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New York State

PAID FAMILY LEAVE

{ AGENT / BROKER HIGHLIGHTS }

REVISED – JANUARY 1, 2019

PFL EFFECTIVE DATE	01/01/19
PFL BENEFITS DATE	01/01/19
HIGHLIGHTS UPDATE	09/01/18

New York State **Paid Family Leave**

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PFL RATES & CONTRIBUTIONS

SERIES V – REVISED EFFECTIVE 2019

The New York State Department of Financial Services (DFS) have published their final regulations, and rate factor for the calculations of the employee contributions and premiums for **PFL benefits**.

Continuing on January 1, 2019 all covered employers will be required to withhold contributions on behalf of employees based on their meeting the eligibility criteria full or part-time status.

THE RATE FACTOR

The **contribution rate factor for Paid Family Leave has increased to 0.153%** times the employee's weekly wage not to exceed the maximum NYS **Annualized Average Weekly Wage** currently **\$70,569 for 2019**.



NYS AVERAGE WEEKLY WAGE (AWW)

NYS AWW is the average weekly wage paid in New York State during the previous calendar year as reported by the Commissioner of Labor to the Superintendent of Financial Services on March 31 each year.

- The AWW for calendar year ending 2017 to be used in calculation of the PFL employee contributions, effective January 1st 2019 is \$70,569 annually

MAXIMUM WEEKLY CONTRIBUTION

The maximum weekly **contribution may be calculated using the following formula rate:**

HOW TO CALCULATE CONTRIBUTIONS?

- **EMPLOYEE EARNING: \$200,000 OR \$3,846.15 WEEKLY WAGE**
.153% x \$3,846.15 = **\$5.88** (Paid up after 19 weeks)*
- **EMPLOYEE EARNING: \$100,000 OR \$1,923.07 WEEKLY WAGE**
.153% x \$1,923.07 = **\$2.94** (Paid up after 37 weeks)*
- **EMPLOYEE EARNING: \$70,569 OR \$1,357.10 WEEKLY WAGE**
.153% x \$1,357.10 = **\$2.08** (Paid up after 52 weeks)*
- **EMPLOYEE EARNING: \$38,812.80 OR \$746.40 WEEKLY WAGE**
.153% x \$746.40 = **\$1.14** (Paid up after 52 weeks)*

Note: Employers **may not** collect contributions in excess of \$107.97

* Such employee will have satisfied their maximum annual contribution.

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PFL RATES & CONTRIBUTIONS-Cont'd

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MAXIMUM WEEKLY BENEFIT

The maximum weekly benefit for an employee Paid Family Leave for 2019 is capped at **55% of the NYS AWW (\$1,357.10) or \$746.40**

EMPLOYER GROUPS

The Employee PFL rate factor, benefit and contributions are currently the same for all covered employer groups regardless of the number of employees, which is subject to review and change by NYS Workers' Compensation Board and Department of Financial Services.

INSURANCE CARRIERS

The Employee PFL rate factor, benefit, limits and contributions are the same for each of participating insurance carriers underwriting New York Paid Family Leave.

CONTRIBUTIONS / DEDUCTIONS

- In no event may the employee's annual contribution for family leave exceed his or her per capita share of the actual annual premium charged for the same year and must be determined consistent with the principle that employees should pay the total costs of family leave premium.
- A covered employer **may deduct** employee contributions **prior to the effective date** of the policy and prior to an employee's eligibility for Paid Family Leave.
- A covered employer may be responsible for payment of premium prior to collection of all employee contributions for a policy year. Under these circumstances, the covered employer may collect employee contributions after the premium payment in order to cover the cost of the Paid Family Leave coverage.
- **A covered employer** shall use his or her employees' contributions to provide PFL benefits to employees and **shall promptly return** to employees **any surplus in employee contributions that exceed the annual premium.**
- A covered employer may continue to deduct the employee contributions set forth in Workers' Compensation Law section 209 when an employee is receiving benefits pursuant to Workers' Compensation Law section 204.



PAYROLL DEDUCTION

In collecting employee contributions through payroll deductions, the employer shall act as the agent of his or her employees and shall use the contributions only to provide disability and family leave benefits as required.