

PFML State of the Union Webinar

Tuesday, March 29
10 a.m. Pacific; 1 p.m. Eastern

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Agenda

1

Overview of PFML

- Statutory Disability and PFML — what are they?
- A look ahead at the PFML roadmap.

2

Review of current state program changes and impacts

3

Oregon PFML development

4

Private plan options

5

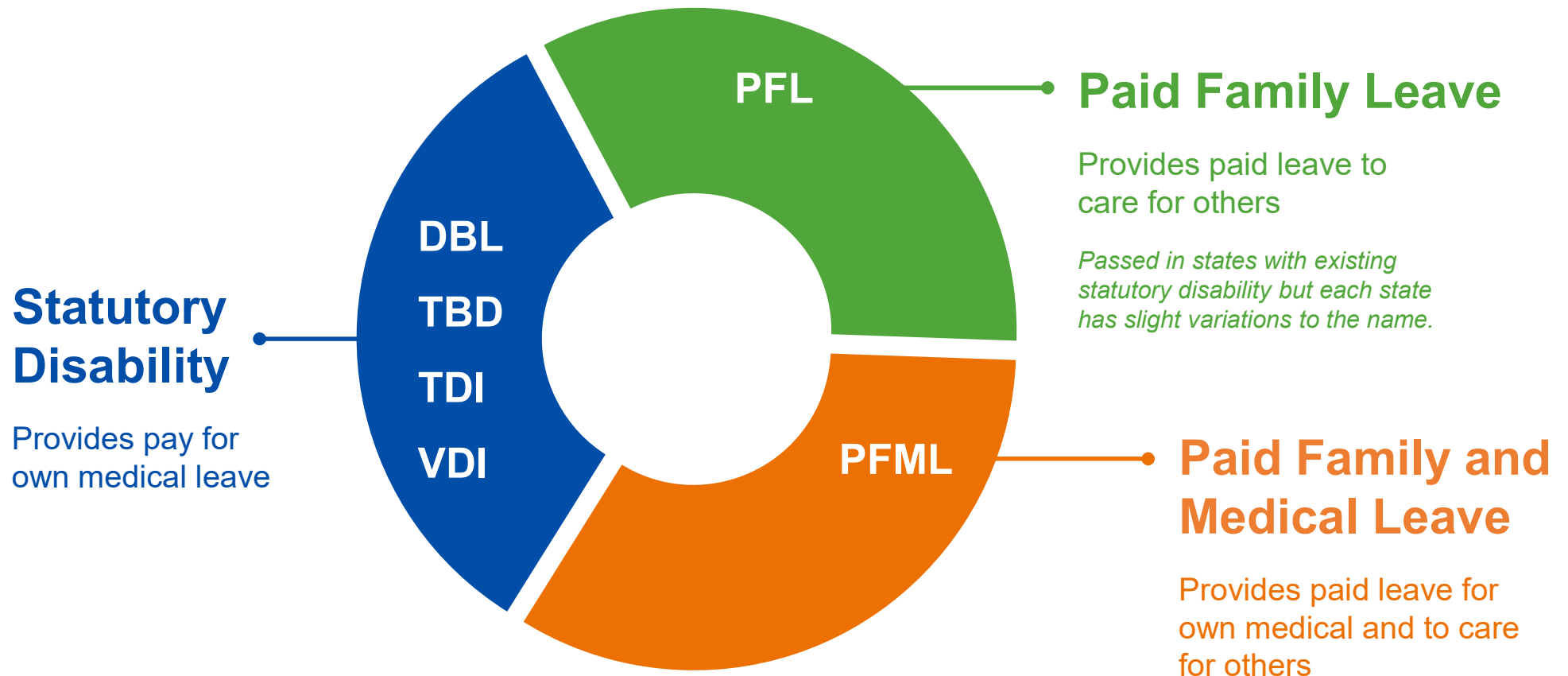
The Standard and PFML

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Resources



What's the Difference



What's Covered



Family Leave

Bonding

Leave to bond with the covered individual's child during:

- The first 12 months after the child's birth.
- The first 12 months after the placement of the child for adoption or foster care with the covered individual.

Caring

Leave to care for a family member with a serious health condition.

Active Duty

Leave due to:

- A family member who has been notified of an impending call or order to active duty in the armed forces.
- Caring for family members who are ill or injured during active duty.



Medical Leave

Own medical: Leave to care for an individual's own serious medical condition.



Safe Leave

Leave to help victims of domestic violence to remain safe.

State Benefits Summary

Six jurisdictions require disability benefits and five additional jurisdictions require medical leave and paid family leave benefits.

Statutory Disability Benefits and PFL

- California
- New Jersey
- New York
- Rhode Island
- Commonwealth of Puerto Rico
- Hawaii (SDI only)

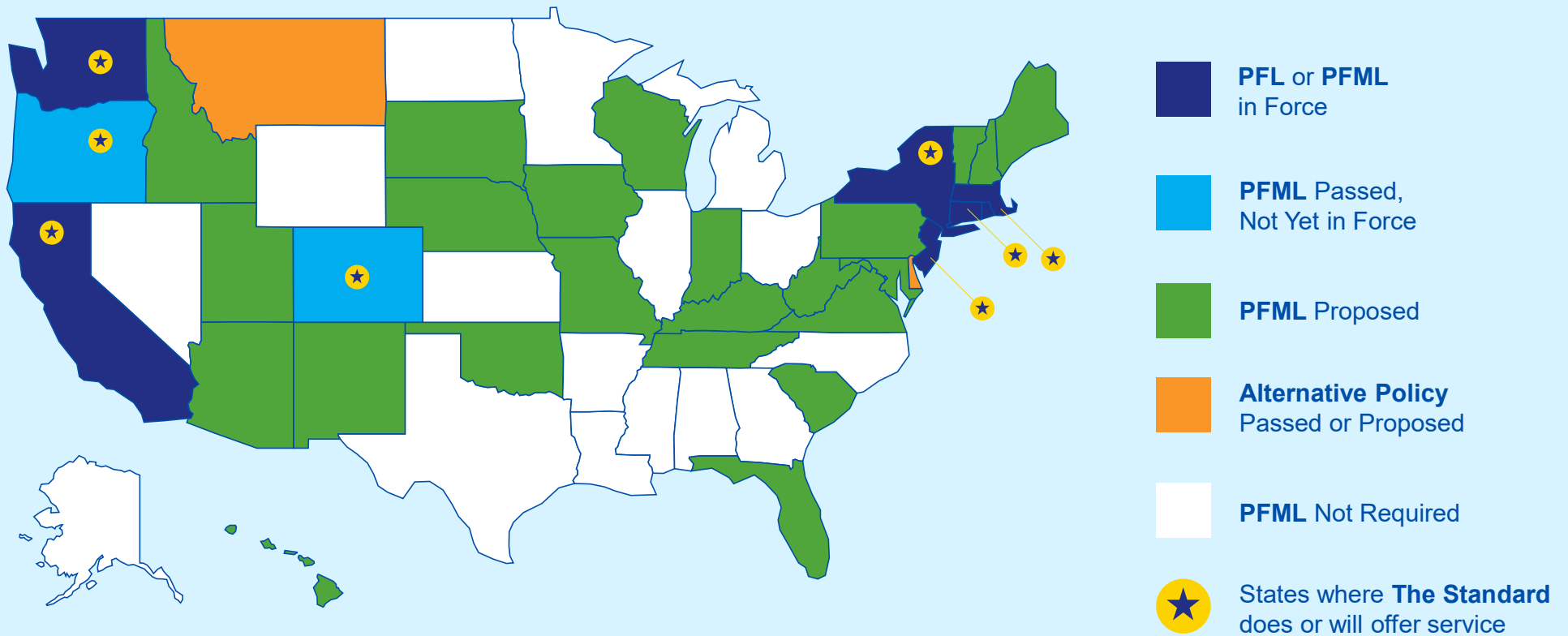
PFML

- Washington
- Washington, D.C.
- Massachusetts
- Connecticut
- Oregon

Visit our PFML interactive map on [standard.com](https://www.standard.com).



PFML Today — The Big Picture



Visit our PFML interactive map on standard.com.

Program Design — The Nuts and Bolts

There are similarities across PFML laws, but state governance gives variation to plan designs.

In some PFML states, percentage varies based on income. Lower earners get higher income replacement.

	Who's Covered	Who Pays	How Long	How Much
PFML/PFL	Most employees working in the state — often including seasonal, full-time, part-time and temporary workers	Employer or employee paid — sometimes sharing the cost	Depends on state or leave reason: benefit waiting period — zero or seven days and variable leave durations	Benefit percentage of earnings up to maximum
Statutory Disability	Most employees working in the state — often including seasonal, full-time, part-time and temporary workers	Primarily employee paid — some states require employer contribution	Varies based on state governance	Benefit percentage of earnings up to maximum
Short Term Disability	Typically benefit eligible / full-time employees	Employer or employee-paid	Duration varies based on plan design — typically shorter than six months. Benefit waiting period typically seven days	Benefit percentage based on plan design — typically 40-60% of regular wages

Generally, employers offer short-term disability coverage as a benefit.

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualified Family Members	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Employers with ≥ one employee and quarterly payroll of ≥ \$100</p> <p>Employee: Have earned at least \$300 from which state disability insurance deductions were withheld</p>	<p>Employer may choose to pay for all or part of the premiums</p> <p>Employee Contribution: 1.1% of earnings up to annual taxable wage base of \$145,600 <i>(2021: 1.2% of \$128,298)</i></p> <p>Annual Maximum Contribution: \$1,601.60 <i>(2021: \$1,539.58)</i></p>	<p>Seven-day benefit waiting period for disability</p> <p>No waiting period for paid family leave</p> <p>Maximum Benefit Period: PFL: Eight weeks in a 12-month period</p> <p>DI: 52 week maximum</p>	<ul style="list-style-type: none"> • Child • Parent • Parent-in-law • Grandparent • Grandchild • Sibling • Spouse • Registered domestic partner 	<p>SDI:</p> <ul style="list-style-type: none"> • Own medical <p>PFL:</p> <ul style="list-style-type: none"> • Bonding • Care of family • Needs arising from a family member's military deployment 	<p>60-70% of average wages earned</p> <p>Minimum Weekly Benefit: \$50</p> <p>Maximum Weekly Benefit: \$1,540</p> <p>Maximum Total Benefit: \$80,080 <i>(2021: \$70,564)</i></p>	<p>No, but state or federal protections like FMLA may apply</p>

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualified Family Members	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Employers with \geq one employee</p> <p>Employee: Employee must have earned at least \$2,325 in the highest quarter of the first four of the five most recent work quarter prior to leave</p>	<p>Plan is 100% employee-paid</p> <p>Rate: 0.5% of payroll, up to the Social Security wage cap</p>	<p>No Waiting period</p> <p>Maximum Benefit Period: 12 weeks in any 12-month period, plus up to two additional weeks for a serious health condition resulting in incapacity during pregnancy</p>	<ul style="list-style-type: none"> • Spouse • Sibling • Child • Grandparent • Grandchild • Parent • Or any individual related to the employee by blood or affinity 	<ul style="list-style-type: none"> • Own medical • Bonding • Care of family • Care of family member need resulting from active duty • Safe leave (up to 12 days available) 	<p>Plan provides 95% of the CT minimum wage if employees wages are \leq or equal to the CT minimum age multiplied by 40</p> <p>Maximum Weekly benefit: 1/1/22: \$780 7/1/22: \$840 6/1/23: \$900</p>	<p>No, but state or federal protections like FMLA may apply</p>

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualified Family Members	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Any employer that pays unemployment insurance taxes for its employees must comply</p> <p>Employee: Must work for a D.C. employer performing 51% or more of work services in D.C.</p>	<p>Funded by an employer-paid quarterly payroll tax of 0.62% of covered employee wages</p> <p><i>(0.26% effective July 1, 2022)</i></p>	<p>Benefit Waiting Period: Seven days</p> <p>Maximum Benefit Period: Total of 8 weeks combined <i>(12 weeks effective July 1, 2022)</i></p> <p>Parental Leave: 8 weeks <i>(12 weeks effective July 1, 2022)</i></p> <p>Family and Own Serious Health Condition: 6 weeks <i>(12 weeks effective July 1, 2022)</i></p> <p>Prenatal: Two weeks</p>	<ul style="list-style-type: none"> • Child • Parent • Parent-in-law • Grandparent • Spouse • Sibling • Sibling-in-law • Domestic partner 	<ul style="list-style-type: none"> • Own medical • Care of family • Bonding 	<p>Based on an employee's individual average weekly wage from the highest four out of last five quarters, divided by 52</p> <p>Maximum Weekly Benefit: \$1,009</p>	<p>No, but state or federal protections like FMLA may apply</p>

District of Columbia

Bill prohibits insurers from reducing insured STD policies based upon estimated or *actual* benefits received through their PFML program.



Possibility for other states to emulate this type of law?



Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Employers with ≥ one employee</p> <p>Employee: Must have worked for at least 14 weeks at 20 hours or more per week in the preceding 52 weeks and have not earned less than \$400 in the 52 weeks preceding disability</p>	<p>Cost is shared between employer and employee but not more than 0.5% of employee weekly wages to a maximum of \$6.00 and taxable wage base of \$1,200.30</p> <p><i>(2021: maximum of \$5.51 in weekly wages and taxable wage base of \$1,102.90)</i></p>	<p>Benefit Waiting Period: Seven days</p> <p>Maximum Benefit Period: 26 weeks during the benefit year (calculated from the date disability begins)</p>	<p>Own medical</p> <p><i>The legislature is also currently reviewing whether they will add a form of paid family leave to their existing disability program.</i></p>	<p>58% of average weekly earnings</p> <p>Maximum Weekly Benefit: \$697 <i>(2021: \$640)</i></p>	<p>No, but state or federal protections like FMLA may apply</p>

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualified Family Members	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Private employers with ≥ one employee must comply</p> <p>Employee: Must have earned at least \$5,700 during the last four completed calendar quarters <i>(2021: \$5,400)</i></p>	<p>Can be fully employer-paid or shared; 100% of family and 40% of medical can be employee paid</p> <p>Rate: 0.68% 0.56% for Medical 0.12% for Family</p> <p><i>(2021: 0.75% 0.62% for Medical 0.13% for Family)</i></p> <p>Contribution maximum is capped at Social Security wage cap</p>	<p>Benefit Waiting Period: Seven days</p> <p>Maximum Benefit Period: 26 weeks in any benefit year</p> <p>Paid Medical Leave: 20 weeks</p> <p>Paid Family Leave: 12 weeks</p> <p>Care of a Service Member: 26 weeks</p>	<ul style="list-style-type: none"> • Spouse • Domestic partner • Children • Parents • Spouse or domestic partner's parents • Grandchildren • Grandparents • Siblings 	<ul style="list-style-type: none"> • Own medical • Bonding • Care of family • Care of military member • Military exigency 	<p>80% of the covered individual's average weekly wage up to 80% of half of the state average weekly wage</p> <p>50% of the portion of the covered individual's average weekly wage that is above half of the state average weekly wage</p> <p>SAWW: \$1,694.24 <i>(2021: \$1,487.78)</i></p> <p>Maximum Weekly Benefit: \$1,084.31 <i>(2021: \$850)</i></p>	<p>Yes</p>

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: All employers with employees working in New Jersey must comply</p> <p>Employee: Must have earned at least \$240 per week for 20 calendar weeks during the 52-week base year or earned \$12,000 in a base year</p>	<p>Employee: 0.14% on \$151,900 wage limit <i>(2021: .47% on \$138,200)</i></p> <p>Employer: Remaining portion of the total rate based on \$39,800 wage base <i>(2021: \$36,200)</i></p> <p>Maximum Annual Employee Contribution: \$212.66 <i>(2021: \$649.54)</i></p> <p><i>Rate for new employers: 0.5% (set by the state)</i></p>	<p>Benefit Waiting Period: Seven days</p> <p>Maximum Benefit Period: 26 weeks in a 52-week period</p>	<p>Own medical</p>	<p>85% of the average weekly wage (AWW)</p> <p>AWW calculated by dividing base year by number of base weeks</p> <p>A base week is any week the employee earns \$240 or more. <i>(2021: \$220)</i></p> <p>Weekly Maximum: \$993 <i>(2021: \$903)</i></p>	<p>Yes</p>

Employer Minimum	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualified Family Members	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
Employers with ≥ one employee for at least 30 days in a calendar year who earn a minimum of \$1,000 annually	<p>100% Employee-paid</p> <p>Rate: 0.14% on the \$151,900 wage limit <i>(2021: 0.28% of \$138,200)</i></p> <p>Maximum Annual Contribution: \$212.66 <i>(2021: \$386.96)</i></p>	<p>Benefit Waiting Period: None</p> <p>Maximum Benefit Period: 12 consecutive weeks or 56 intermittent days during a 12-month period</p>	<ul style="list-style-type: none"> • Parents • Spouse • Children • Parents-in-law • Siblings • Grandparents • Grandchildren • Domestic partner • Any other individual related by blood • Anyone you consider family 	<ul style="list-style-type: none"> • Bonding • Care of family • Safe leave 	<p>85% of average weekly wage</p> <p>Maximum Weekly Benefit: \$993 <i>(2021: \$903)</i></p>	No, but state or federal protections like FMLA may apply

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Private employers with ≥ one employee for 30 days in a calendar year</p> <p>Employee: Full-time employees who work in New York and maintain a regular schedule of 20 or more hours per week; or a part-time employee who has worked at least 175 days</p>	<p>DBL Contribution Rate: 0.5% of 1% of wages, not to exceed sixty cents per week; remaining rate is paid by employer</p>	<p>DBL BWP: Seven days</p> <p>DBL Maximum Benefit Period: No more than 26 weeks during any consecutive 52-week period</p>	<p>Own medical</p>	<p>50% of average weekly wage</p> <p>Minimum Weekly Benefit: \$20 <i>(2021: \$20)</i></p> <p>Maximum Weekly Benefit: \$170 <i>(2021: \$170)</i></p> <p>Maximum Annual Benefit: \$4,420 <i>(2021: \$4,420)</i></p> <p>Maximum Weekly Benefit Under COVID-19 Quarantine Benefit: \$2,043.92</p>	<p>No, but federal protections like FMLA may apply</p>

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualified Family Members	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Employers subject to offering DBL are subject to offering PFL</p> <p>Employee: Full-time employees who work a regular schedule of 20 or more hours per week after 26 weeks; or a part-time employee who's worked at least 175 days</p>	<p>100% employee paid</p> <p>Rate: 0.511% of taxable wages <i>(2021: 0.511%)</i></p> <p>Annual Maximum Contribution: \$423.71 <i>(2021: \$385.34)</i></p> <p>Annual Wage Cap: \$82,914.64 <i>(2021: \$75,408.84)</i></p>	<p>BWP: No elimination period</p> <p>PFL Maximum Benefit Period: 12 weeks (26 weeks when combined with DBL time) in a consecutive 52-week period</p>	<ul style="list-style-type: none"> • Spouse • Domestic partner • Children or anyone for whom you have legal custody • Parents and stepparents • Parents-in-law • Grandparents • Grandchildren <p><i>January 1, 2023: Paid Family Leave will include an employee's biological, adopted, step and half-sibling(s).</i></p>	<ul style="list-style-type: none"> • Bonding • Care of family • Assist loved ones when a spouse, domestic partner, child or parent is deployed abroad on active military service 	<p>67% of state average weekly wage (SAWW)</p> <p>Maximum Weekly Benefit: \$1,068.36 <i>(2021: \$971.61)</i></p> <p>NY SAWW \$1,594.57 <i>(2021: \$1,450.17)</i></p>	<p>Yes</p>

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Have or have had \geq one employee during any day of the current or preceding calendar year must comply</p> <p>Employee: Must have earned at least \$150 in covered wages during the first four of the last five calendar quarters prior to disability</p>	<p>Shared contribution plan</p> <p>Employer may choose to pay the entire premium or evenly split with employees</p> <p>Rate: 0.6% of annual earnings, capped at \$9,000</p>	<p>Benefit Waiting Period: Seven days</p> <p>Maximum Benefit Period: 26 weeks during any benefit year</p>	<p>Own medical</p>	<p>65% of weekly earnings</p> <p>Minimum Weekly Benefit: \$12</p> <p>Maximum Weekly Benefit: \$113</p> <p>Maximum Weekly Benefit for Agricultural Workers: \$55</p>	<p>Yes, if certain conditions are met</p>

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Has ≥ one employee who work in the state of Rhode Island and must earn more than \$1,000 per calendar quarter must comply</p> <p>Employee: Must earn at least \$13,800 in the first base period wages</p>	<p>100% employee-paid</p> <p>Rate: 1.1% of the first \$81,500 of annual earnings</p>	<p>Benefit Waiting Period: No waiting period but disability must extend for at least seven days for benefits to kick in</p> <p>Maximum Benefit Period: 30 weeks in any benefit year for TDI. TCI allows for five weeks of benefits however, any time used will reduce maximum benefit period of applicable TDI benefits <i>(2021: four weeks)</i></p>	<p>TDI:</p> <ul style="list-style-type: none"> • Own medical <p>TCI:</p> <ul style="list-style-type: none"> • Bonding • Care of family 	<p>4.62% of total high base period quarter earnings</p> <p>Maximum Weekly Benefit: \$978</p>	<p>TDI: No, but state and federal protections like FMLA may apply</p> <p>TCI: Yes</p>

As of July 1, 2021, law requires certain Virginia STD policies provide at least 12 weeks of benefits during periods of disability immediately following childbirth.



No Benefit Waiting Period (BWP) can be applied, and the Maximum Benefit Period will be extended to accommodate 12 weeks of benefits.



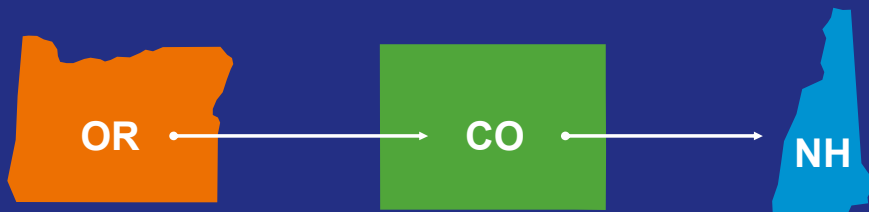
The legislature is currently evaluating whether to make additional changes to this law, we're still reviewing the potential impact.

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualified Family Members	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Has ≥ one employee in the state must comply</p> <p>Employee: Must have worked a minimum of 820 in Washington during their qualifying period</p> <p><i>Additional COVID eligibility conditions may apply.</i></p>	<p>Shared Contribution Plan:</p> <ul style="list-style-type: none"> • Employer contributes 26.78% <i>(2021: 36.67%)</i> • Employee contributes 73.22% <i>(2021: 63.33%)</i> <p>Rate: 0.6% of employee's wages up to Social Security maximum wage cap <i>(2021: 0.4%)</i></p>	<p>Benefit Waiting Period: Seven days for illness or injury; no waiting period for birth or placement of a new child</p> <p>Maximum Benefit Period: 12 weeks during a 52-week benefit year</p> <p>Employees are eligible for up to 16 weeks of leave when family and medical leave are used in combination</p>	<ul style="list-style-type: none"> • Spouse • Domestic partner • Children (including biological, adopted, foster or stepchild) • Parents or your spouse's parents • Siblings • Grandchildren • Grandparents or your spouse's grandparents • Son-in-law or daughter-in-law • Others who regularly reside in employee's household 	<ul style="list-style-type: none"> • Own medical • Bonding • Care of family • Military family 	<p>Earnings 50% or less than the SAWW: 90% of average weekly earnings</p> <p>Earnings more than 50% of the SAWW: 90% of half of the SAWW plus 50% of the difference between the employee's average weekly wage and half of the SAWW</p> <p>Minimum Weekly Benefit: \$100 <i>(2021: \$100)</i></p> <p>Maximum Weekly Benefit: \$1,327 <i>(2021: \$1,206)</i></p>	<p>Yes</p>

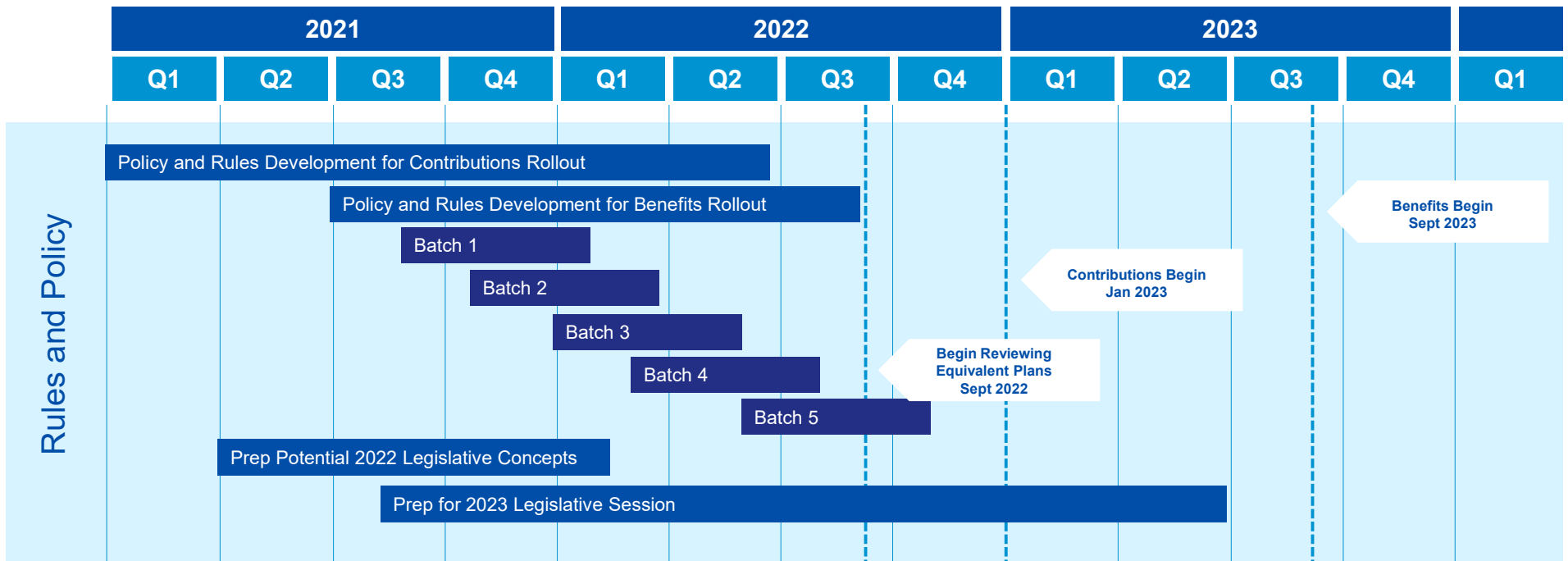
Need more fun?

Let's add a few more states!

	Law Passed	Deductions Begin	Benefits Payable
OR	August 9, 2019	January 1, 2023	September 3, 2023
CO	November 3, 2020	January 1, 2023	January 1, 2024
NH	July 1, 2021	RFP on March 31, 2022	January 1, 2023



Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualified Family Members	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Employers must participate unless they have an approved equivalent plan</p> <p>Employee: Must have earned \$1,000 or more in the year prior to filing a claim</p>	<p>Shared Contribution Plan:</p> <ul style="list-style-type: none"> Employee contributes 60% Employer contributes 40% <p>Annual Wage Cap: 1% of employees wages up to CPI-U West Region maximum wage cap of \$132,900</p>	<p>Benefit Waiting Period: None</p> <p>Maximum Benefit Period: 12 weeks</p> <p>Two additional weeks may be granted due to pregnancy complications</p>	<ul style="list-style-type: none"> Spouse Child Parent Parent-in-law Sibling or step-sibling Grandparent Grandparent-in-law Grandchild Domestic partner Any other individual related by blood or affinity 	<ul style="list-style-type: none"> Own medical Care of family Bonding Safe leave 	<p>Employees earning equal to or less than 65% of the SAWW will receive 100% of wages</p> <p>Employees earning greater than 65% of the SAWW: 65% of SAWW (\$810.63) plus 50% of employees AWW that is above 65% of the SAWW</p> <p>State Average Weekly Wage: \$1,147.05 for July 1, 2021, through June 30, 2022</p> <p>Minimum Benefit: 5% of the SAWW = \$57.35</p> <p>Maximum Benefit: 120% of the SAWW = \$1,376.46</p>	<p>Yes</p>



- Batch 1 rules were finalized and filed with Oregon Secretary of State (SOS) on January 31, 2022.

Wages

- Bonuses, fees and prizes are wages if paid or given to an employee as compensation or reward.
- Disability Payments and Accident Compensation when an employer continues the payment of wages during a disability period or pays the difference between benefits received and the employee's regular wage.
- Dismissal or separation allowances; Paid time off; Holiday pay; Sick pay; or Vacation pay.
expenses. **Not considered wages:** Cafeteria Plans, Corporate Officer and Shareholder Dividends, Lump Sum accident compensation, Pensions, Jury Pay, Gifts, Incidental

Contributions

- Annually, the department determines the Paid Family and Medical Leave Insurance (PFMLI) contribution rate and announced by November 15 each year effective for the following calendar year.
- The maximum wage amount for 2023 is \$132,900.

Employer Size

- Employer size means the average number of employees employed in a 12-month period. Large employer whose employer size is 25 or more employees. Small employer less than 25 employees.
- Beginning on January 1, 2023, employer size is determined by April 30, based on the employee count reported for the first quarter of 2023. Notices on employer size shall be sent by the department to the employer by June 1.
- For new Oregon employers, employer size for the first calendar year is determined by the employee count for the first quarter employees are reported. Notice on employer size shall be sent by the department to the employer within 45 days of the submission of the employer's first quarterly report.
- Self-employed individuals may elect coverage under the PFMLI program, at any time, if the individuals earn at least \$1,000 in Oregon in the preceding calendar year.

Assistance Grants

- Employers may apply for assistant grants after an eligible employee files for leave and no later than four months following the last day of employees leave and if approved pay employer contributions for a period of eight consecutive calendar quarters beginning with the first calendar quarter after the most recent grant is approved.
- Grants shall be repaid if, within three years of receiving a grant. Employer size is determined to be a large employer at the time of the employees leave or grant application was inaccurate or fraudulent.

Batch 2 Rules – Equivalent Plans

- Rules Advisory Committee (RAC) meetings were held on December 2 and December 7, 2021.
- Public hearings were held February 23 and February 28, 2022; Public comment was due on March 1, 2022.
- Permanent rules are to be filed with Oregon Secretary of State (SOS) in April 2022

“Equivalent plan” means a Paid Family and Medical Leave Insurance (PFMLI) plan approved by the department that provides benefits that are equal to or greater than the benefits provided by the Oregon PFMLI program.

- An employer must submit and have an application approved before offering an equivalent plan and pay a \$250 application fee.
- Plan requirements
 - Cover all employees continuously employed for 30 days including full-time, part-time and temporary.
 - Provide weekly benefits equal or greater than benefits covered by the state.
 - Make reasonable effort to issue the first payment of benefits within two weeks of receiving the claim or start of leave, whichever is later.
- Reporting Requirements
 - Must retain all reports, information, and records related to the equivalent plan and any leave applications and benefits paid or denied for six years.
- Termination
 - Department may terminate an equivalent plan due to misuse of employee contributions or failure to adhere to program requirements.

Batch 3 Rules - Benefits

- Rules Advisory Committee (RAC) meetings were held March 10 and March 17, 2022.
- Draft rules will be published in OR Bulletin May 1, 2022.
- Public hearings will be May 19 to May 30, 2022; Public comment is due May 31, 2022.
- Permanent rules are to be filed with Oregon Secretary of State SOS in July 2022.

Batch 4 Rules – Appeals Process

- Rules Advisory Committee (RAC) meetings and public hearing dates have not been announced.

Batch 5 Rules – Miscellaneous (Benefits, Contributions, Equivalent Plans, etc.)

- Rules Advisory Committee (RAC) meetings and public hearing dates have not been announced.
- Final batch rules anticipated to be filed with the Oregon Secretary of State (SOS) in October 2022.

Effective January 1, 2024
Rulemaking still underway – Stay tuned

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualified Family Members	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Employees who have worked ≥ 180 days and who earned ≥ \$2,500 in wages are eligible</p> <p>Employee: Must have worked for 12 months prior to the date of leave</p> <p><i>Employers with nine or fewer employees are exempt.</i></p>	<p>Split cost between employer and employee</p> <p>Initial contribution is 0.09% of wages per employee</p> <p>Deductions begin January 1, 2023</p>	<p>Benefit Waiting Period: None</p> <p>Maximum Benefit Period: 12 weeks of PFML; additional four weeks for pregnancy complications</p>	<ul style="list-style-type: none"> • Parent • Child • Spouse • Stepparents • Grandparents • Siblings • Those with a significant personal bond 	<ul style="list-style-type: none"> • Own medical • Bonding • Care of family • Military call to duty • Military caregiver (within five years from start of treatment) 	<p>90% of the average weekly wage for those that earn ≤ 50% of the state's average weekly wage; 50% of wages exceeding 50% of the state's average weekly wage</p> <p>Maximum Weekly Benefit: \$1,100</p>	<p>Yes</p>

New Hampshire

Granite State PFL Plan

Signed into Law June 25, 2021
Benefits Vendor RFP Released March 28, 2022
Effective January 1, 2023

The Standard / 28

Eligibility	Plan Contributions	Benefit Waiting & Maximum Benefit Periods	Qualified Family Members	Qualifying Leave Reasons	Wage Replacement	Provides Job Protection
<p>Employer: Mandatory for state employers. Private employers and non-state public employers may opt-in to the coverage from the carrier awarded the state's business or offer benefits with an authorized benefits vendor of their choice.</p> <p>Employee: Employees working for an employer that does not provide coverage will be able to purchase coverage through the purchasing pool.</p>	<p>Employee: Paid through payroll deductions for individual purchasing pool</p> <p>Employer: Private employers can choose to pay the full premium at no cost to their employees or co-pay part of the premium</p>	<p>Benefit Waiting Period: Variable</p> <p>Fully Insured: None</p> <p>Purchasing Pool: Seven-month waiting period, a one-week elimination period and a 60-day open enrollment period</p> <p>Maximum Benefit Period: Six weeks</p>	<ul style="list-style-type: none"> • A child, a biological, adoptive, or foster parent, stepparent, or legal guardian of the child or the child's spouse or domestic partner • A biological, adoptive, or foster grandparent or step grandparent. • A spouse or domestic partner 	<ul style="list-style-type: none"> • Own medical • Bonding • Care of family • Military call to duty • Military caregiver <p>Individuals who purchase coverage through the purchasing pool (because their employer does not offer it)</p> <ul style="list-style-type: none"> • Same absence reasons for PFL listed above, plus • Medical leave, where the employer does not offer short term disability insurance 	60% wage replacement, up to the applicable Social Security taxable wage minimum	Yes

What's Next?



Leaders of large organizations, like Melinda Gates of the Bill & Melinda Gates Foundation and Pivotal Ventures, have called on Congress and the United States to expand access to and enact a national policy.*

*Source: <https://www.pivotalventures.org/newsroom/melinda-french-gates-paid-leave-time>

Overview of Federal Movement

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Building and Economy for Families Act

- Draft proposal introduced on April 26.
- Considered the House's alternative starting place for federal PFML legislation instead of the FAMILY Act.



REJECTED

American Families Plan

- Introduced by President Biden on April 27.
- Calls for a government program to provide 12 weeks of paid parental, family, personal illness and "safe" leave.



REJECTED

Build Back Better Act

- Passed by the U.S. House.
- Four weeks of paid parental, family, personal illness and "safe" leave.
- Wouldn't supersede in-force Statutory Disability and PFML laws.
- Legislation is unlikely to be approved by the Senate.



Rejection of the Federal **Build Back Better Act** may encourage new states to pass Statutory and PFML programs. Potentially increasing the development of employer PFML plans.

Quick Guide to Private Plan Options

State	Type	Available Plans	Private Plan Options	Standard Offering
CA	SDI, PFL	State and Voluntary	Self-Insured	Yes, 1/1/23
CO	PFML	State and Private	Self-Insured & Fully-Insured	In review
CT	PFML	State and Private	Self-Insured & Fully-Insured	Yes
DC	PFML	District Only	NA	No
HI	SDI	Private Plan	Self-Insured & Fully-Insured	Yes, through partner
MA	PFML	State and Private	Self-Insured & Fully-Insured	Yes
NH	PFL	State and Private	TBD, single carrier likely with limited private plan options	No
NJ	TDB, FLI	State and Private	Fully-Insured (FLI not available in private market)	Yes
NY	DBL, PFL	State and Private	Self-Insured & Fully-Insured	Yes
OR	PFML	State and Private	Self-Insured & Fully-Insured	Yes
PR	DI	State and Private	Self-Insured & Fully-Insured	No
RI	TDI, TCI	State Only	NA	No
WA	PFML	State and Private	Self-Insured	Yes

Private Carriers

Why choose a private carrier?



Ease of administration and seamless benefit integration with STD and LTD.



Confidence in the carrier's financial strength and claims payment ability.



Employers who are insuring and/or outsourcing their programs give private carriers higher ratings on managing complexities.*

Why choose The Standard?

- **We know Disability and Leaves**
- **Fast claim adjudications**
Paid typically within 3-5 days of receipt of all necessary documentation
- **Absence management support**
- **Private Plan program compliance support**
- **Custom actuarial analysis and advice**
- **Consulting with brokers and employers to proactively educate and support customers**

* National data from the *Paid Leave Employer Readiness Study*, The Standard, February 2020

Employers' Top Concerns

Compliance with federal, state and municipal regulations is a top concern for more than half of all employers, regardless of industry and size.

Many agree that **properly administering and managing lost time is a top priority**, including FMLA, incidental absences, STD, worker's compensation and the ADAAA.

Less than half have a strategy for administering leaves and disabilities, both occupational and non-occupational (absence management).

PFML alone may not provide enough income replacement, especially for higher wage earners.

PFML benefits are often lower than STD benefits and we are advising employers on ways to maximize their benefits.

Possible Changes to Benefit Plan Designs

With several state plans increasing employer-mandated payments, employers may consider:



Changing benefit plan designs

Eliminating or reducing benefits to pay for new state-mandated plans:

- PTO
- Moving to a higher-deductible medical plan
- Moving to more employee-paid/voluntary benefits
- Increase STD benefits for high-earners or total group
- LTD waiting period alignment with PFML benefit durations



Trying to adjust all plans to match a current state plan

- But as new states pass legislation, their plans may be more or less generous
- An employer's unified plan design could then be out of compliance

Ask the Experts!

PFML Resource Center

www.standard.com/employer/products-services/insurance-benefits/pfml-insights

Relatively Speaking PFML Blog

www.standard.com/employer/paid-family-leave

The Standard's Interactive PFML Map

www.standard.com/employer/products-services/insurance-benefits/states-paid-family-leave

State Disability and Paid Family Leave Quick Reference Guide

www.standard.com/eforms/19866.pdf

Go to the state PFML page for additional plan details or state-specific questions

CA – www.edd.ca.gov/disability/paid_family_leave.htm

CO – <https://famli.colorado.gov/>

CT – www.ctpaidleave.org

D.C. – www.does.dc.gov/page/dc-paid-family-leave

MA – www.mass.gov/orgs/departement-of-family-and-medical-leave

NJ – www.myleavebenefits.nj.gov/worker/fli/

NY – www.paidfamilyleave.ny.gov and <http://www.wcb.ny.gov/content/main/DisabilityBenefits/employee-disability-benefits.jsp>

OR – www.Oregon.gov/employ/pfml/pages/default.aspx

RI – www.dlt.ri.gov/tdi/

WA – www.paidleave.wa.gov

INDUSTRY EMPLOYER RESOURCES

Disability Management Employer Coalition (DMEC) www.dmec.org

Society of Human Resource Management (SHRM) www.shrm.org

Thank You.





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The Standard's Statutory Program Offerings



CALIFORNIA

Offering VDI and PFL for coverage dates of 1/1/23 or later



NEW JERSEY

Offering SDI (TDB) only



RHODE ISLAND

No private plans allowed



NEW YORK

Offering SDI (DBL) and PFL



NEW HAMPSHIRE

No offering



WASHINGTON

Offering PFML (self-funded only, per state law)



MASSACHUSETTS

Offering PFML (self-funded and insured)



CONNECTICUT

Offering PFML (self-funded and insured)



OREGON

Offering PFML beginning 9/3/23 (self-funded and insured)



WASHINGTON, D.C.


No private plans allowed



COLORADO

In review

 Current or future offering

 Not offering