit Calculation: Paid-leave benefits are calculated based on an eligible individual's average weekly wage; the total wages in covered employment earned during the highest 4 out of 5 quarters (the base period) immediately preceding a qualifying event, divided by 52. For employees with varied hours the average number of days worked per week in the base period is used to calculate benefits for partial weeks of leave. Maximum Weekly Benefit: \$1,153.00 A weekly benefits calculator is available at https://dcpaidfamilyleave.dc.gov/benefits-calculator/ Maximum Duration: 12 weeks to bond with a new child 12 weeks to care for a family member with a serious health condition 12 weeks to care for your own serious health condition 2 weeks to receive prenatal care Combined max duration of 12 weeks for all leaves, however if pre-natal care applies then the benefit maximum may be up to 14 weeks in a 52-week period. Intermittent Leave Topping off / Coordination of Benefits: Short-Term Disability policies are prohibited from offsetting for DC PFML. Job Protection: The DC PFL program does not provide job protection Benefit Continuation: Continuation of benefits not required by law Taxation: The DC revenue service has not determined whether PFL benefits are subject to taxation.

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Hawaii – Temporary Disability Insurance (TDI)

About

Eligibility

Contributions

Plan Design

Hawaii TDI was enacted in 1969 and is governed by the Disability Compensation Division (DCD), a division of the State of Hawaii Department of Labor and Industrial Relations. While the DCD is responsible for the compliance and support of the state mandated program, the State does not offer state administered benefits.

Qualifying leave reasons include non-work injury or illness, pregnancy, or organ donation.

Private Plan Options

Fully insured private plans must be administered by an authorized insurance carrier.

Self-insured private plans must show proof of financial solvency and ability to pay benefits by: providing annual audited financial statements for review; depositing securities; or posting surety bonds in an amount determined by Hawaii Administrative Rules. An employer may also provide TDI benefits by a collective bargaining agreement that contains sick leave benefits at least as favorable as required by the TDI Law.

HI TDI Resources:

<http://labor.hawaii.gov/dcd/home/about-tdi/>

Covered Employers:

Other than those excluded, every employer is required to provide TDI when its eligible employees are unable to work because of a nonwork-related illness or injury.

Covered Individuals:

Any worker whether hired on a part-time, intermittent, or full-time basis must be provided TDI coverage by their employer.

Employee must have been employed at least 14 weeks, during each of which employee was paid 20 hours or more and earned wages of at least \$400, during the fifty-two (52) weeks immediately preceding the first day of disability.

Disability must occur within 2 weeks from any separation date.

Excluded from coverage are employees of the Federal Government, certain domestic workers, insurance agents paid solely on a commission basis, news delivery persons under 18 years of age, family employees, student nurses, interns and workers in other categories specifically exempted by law. (see section [392-5](#) of Hawaii Revised Statutes for full list of exclusions),

Contributions

The employer may pay for the entire cost of providing TDI coverage, or the employer may share the cost equally with the employees eligible for coverage.

Employees may pay up to half of the premium cost, but not more than **0.5%** of weekly wage, to a maximum of **\$7.21**.

Elimination period: 7 consecutive days. Benefits payable on the 8th consecutive day of disability.

Benefit Calculation: If an employee's average weekly wage is less than \$26, the weekly benefit amount is equal to the average weekly wage but not more than \$14. If it is \$26 or more, the weekly benefit amount is 58% of the average weekly wage rounded to the next higher dollar up, to a maximum of **\$837** per week. See [Maximum Weekly Wage Base and Maximum Weekly Benefit Amount](#).

Maximum Taxable Payroll:

Weekly **\$1,441.72**

Maximum Duration: Maximum of 26 weeks (following the waiting period) during a benefit year. A "benefit year" is twelve (12) months from the date of disability.

Intermittent Leave: not allowed

Topping off / Coordination of Benefits:

- Unemployment: Cannot collect TDI if receiving unemployment insurance
- Worker's Compensation: Cannot collect TDI if receiving Worker's Compensation
- Social Security Disability: TDI does not affect eligibility for SSDI but TDI benefits cease upon date SSDI begins
- FMLA: Unpaid, job-protected leave may run concurrently when FMLA leave reason is employee's own serious health condition
- Hawaii Pregnancy Disability Leave, Leave for Victims of Domestic or Sexual Violence, and Donor leave (unpaid, job-protected) run concurrently when leave reason is for employee's medical illness or injury
- Hawaii Family Leave Act: Not concurrent; does not cover employee's own medical condition
- Other State Disability Benefits: TDI benefits reduced by the amount paid under the law of another state

Job Protection: not required by law

Benefit Continuation: Continuation of benefits not required by law

Taxation of Benefits: A TDI administrator may send a 1099 statement reflecting the proportion of benefit payment subject to taxation based on premium funding:

- Employer-paid
- Employee pre-tax
- Employee after-tax

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Maine – Paid Family & Medical Leave (PFML)

(PROGRAM IN DEVELOPMENT)

About

Eligibility

Contributions

Plan Design

PFML is currently in development. Contributions to start January 1, 2025. Benefits to start May 1, 2026. Qualifying leave reasons include caring for one's own medical needs, including organ donation, caring for a family member with a serious health condition, bonding with a new child, addressing a military exigency, and safe leave for survivors of domestic abuse. Private Plan Options Fully insured and self-funded "substantially equivalent" private plans are permitted. Administering family and medical leave under separate plans is not permitted. Self-insured plans require a bond. Plans must cover all employees of the employer throughout the employee's period of employment. Employers offering a private plan will owe annual maintenance fees to the state.	Covered Employers: Any person, sole proprietorship, partnership, corporation, association or other business entity that employs employees at a location in Maine; The State, including the executive, legislative and judicial branches, and a state department or agency; A county, city, town or municipal agency; An agent of an employer, the State or a political subdivision of the State; A public employer; A tribal government that has elected coverage; "Employer" does not include the Federal Government. Covered Individuals: All employees in the State of Maine, with the exception of Federal government employees. Employees must have earned wages paid in the state equal to at least six times the state average weekly wage (SAWW) over first four of the last 5 completed calendar quarters before accessing the benefit. An individual may not opt out of coverage. Employee means a person who may be permitted, required or directed by an employer in consideration of direct or indirect gain or profit to engage in any employment in the State but does not include an independent contractor.	Contributions The contribution per employee is 1%* of an individual's wage, split between employer and employee, up to the Social Security Taxable Wage Base. Employers may also choose to pay the full 1% as an added benefit for their employees. Employers with fewer than 15 employees are exempt from the employer share of contributions, but they must still withhold 50% of the premium from their employees' wages. Self-employed individuals who opt-in are only responsible for the 50% premium rate. *This rate is expected to remain valid until at least 2028.	Elimination period: 7-day unpaid waiting period for medical leave. Employee can use accrued sick or paid vacation, or other paid leave provided under a CBA or employer policy during the unpaid benefit waiting period. One elimination period per benefit year. Benefit Calculation: 90% of wages that do not exceed 50% of the state's average weekly wage, plus 66% of wages that exceed 50% of the SAWW. The maximum benefit is capped at the State Average Weekly Wage Maximum Duration: 12 weeks of aggregate leave per year for own medical, family, bonding, military, or safe leave. The first week of medical leave is an unpaid elimination period. Intermittent Leave: permitted in minimum increment of one scheduled workday, mutual agreement not required. Reduced leave permitted, but must be agreed upon between employer and employee if the increment is less than one workday. If the claimant is taking leave from two or more employers in the state plan they have to coordinate with each employer a mutually agreeable schedule. Topping off / Coordination of Benefits: An employer cannot require an employee to exhaust sick, vacation, or personal time prior to, or while taking leave; however, accrued leave may be used during the waiting period. PFML runs concurrently with FMLA if leave reason is covered by both. Leave taken under FMLA in the 12-month period preceding the start of ME PFML will be deducted from the ME PFML entitlement if the leave reason was a qualifying reason under ME PFML. PFML benefits reduced by any amounts received for workers' compensation, unemployment, or other state or federal temporary or permanent disability benefits. PFML benefits reduced by employer's permanent disability policy. Job Protection: Individuals who have worked for an employer for at least 120 days are guaranteed job projections when taking leave. Individuals are entitled to be restored by the employer to the position held by the employee when the leave began, or to be restored to the equivalent position with equivalent benefits, pay and other terms and conditions of employment. Benefit Continuation: The taking of family leave or medical leave may not affect an employee's right to accrue vacation time, sick time, bonuses, advancement, seniority, length of service credit or other employment benefits, plans or programs. During the duration of an employee's PFML, the employer must continue to provide for and contribute to the employee's employment-related health insurance benefits, if any, at the same level and under the same conditions coverage would have been provided if the employee had continued working continuously for the duration of the leave. Taxation of Benefits: Additional detail will be provided
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Maryland – Paid Family & Medical Leave (PFML)

(PROGRAM IN DEVELOPMENT)

About	Eligibility	Contributions	Plan Design
PFML is currently in development. Contributions to start Jan. 1, 2027. Benefits to start Jan. 1, 2028. Qualifying leave reasons include caring for one’s own serious health condition, caring for a family member with a serious health condition, bonding with a new child, and addressing a military exigency. Private Plan Options Employers can satisfy PFML obligations under the state sponsored plan, or under approved self-funded or fully insured private plans. MD PFML Resources: https://www.dlir.state.md.us/famili/ _	Covered Employers: A person, business, or governmental entity that employs at least one individual in the state. "Employer" does not include sole proprietors or sole employee of a business entity. Covered Individuals: An employee who has worked at least 680 hours in the 12-month period immediately preceding the date leave begins	Contributions The total rate of 0.9% of covered wages up to the Social Security wage base (\$176,100) will be evenly split between employees and employers, who will each contribute 0.45%. Small businesses with 14 or fewer employees are exempt from the employer's portion of the contributions. Employees of those small businesses will continue to contribute their 0.45% share.	Elimination period: None Benefit Calculation: If employee’s average weekly wage (AWW) is 65% or less of state average weekly wage (SAWW), employee is paid 90% of AWW If employee’s AWW is greater than 65% of SAWW they receive sum of: 90% of employee’s AWW up to 65% of SAWW; plus 50% of employee’s AWW greater than 65% of SAWW Maryland’s average weekly wage from July 1, 2024, through June 30, 2025, is \$1,493.00. This figure will be updated prior to benefits starting January 1, 2028. Minimum weekly benefit: at least \$50 Maximum Duration: The Time to Care Act will provide up to 12 weeks of paid family medical leave (PFML) benefits in a 12-month period. An additional 12 weeks of benefits are available to a worker who has a serious health condition in the same year paid family leave to bond with a new child is used. Intermittent Leave: Allowed. Must be scheduled so as not to unduly disrupt the employer’s operation and must be taken in increments of at least 4 hours. Topping off / Coordination of Benefits: Runs concurrently with federal FMLA Generally not available concurrently with unemployment insurance or worker’s compensation, however may be available concurrently with receipt of benefits for a permanent partial disability. Benefit Continuation: Employer must continue Covered Individual’s health benefits in the same manner as required by the federal FMLA. Taxation: additional detail will be provided

Massachusetts – Paid Family & Medical Leave

About

Eligibility

Contributions

Plan Design

PFML was enacted in 2018. Premiums began 10/1/2019, and benefits started 1/1/2021, providing paid family and medical leave benefits for covered individuals.

Qualifying leave reasons include caring for one's own serious health condition, caring for a family member with a serious health condition or injury suffered during military service, bonding with a new child, and managing affairs while a family member is on active duty.

Private Plan Options

Employers may opt out of state-administered coverage and seek approval to meet their obligations of the MA PFML law through a fully insured or self-funded private plan. Private plans may cover Medical Leave only; Family Leave only; or combined Family and Medical Leave coverage

MA PFML Resources:

<https://www.mass.gov/orgs/departments-of-family-and-medical-leave>

Email: MassPFML@Mass.gov

Covered Employers: All employers except municipalities and federal government. Non-covered entities may opt in.

Covered Individuals: Most W-2 (full-time, part-time, and seasonal) and some 1099-MISC workers are eligible to take a paid family and/or medical leave after they have earned at least **\$6,300** in MA over the past 4 calendar quarters. Employees must have earned at least 30 times the benefit amount that they are eligible to receive.

Also covered: Former employees who met the financial eligibility test at the time of separation and have been separated from employment for not more than 26 weeks at the start of leave.

Sole proprietors, LLC members and partners are not covered for PFML if they don't issue themselves W-2's, unless they opt in.

Contributions can be fully employer paid or shared between employer and employee.

Employers must pay at least 60% of the medical leave contribution. The remaining 40% of the medical contribution may be withheld via employee payroll deductions up to the Social Security Taxable Wage Base.

Employers may pay toward the family leave contribution but are not required to do so. 100% of the family leave contribution may be withheld via employee payroll deductions up to the Social Security Taxable Wage Base.

Employers under 25 employees can opt out of paying employer share of premium contributions, but still must collect or cover employee share.

PML contribution **0.70%**
PFL contribution **0.18%**
Total combined contribution **0.88%**

Maximum Employee PML **0.28%**
Maximum Employee PFL **0.18%**
Total Max Employee Combined PFML **0.46%**

Social Security Taxable Wage Base **\$176,100**

Elimination period: 7 consecutive days

No elimination period for birth mother bonding leave if taken directly following medical leave for pregnancy or childbirth.

Benefit Calculation: Weekly benefit is calculated as a percentage of employee earnings.

- 80% of wages that are equal to or less than 50% of SAWW; plus 50% of wages that are greater than SAWW, up to State-set maximum weekly benefit.
- State Average Weekly Wage (SAWW): **\$1,829.13**
- Maximum Weekly Benefit: **\$1,170.64**

Maximum Duration:

Paid Medical Leave - 20 weeks

Paid Family Leave - 12 weeks

Care of Service Member - 26 weeks

Combined paid Family and Medical leave - 26 weeks per benefit year

Intermittent Leave shall be taken in increments consistent with the established policy the employer or covered business entity uses for other forms of leave; however, the State Plan will not pay in increments of less than 15 minutes.

Topping off / Coordination of Benefits:

Employee can use accrued vacation sick leave or other PTO during waiting period. Accrued paid leave cannot be taken during a continuous PFML benefit period. Accrued paid leave can be taken without penalty during intermittent leave for a reason unrelated to the leave.

Job Protection: An employee must be restored to their previous position or to an equal position, with the same status, pay, employment benefits, length-of-service credit, and seniority as of the date of leave

Benefit Continuation: While an employee is on leave, an employer must continue to provide for and contribute to the employee's health insurance, if any, at the same rate coverage would have been provided had employee continued working. If the employee usually pays a portion of health insurance costs, they must continue to do that during leave

Taxation is not finalized. MA has referred the matter to the IRS for a ruling.

Minnesota – Paid Family & Medical Leave (PFML)

(PROGRAM IN DEVELOPMENT)

About

Eligibility

Contributions

Plan Design

PFML is currently in development. No pre-funding is required. Contributions and benefits begin January 1, 2026.

Qualifying leave reasons include caring for one's own medical needs, caring for a family member with a serious health condition, bonding with a new child, addressing a military exigency, and safe leave for victims of domestic abuse.

Private Plan Options
Employers have the option to apply for a self-funded or fully insured private plan for medical leave, family leave, or both

Covered Employers:
Employers that have at least one employee working in Minnesota, including private employers, state agencies, and local governments. Employer does not include federal government.

Covered Individuals:
Minnesota employees who have earned at least 5.3% of the Minnesota average annual wage over the base period. Employee does not include: federal government employees, seasonal employees, self-employed individuals, or independent contractors, however the following may opt in:

- Contractors
- Self-employed individuals

Contributions:
Premiums split 50/50 between employer and employee

- For an employer participating in both family and medical benefit programs, 0.7%
- For an employer participating in only the medical benefit program and with an approved private plan for the family benefit program, 0.4 percent; and
- For an employer participating in only the family benefit program and with an approved private plan for the medical benefit program, 0.3 percent
- Small employer with fewer than 30 employees and an average wage for the employer less than or equal to 150% of the SAWW for the basis period: The premium is 75% of the annual rate. Small Employers must pay at least 25% of the full annual rate of .7% and the remainder can be charged to employees for a Small Employer.
- Future contributions may not exceed 1.2% of wages.

Elimination period: Except for bonding leave, any claim for benefits must be based on a single qualifying event of at least seven consecutive calendar days. The 7 days does not need to be consecutive for an intermittent leave. This first 7 days will be paid retroactively once the employee has met the seven-day qualifying requirement.

Benefit Calculation:
90% of wages that do not exceed 50% of the state's average weekly wage; plus
66% of wages that exceed 50%, but are less than 100% of the state's average weekly wage; plus
55% of wages that exceed 100% of the state's average weekly wage

The Maximum benefit is equal to the SAWW. For the purposes of calculating the maximum weekly benefit amount, the state's average weekly wage applies to the one-year period beginning the last Sunday in October of the calendar year of the calculation.

Maximum Duration: 12 weeks per benefit year for own medical; 12 weeks per benefit year for family care, bonding, exigency, or safe leave; 20 weeks aggregate per benefit year, in total, across all leave types

Intermittent Leave is permitted in increments consistent with employers established policy, with a maximum required increment of one calendar day. Employees cannot apply for intermittent benefits until 8 hours of leave has accumulated. Mutual agreement is not required; however, intermittent leave may be restricted by employers to 480 hours in any 12-month period. If an employer limits hours of intermittent leave, an employee is entitled to take their remaining leave continuously.

Topping off / Coordination of Benefits:
Employees may, but are not required to, supplement if their employer permits. When supplementing/topping off, employee cannot receive more than 100% of regular wages or salary. Employees can choose to use employer programs in lieu of PFML benefits, in which case the protections of the law still apply.
Benefits will not be issued when an employee is receiving payments related to separation (such as severance) and social security disability benefits. MN Earned Sick and Safe Time (ESST) is still available as a separate and distinct benefit that can run concurrently with available leave under MN Paid Leave and FMLA. If an employee is eligible for FMLA or Minnesota Parenting Leave Act (MPLA) in addition to MN Paid Leave, the leaves run concurrently; however, leaves will often NOT run concurrently because: eligible family members for family care between FMLA and MN Paid Leave are not equal, eligibility requirements differ, leave reasons differ, and leave entitlement measurement periods differ.

Job Protection: After 90 days of employment, employees returning from PFML leave are entitled to return to the same position or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. However, rights to reinstatement may be waived for certain construction industry workers.

PFML may not be treated as a break in service for the purposes of vesting or participation eligibility for a pension or other retirement plan.

Benefit Continuation: After 90 days of employment, MN Paid Leave provides Health Benefit Maintenance for all qualifying employees. Continuation of coverage must be maintained as if the employee was continuously employed; however, employee may still be required to remit their share of premiums.

Taxation: Subject to state income tax.

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New Hampshire – Paid Family & Medical Leave (PFML)

About

Eligibility

Contributions

Plan Design

PFML for New Hampshire became effective 1/1/2023. Qualifying leave reasons for state employees include caring for a family member with a serious health condition or injury, bonding with a new child, and for military-related events when a family member is deployed to active duty. Employees of private employers without STD coverage (not state employees) can add caring for one's own serious health condition to the list of qualifying leave reasons. Private Plan Options New Hampshire has designated a single carrier to provide paid family leave to state employees. Non-state employers can select voluntary coverage through the state's insurance partner (and receive the 50% BET Credit); other PFML plans approved by the state; or self-insured employer equivalent benefit coverage. NH PFML Resources: https://www.paidfamilymedicalleave.nh.gov/	Covered Employers: The state and political subdivisions; Private employers with a physical presence in New Hampshire and more than 50 employees in total (not just in New Hampshire) may choose to sponsor optional coverage. Covered Individuals: Employees who work for covered employers. Individual workers can opt into coverage if the individual works for a private employer with more than 50 employees in New Hampshire that chooses not to sponsor coverage AND that does not offer a company paid leave program with benefits at least equivalent to state coverage, OR works for a private employer with fewer than 50 employees that does not offer a company paid leave program with benefits at least equivalent to state coverage; OR is an independent contractor or sole proprietor. Individual workers who opt-in to the program have a 7-month "waiting period" before benefits will be paid.	Contributions State Employees contribute nothing Private employers can choose to pay the full premium at no cost to their employees or co-pay part of the premium. Premiums for individuals who opt in are no more than \$5 per subscriber per week. Employers who choose to sponsor paid leave plans under the Granite State Plan, will receive a tax credit in an amount equal to 50% of the premium paid by a sponsoring employer for family and medical leave insurance coverage offered to employees.	Group Insurance: • Duration: Optional 6 or 12 weeks paid, plus a 7-calendar day unpaid elimination period per year • 60% wage replacement up to the applicable Social Security taxable wage maximum • Flexibility within parameters set by the NH Insurance Department Individuals: • Duration: 6 weeks paid plus a 7-calendar day unpaid elimination period per year • 60% wage replacement, up to the applicable Social Security taxable wage maximum • Individuals only: Subject to a 7-month waiting period State Workers: • Duration: 6 weeks paid plus a 7-calendar day unpaid elimination period per year • 60% wage replacement, up to the applicable Social Security taxable wage maximum • State workers: PFL only Social Security wages for 2025: \$176,100 Intermittent: Allowed with a minimum of 4-hour increments Coordination of Benefits: PFML benefits cannot be reduced because the employee is receiving unemployment. Employers may require the leave to run concurrently with the federal FMLA or with employer policies or a collective bargaining agreement. Job Protection: Employers that sponsor NH PFML benefits must restore workers to the position the worker held prior to such leave, or an equivalent position consistent with the job restoration provisions of the federal Family and Medical Leave Act (FMLA). Benefit Continuation: Participating employers with 50 or more employees who opt-in to the Granite State Plan are required to continue to provide health insurance to employees during the leave. Taxation NH PML benefits are subject to both federal payroll tax under the Federal Insurance Contributions Act (FICA) and federal unemployment tax under the Federal Unemployment Tax Act (FUTA). If premiums are taken prior to taxes, benefits are taxed. If premiums are taken post tax, benefits are not taxed. This only applies to paid medical leave and is not applicable to paid family leave. NH PFL benefits are not subject to FICA and FUTA.
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New Jersey – Temporary Disability Benefits (TDB) / Family Leave Insurance (FLI)



About

Eligibility

Contributions

Plan Design

TDB was enacted in 1948 FLI was enacted in 2009 TDB covers employee's own non-work-related injury, illness, or other disability, including pregnancy and needs related to being a victim of domestic or sexual violence. Own or family member's quarantine. FLI covers bonding with a child, care for a family member with a serious health condition and caring for a family member who is the victim of domestic or sexual violence. TDB & FLI Private Plan Options • Self-funded • Insured by authorized and licensed insurer • Pursuant to a collective bargaining agreement • Requires a written election with majority approval (unless waived) if the plan is contributory and covers members of a collective bargaining agreement. NJ TDB & FLI Resources: https://nj.gov/labor/myleavebenefits/	TDB & FLI Covered Employers: NJ employers with one or more employees and a minimum payroll of \$1,000. Coverage optional for local governments (for example, counties, municipalities, and school districts). The Federal government is exempt. TDB & FLI Covered Individuals: Employee of a covered employer Established at least 20 base weeks during the base year or earned at least 1000x the state minimum wage in a base year • "Base week": a calendar week where the employee earned at least 20 times the state minimum wage. • "Base year": first 4 of the last 5 completed calendar quarters before the employee files a claim • For 2025: An employee needs to have earned at least \$303.00 per week for 20 calendar weeks during the Base Year or earned \$15,200 in the Base Year. Former employees are covered if disability started less than 14 days after the employee's last day of employment. Excluded: NJ State Police, independent contractors.	Contributions TDI - New Jersey is reintroducing the employee contribution for its Temporary Disability Insurance program beginning in the 2025 calendar year. The employee contribution rate for the 2025 calendar year is 0.23% on a taxable wage base of \$165,400. FLI - Employees will contribute 0.33% of the first \$165,400 in covered wages. The maximum FLI worker contribution for 2025 is \$545.82.	Elimination period TDB: 7 consecutive days. Benefits begin on 8th consecutive day of disability If benefits are payable for 3 consecutive weeks, the first 7 days become payable. No waiting period for disability resulting from organ or bone marrow donation. No waiting period for disability resulting from quarantine. Elimination period FLI: None Benefit Calculation TDB & FLI: 85% of the employee's average weekly wage, up to 70% of the state average weekly wage. Maximum Benefit: \$1,081.00 Minimum Benefit: None Maximum Duration TDB: 26 weeks Maximum Duration FLI: 12 weeks per year continuous, 8 weeks per year intermittent. Maximum of 12 weeks in a 12-month period for all leaves. Intermittent Leave TDB: Allowed, with employer approval. Intermittent Leave FLI: Full day increments. Employees may collect FLI benefits from one employer while continuing to work for another, not to exceed their usual work schedule in the second job. The weekly benefit will be based only on wages from the employment from which they are taking leave. Topping off / Coordination of Benefits TDB: May not collect NJ FLI concurrently. May not collect unemployment, worker's compensation, SSD, or accrued paid leave at full rate of pay concurrently. TDB may be reduced by retirement or other state disability benefits. Employers may be able to require employees to take paid time off (PTO) before TDB, depending on how they meet the requirements of the NJ Earned Sick Leave law. This law requires employers of all sizes to provide full-time, part-time, and temporary employees with up to 40 hours of paid sick time per year so they can care for themselves or a loved one. Employers who separate NJ Earned Sick Leave from their PTO policy can require employees to take PTO before claiming TDB. Employers cannot require them to take time accrued under the NJ Earned Sick Leave law. Some employers use their PTO policy to follow the NJ Earned Sick Leave law. In this case, the employer may not require an employee to utilize any of their PTO prior to TDB. Topping off / Coordination of Benefits FLI: May not collect NJ TDB concurrently. May not collect unemployment or accrued paid leave at full rate of pay concurrently. Job Protection: None. TDB and FLI are wage replacement programs only. Benefit Continuation: Continuation of benefits not required by law. Taxation TDB and FLI benefits: Not subject to state income taxes. Benefits are federally taxable income.
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Plan Design

DBL was enacted in 1949. PFL was enacted in 2016, benefits began in 2018. Qualifying leave reasons: DBL: caring for one's own pregnancy or serious health condition not related to work, being an organ donor. PFL: caring for a family member with a serious health condition, bonding with a new child, and responding to certain military-connected events. Private Plan Options Employers may work with the NY State Insurance Fund, a private insurance carrier, or self-fund their own DBL and PFL program with state approval. PFL is a mandatory rider to existing DBL policies. Employers exempt from providing DBL can voluntarily opt in to provide stand-alone PFL policies. NY DBL & PFL Resources: http://www.wcb.ny.gov/content/main/DisabilityBenefits/employer-disability-benefits.jsp https://paidfamilyleave.ny.gov/	Covered Employers DBL: Any employer (ER) with one or more employees (EE) working in NY for at least 30 days, even if ER is out of state. Covg starts after 30 days (consecutive not req.) + 4 wks. Excl: the state, a municipal corp, local gov agency, other political subdivisions or public authority PFL: Private ER with one or more EE working in NY for at least 30 days per cal yr (consecutive not req), even if ER is out of state. Covered Individuals DBL: FT EE of a covered ER after 4 consecutive wks of work. PT EE of a covered ER after 25 days of work (consecutive not req). Excl: gov't, railroad, maritime labor, EE of religious org, non-profit volunteers, independent contractors. PFL: FT EE working 20 or more hrs/wk elig after 26 consecutive wks of employment. PT EE working fewer than 20 hrs/wk elig after 175 days of work (need not be consecutive or within same year) EE who switch from one ER to another ER must requalify for covg with the new ER.	Contributions DBL: May be fully employer paid or shared between employer and employee. Employee portion may not exceed 0.5% of first \$120/week, capped at \$0.60/week. PFL: May be fully employee-paid, fully employer-paid or shared between employer and employee. Employee may pay up to 100% through payroll deductions. Maximum contribution for 2025: 0.388% of the employee's gross weekly wages, capped at \$354.53/year.	Elimination period DBL: 7-day benefit waiting period. Benefits begin on the 8th consecutive day of disability PFL: None Benefit Calculation DBL: Benefits for DBL are 50% of an employee's average weekly wage (AWW) for the previous 8 weeks. 2025 Maximum Benefit = \$170 a week. PFL: 67% of AWW, up to a cap of 67% of the current Statewide Average Weekly Wage (SAWW). 2025 Maximum Benefit = \$1,177.32 per week. 2025 State Average Weekly Wage: \$1,757.19 Maximum Duration DBL: 26 weeks of disability during any 52 consecutive week period PFL: 12 weeks of leave during any 52 consecutive week period. Combined NY DBL and PFL cannot exceed a total of 26 weeks in a consecutive 52-week period. Employer can count PFL-qualifying time toward PFL entitlement even if the employee does not apply, as long as notice of NY PFL rights is given to the employee Intermittent Leave DBL: not allowed / PFL: full-day increments only Topping off / Coordination of Benefits: Cannot take DBL concurrently with PFL. Cannot collect unemployment concurrently with DBL or PFL. FMLA will apply concurrently with DBL or PFL if applicable. NY Domestic Violence Leave can apply concurrently with DBL if applicable Job Protection: DBL: None / PFL: Included Benefit Continuation DBL: continuation of benefits not required by law / PFL: Health insurance benefits must be continued while an employee is out on approved leave. Employers may require employees to continue contribution to medical insurance premiums while on leave. Taxation DBL: Subject to Social Security and Medicare taxes. / PFL: PFL Benefits paid to employees are taxable non-wage income that must be included in federal gross income. Taxes are not automatically withheld from benefits; but employees can request voluntary tax withholding. Premiums are deducted from employees' after-tax wages.
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State Disability Insurance and Paid Leave Reference Guide from AJM Associates, Inc.

Oregon – Paid Family & Medical Leave (PFML or Paid Leave Oregon)

About

Eligibility

Contributions

Plan Design

PFML contributions started 1/1/2023. Benefits began 09/03/2023. Qualifying leave reasons include caring for one's own non work-related serious health condition, caring for a family member with a serious health condition, bonding with a new child, pre-placement leave, and safe leave for survivors of sexual assault, domestic violence, harassment, bias crimes, and stalking. Private Plan Options Employers can satisfy PFML obligations under the state sponsored plan, or under approved self-funded or fully insured equivalent plans. Equivalent Plans must cover both Family and Medical Leave, they cannot be separated. OR PFML Resources: https://paidleave.oregon.gov/Pages/default.aspx Email: PaidLeave@Oregon.gov	Covered Employers: An employer with at least one employee in OR. Excluded: federal government, tribal government unless opted in, sole proprietors. CBA's which are new or reopen on or after September 29, 2019, would be subject to PFML. Covered Individuals: OR employees of a covered employer who have earned at least \$1,000 in either the first four of the last five completed quarters or the last four completed quarters preceding the Sunday before the date of leave. Self-employed individuals can opt in.	Contributions May be fully employer paid or shared between employer and employee. Employee contributions withheld from post-tax earnings. The total contribution rate for 2025 is 1% of gross wages, capped at \$176,100. This is aligned to the Social Security Taxable Wage Base and will be adjusted annually. Employee pays 60% of contribution, Employer pays 40% of contribution. Employers with fewer than 25 employees (across all states) are not required to pay the employer contribution. If such employers elect to pay this contribution, they can apply for a grant to assist with certain costs related to the program.	Elimination period: none Benefit Calculation: • 100% of wages that do not exceed 65% of the state's average weekly wage, or SAWW; plus • 50% of wages that exceed 65% of the SAWW Maximum Weekly Benefit: 120% of the SAWW Minimum Weekly Benefit: 5% of the SAWW SAWW: Subject to change annually and is based on Unemployment Insurance calculations instead of Worker's Compensation calculations. The unemployment insurance SAWW from July 1, 2024 through June 30, 2025 is \$1307.17. Maximum Duration: 12 paid weeks for all covered leave reasons in a benefit year. 2 additional paid weeks for limitations related to pregnancy, childbirth, or a related medical condition (including lactation). Intermittent Leave allowed in increments down to one day. Topping off / Coordination of Benefits: PFML runs concurrently with FMLA if applicable. OFLA leave can be taken in addition to — and not concurrently with — any leave taken under PFML. Employers must allow employees the choice to use any accrued sick, vacation, or PTO to 'true up' their PFML benefits. However, the total combined amount cannot exceed full wage replacement. Alternatively, employers may (but are not required to) permit an employee to use accrued paid leave in addition to receiving PFML benefits, resulting in a total combined amount that exceeds the employee's full wage replacement. Job Protection: Job protection is available for employees who have been employed by the employer for at least 90 consecutive calendar days. Employers with fewer than 25 employees may restore employee to a different position with similar duties but same benefits and pay. Benefit Continuation: Maintenance of health benefits and other benefits such as retirement and seniority provided during leave under same conditions as if actively working. Taxation: <u>Contributions</u> - Employee (EE) contributions are post-tax and are subject to Oregon income tax; report them in box 14 of W-2. Employer (ER)-elected payments of the EE's portion of the contribution are considered taxable wages to the EE. Contributions are not allowed as an OR itemized deduction. <u>Benefits</u> - generally are taxable income. Family leave benefits are fully taxable, safe leave benefits are fully taxable, medical leave benefits are taxable based on the ratio of ER contributions to total ER and EE contributions. Assistance grants are generally taxable.
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Puerto Rico – Non-Occupational Temporary Disability Insurance

El Seguro por Incapacidad No Ocupacional Temporal (SINOT)



About

Eligibility

Contributions

Plan Design

Enacted in 1968 Qualifying leave reasons include an employee's own disability that is not caused by work, a car accident, or self-infliction. Additionally, SINOT provides dismemberment benefits to employees. It also provides death benefits to an insured employee's dependents. Private Plan Options include fully insured and self-insured plans. In order to offer private plan options, the program requires the insurance carrier or administrator to have a claims and administering presence within the territory. PR SINOT Resources: https://trabajo.pr.gov/sinot.asp	Covered Employers: Any employer who has one or more employees. Covered Individuals: Includes all employees working in the Commonwealth of Puerto Rico who have received at least \$150 in covered employment wages during the first four of the last five calendar quarters that precede the first day of disability. Government employees and non-profit organizations are excluded.	Contributions Contributions for the program are split between employers and employees. The total contribution is 0.60% of an employee's wages up to \$9,000 per year for industrial employees. Employees may not pay more than 0.30% of the total contribution amount.	Elimination period: 7 days. Benefits are paid on the 8th day of disability. If hospitalized within the first 7 days of disability, benefits are payable on the first day of disability. Benefit Calculation: - The weekly benefit maximum for a non-agricultural employee is \$113 a week (\$55 a week for agricultural employees). - The weekly benefit minimum is \$12 a week. - Information on dismemberment and death benefits can be found on the state website. Maximum Duration: Benefits are available for the duration of the disability or up to a maximum of 26 weeks (about 6 months) in a 52-week period. Intermittent Leave not allowed Topping off / Coordination of Benefits: Cannot collect worker's compensation or unemployment concurrently. Runs concurrently with FMLA. Job Protection: Reinstatement required if employee requests reinstatement within 360 days of the date of disability and within 15 days of the employee being released to return to work. The employee must be able to perform job, and job must not have been eliminated at the time of the request. Benefit Continuation: continuation of benefits not required by law. Taxation There is a Federal Social Security deduction because the employer's contribution is considered income.
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Rhode Island – Temporary Disability Insurance (TDI) / Temporary Caregiver Insurance (TCI)



About

Eligibility

Contributions

Plan Design

Rhode Island Temporary Disability Insurance (TDI) was enacted in 1942 and provides benefits to insured RI workers for up to 30 weeks of unemployment caused by a temporary disability or injury.

Rhode Island Temporary Caregiver Insurance (TCI) was signed into law on July 11, 2013, and is a mandatory rider to existing TDI policies. TCI provides eligible claimants up to 6 weeks of caregiver benefits to care for a seriously ill child, spouse, domestic partner, parent, parent-in-law or grandparent, or to bond with a newborn child, new adopted child or new foster-care child.

Private Plan Options

Rhode Island TDI and TCI are administered by the Rhode Island Department of Labor and Training. Private insured and self-funded plans are not an option.

RI TDI / TCI Resources:

[Temporary Disability Caregiver Insurance](#)

[UI and TDI Quick Reference](#)

Covered Employers: A non-governmental employer (including out of state employers) with at least one employee who has worked any portion of one day in RI.

Covered Individuals: An employee of a covered employer who has earned:

\$16,800 in base period wages; or one quarter of base period wages of at least **\$2,800**; and total base period wages of at least 1.5 times the highest quarter earnings, and total base period earnings of at least **\$5,600**.

Contributions

Employee-paid at a rate of **1.2%** of the first **\$87,000** earned.

Elimination period: must be unemployed for at least 7 days with 1st day payment.

Benefit Calculation:

4.62% of the wages earned during the highest quarter of the base year

Minimum weekly benefit: **\$130**

Maximum weekly benefit: **\$1,070.00**

Dependent's allowance: Greater of **\$10** or **7%** of weekly benefit rate (up to 5 dependents), up to maximum of **\$1,444** per week.

Maximum Duration: TDI 30 wks / TCI 6 wks. Combined total of TDI and TCI cannot exceed 30 weeks per benefit year

Intermittent Leave: Not allowed. Employees receiving TDI can return to work part time after 7 consecutive days inability to work, if employers have work available. Employee may be eligible to collect partial TDI payments for any weeks in which their earnings are less than their weekly benefit rate.

An employee collecting TCI cannot return to work part-time and continue collecting.

Topping off / Coordination of Benefits: TDI and TCI may not be collected concurrently. TDI may not be collected concurrently with Worker's Compensation or Unemployment. Employee can be paid salary, sick, and/or vacation pay while in receipt of TDI.

Job Protection: Employers can offer a comparable position with the equivalent seniority, status, employment benefits, pay and other terms and conditions including fringe benefits.

Benefit Continuation: Employers must continue to provide health insurance to employees during leave, but employees remain responsible for any employee-shared costs associated with the health insurance benefits.

Taxation:

TDI benefits are not subject to Federal or State income taxes. TDI employee contributions are deductible for Federal income tax reporting purposes.

TCI benefits are subject to Federal and State income taxes.

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Vermont – Paid Family and Medical Leave Insurance (PFMLI)

About

Eligibility

Contributions

Plan Design

Vermont PFMLI begins July 1, 2023, with mandatory paid leave for state employees and a voluntary option for non-state employers, self-employed individuals (SEI's) and eligible individual employees. Timeline for expansion: July 1, 2024, program expands to private and non-state public employers with 2 or more employees (Phase 2). July 1, 2025, program expands to small employers with 1 employee, and eligible individual employees including the self-employed (Phase 3). Qualifying leave reasons include the birth of a child, bonding, family care, military exigency, military caregiver, employee's own serious health condition. Private Plan Options The State has selected The Hartford to provide fully insured coverage as well as administrative services for self-funded VT FMLI plans. The individual purchasing pool is insured by The Hartford. VT PFML Resources: https://humanresources.vermont.gov/benefits-wellness/leave/family-medical-leave	Covered Employers: state employers, non-state employers with 2 or more employees, self-employed individuals Covered Individuals: Employees of covered employers. State of Vermont employees are eligible for family medical leave, parental leave, military exigency leave and/or military caregiver leave if they have: Completed original probation; or Been employed by Vermont state government for at least 12 months; and Worked at least an average of 20 hours per week; or A minimum of 1,250 hours in the 12-month period preceding the commencement of the leave.	Contributions Employers with two or more employees may work with their benefits brokers and The Hartford to select from a number of plan design options that allow them to best support the needs of their employees and their business. Employers with one employee may work with their benefits brokers or purchase VT FMLI directly through the VT FMLI individual purchasing pool, which will be insured by The Hartford.	Elimination period: 7 calendar days for medical leave, first day leave pay for family leave Benefit Calculation: State employees receive 60% of average weekly wage (AWW). Private and Non-State Public Employees receive at least 60% of employees' AWW. Wages, for the purpose of calculating benefits, are capped at the Social Security taxable wage base, or \$176,100 in 2025. Maximum Duration: 6 weeks per year Intermittent Leave: Permitted Topping off / Coordination of Benefits: TBD Job Protection: Not provided by VT PFML. Job protection may be provided by other leave laws including federal FMLA and VT Parental and Family Leave laws. Benefit Continuation: TBD Taxation: TBD
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Washington – Paid Family & Medical Leave (PFML)

About

Eligibility

Contributions

Plan Design

WA PFML contributions began 1/1/2019 and benefits became available on 1/1/2020. Qualifying leave reasons include caring for one's own serious health condition, caring for a family member with a serious health condition, bonding with a new child, dealing with qualifying military exigencies, and bereavement. Private Plan Options Employers can satisfy PFML obligations under the state sponsored plan, or under approved self-funded plans only. Fully insured private plans are not permitted. An employer can choose a self-funded voluntary plan that covers just family leave, just medical leave, or both. WA PFML Resources: https://paidleave.wa.gov/ https://paidleave.wa.gov/voluntary-plans/Voluntary-Plans	Covered Employers: Employers (ER) of one or more employees (EE) in the State of Washington, State and municipal governments and agencies, self-employed individuals and federally recognized tribes can opt in. ER covered by a CBA that expired, went into effect, or was reopened or renegotiated on or after 10/19/2017 must comply with WA PFML. Exempt: federal government, ER covered by a collective bargaining agreement (CBA) in effect prior to 10/19/2017. Covered Individuals: EE who have worked 820 hours in the qualifying period with any WA ER. For corporations, if an individual receives compensation from his or her corporation for service provided to it, the individual must participate as an employee of that organization. Corporate officers are required to participate. Members of an LLC are exempt from the program even if they are taking a wage from their LLC. Owners of a sole-proprietorship, partnership, or LLC members are not required to participate but can elect coverage.	Contributions May be fully employer paid or shared between employer and employee. The total premium is 0.92% of employees' wages not including tips. Employers may withhold up to 71.52% of the total premium. The employer is responsible for paying the other 28.48%. Annual Taxable Wage Base: \$176,100 (Based on Social Security Cap) Employers with fewer than 50 employees are not required to pay the employer portion of the premium.	Elimination period: 7 consecutive calendar days for employee's own serious medical condition. No waiting period for childbirth, bonding, military exigency, bereavement of child. Benefit duration is not extended by the waiting period. Benefit Calculation: Employees earning 50% or less than the state average weekly wage (SAWW): 90% of average weekly wages. Employees earning more than 50% of the state average: 90% of ½ the SAWW, plus 50% of the difference between the employee's average weekly wages and ½ the SAWW. Maximum Weekly Benefit 2025: \$1,542.00 / Minimum Weekly Benefit 2025: \$100 / SAWW 2025: \$1,714.00 Maximum Duration: 12 weeks during a 52-week benefit year. Employees are eligible for up to 16 weeks of leave when family and medical leave are used in combination. Up to 18 weeks may be used for pregnancy claims with medical complications. 7 calendar days of leave for child bereavement. Intermittent Leave permitted with 1-hour minimum increment, rounded down to the nearest hour. Minimum payable is 8 hours of consecutive leave per week. Topping off / Coordination of Benefits: Employee can use accrued paid time off during waiting period without penalty. Employee can optionally use accrued paid leave while receiving benefits if employer has deemed such paid time "supplemental". is not payable if employees are receiving non-supplemental wages. Cannot collect unemployment or worker's compensation benefits concurrently. Job Protection: provided for the State plan if employee worked 12 months with employer and 1,250 hours in 12 months preceding leave. For voluntary plan (VP) employers with greater than 49 employees, employment protection provided if employee worked 9 months with employer and 965 hours for that same employer in 12 months preceding leave. VP can waive this requirement. Key employee provision applies to top 10% paid salaried employees Benefit Continuation: No loss of any employment benefits accrued before leave start date. Employer required to maintain existing health benefits for an employee receiving PFML benefits if they have at least one day of overlap with leave taken under federal FMLA. Taxation it is unknown whether IRS will consider WA Paid Leave benefits "taxable income." For now, we are assuming benefits are taxable.
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State Disability Insurance and Paid Leave Reference Guide from AJM Associates, Inc.

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