

Statutory Leave Benefit Guide

Introduction

This **Statutory Leave Benefit Guide** outlines certain features of the laws in the eleven jurisdictions including key dates for new states' implementations.

- Six jurisdictions have laws which require employers to provide disability benefits for non-occupational disabilities: California, Hawaii, New Jersey, New York, Rhode Island, and the Commonwealth of Puerto Rico.
- Five additional jurisdictions have passed laws which require employers to provide medical leave and paid family leave benefits: Washington, Washington DC (DC), Massachusetts, Connecticut, and Oregon.

MetLife has products that employers can utilize to help comply with the mandated disability requirements in Hawaii, New Jersey, New York, and Puerto Rico. And to comply with the mandatory Paid Family and Medical Leave (PFML) requirements in Washington and Massachusetts.

At a minimum, MetLife will provide self-insured administrative services in Connecticut and Oregon which have start dates of 2022 and 2023 respectively.

For more information regarding the MetLife PFML Statutory programs, please refer to our companion pieces including the **PFML Overview** and the **Highlights of Statutory Compliance**

Table of Contents

California	3
Connecticut	5
DC	7
Hawaii	9
Massachusetts	11
New Jersey	13
New York	15
Oregon	17
Puerto Rico	19
Rhode Island	21
Washington	23

California

<https://www.edd.ca.gov/disability/>

Date law enacted	Disability Insurance (DI) Start Date: 1946 Family leave Insurance: Start Date: 2004 (Enhancements 2020)
Benefits can be used for	DI can be used for a worker's own serious off-the job illness or injury. Paid Family Leave (PFL) can be used to (1) bond with a child within one year of the child's birth or placement for foster care or adoption; or (2) care for a family member with a serious health condition. Beginning on January 1, 2021, PFL can also be used to address certain military family needs.
Type of law	Competitive between state fund and private plans — former automatic if latter not elected by employer, following approval by a majority of employees.
Approach used	Tax supported state fund provides benefits — like Unemployment Compensation, but Voluntary Plans may be substituted.
Types of private plans	Insured and self-insured plans exceeding state fund standards.
Limitations upon right to establish private plans	Must not result in substantial selection of risks adverse to the state fund.
Employee contributions	State or Private; not more than 1.0% of the first \$ \$122,909 of annual wages (i.e., a maximum of \$1,229.09).
Employer contributions required	State: None Private Plan: Balance of cost
Employers covered	Employers of one (1) or more and pay more than \$100 of wages in any quarter — same as Unemployment Compensation.
Employees excluded	Certain employees of certain non-profit organizations, railroad and government employees, real estate salesmen and others.
Religious exemptions	Members of any sector, etc., which depends for healing upon prayer in the practice of religion, upon filing waiver of benefits.
Employee eligibility requirements	Earnings in base year of not less than \$300, from which state DI taxes were withheld.
How benefits are computed	Wage replacement is: 60% for individuals who earn one-third or more of the State's Average Quarterly Wage; or 70% for individuals who earn less than one-third of the State's Average Quarterly Wage State Average Weekly Wage (SAWW) 1st Q 2020 \$1,325

California *(continued)*

Minimum weekly benefits	\$50.00
Maximum weekly benefits	\$1,300 (effective 1/1/20)
Maximum duration	Disability: 52 weeks PFL 6 weeks (8 weeks effective July 2020)
Waiting period	Disability: 7 days PFL: None
Maternity benefits	Pregnancy related disabilities treated as any other illness.
Effect of continued pay from employer during disability	Can still receive disability benefits for each day of disability in amount which, together with wages, does not exceed 1/7 of regular weekly wage immediately prior to disability.
State program benefits financed by	State Fund, which will be credited with a percentage of taxable wages paid to employees for each calendar year.
Post-employment	None
Job protection	None
Family leave covered relatives	Child, parent, grandparent, grandchild, sibling, spouse, or registered domestic partner

Connecticut

TBD

Date law enacted	Family and Medical Leave Insurance Act (FMLI) Enacted: 6/25/19 Employee Assessment begins: 1/1/2021 Benefits Start: 1/1/2022
Benefits can be used for	Medical Leave can be used for a worker's own serious health condition. Family Leave can be used to (1) bond with a child within one year of the child's birth or placement for foster care or adoption; (2) care for a family member with a serious health condition; (3) address certain military family needs; or (4) address needs relating to being a victim of family violence. Benefits begin between January 1 and February 1, 2022.
Type of law	Competitive between state fund and private plans — former automatic if latter not elected by employer, following approval by a majority vote of employees.
Approach used	Tax supported state fund provides benefits — like Unemployment Compensation, but Private Plans may be substituted.
Types of private plans	Insured and Self-insured Private Plans may be substituted.
Limitations upon right to establish private plans	Must not result in substantial selection of risks against state fund.
Employee contributions	Employee contributions begin 1/1/2021-Employee tax of 0.5% up to social security cap.
Employer contributions required	State: none Private Plan: balance of cost.
Employers covered	Employers with one or more employees, and includes any person who acts, directly or indirectly, in the interest of an employer to any of the employees of such employer and any successor in interest of an employer.
Employees excluded	Federal government, the state or a municipality, a local or regional board of education or a nonpublic elementary or secondary school, except that the state, municipal employer or local or regional board of education is an employer with respect to its covered public employees.
Religious exemptions	None
Employee eligibility requirements	Earnings at least \$2,325 during the highest earning quarter within the base period. The base period is (which is the first 4 of the 5 most recently completed quarters.) Can combine hours worked at more than one employer.
How benefits are computed	95% of a worker's base weekly earnings up to an amount equal to 40 times the state minimum wage and 60% of a worker's base weekly earnings above an amount equal to 40 times the state minimum wage, up to a cap of 60 times the minimum wage.

Connecticut *(continued)*

Minimum weekly benefits	None
Maximum weekly benefits	60 times the state minimum wage. Estimated benefits in 2022 is \$780 to \$840.
Maximum duration	Own Health and Family Leaves- 12 weeks; extra 2 weeks if complications to pregnancy within a 12 month period.
Waiting period	None
Maternity benefits	Certain pregnancy related health needs may receive up to an additional 2 weeks up to a total of 14 weeks in a 12-month period.
Effect of continued pay from employer during disability	Generally, employee may receive compensation concurrently with any employer-provided plan. Total compensation shall not exceed such covered employee's regular pay.
State program benefits financed by	State Fund to be created in 2021 from Employee contributions of no more than 0.5% of wages up to Social Security (SS) cap.
Post-employment	None
Job protection	Yes, if employed at least 3 months with same employer.
Family leave covered relatives	Spouse, sibling, child, grandparent, grandchild, parent, parent-in-law, or an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships.

District of Columbia

<https://dcpaidfamilyleave.dc.gov/>

Date law enacted	Universal Paid Leave (UPL) Benefits Assessment Starts: 4/1/2019 Tax Due to State: 7/1/2019 Benefit Start: 7/1/2020
Benefits can be used for	UPL can be used (1) for a worker's own serious health condition; (2) to bond with a child within one year of the child's birth or placement for foster care or adoption; or (3) to care for a family member with a serious health condition. Benefits begin on July 1, 2020.
Type of law	District run only — no private plans allowed in substitution
Approach used	Employer Tax
Types of private plans	None
Limitations upon right to establish private plans	Not Applicable
Employee contributions	None
Employer contributions required	0.62% of the wages of covered employees.
Employers covered	Any business performing services in the District of Columbia, that also pays Unemployment Insurance (UI) taxes for its employees, including non-profits and household employers that pay UI tax
Employees excluded	If an employer does not pay UI tax on an employee for a quarter, then the employee is excluded. (i.e. work less than 50% in DC or on temporary assignment). Federal government and DC employees also excluded.
Religious exemptions	None
Employee eligibility requirements	In general, at least 50% of work occurs in the District of Columbia for a covered DC-based employer. Has been a covered employee during at least one week during the 52 calendar weeks preceding the qualifying event for leave.
How benefits are computed	For employees who earn 150% or less of DC's minimum wage multiplied by 40: 90% of the employee's average weekly wage, up to the cap. For employees who earn more than 150% of DC's minimum wage multiplied by 40: (1) 90% of 150% of DC's minimum wage multiplied by 40 plus (2) 50% of the amount above 150% of DC's minimum wage multiplied by 40, up to the cap.
Minimum weekly benefits	None
Maximum weekly benefits	\$1,000

District of Columbia *(continued)*

Maximum duration	Combined max 8 weeks per 52 week period: Own health: 2 weeks Care for sick relative: 6 weeks Bonding: 8 weeks
Waiting period	1 week
Maternity benefits	Pregnancy-related disabilities treated as any other serious health condition
Effect of continued pay from employer during disability	Generally, sick pay and benefits may be received simultaneously.
State program benefits financed by	Employer Tax paid to the Department of Employment Securities (DOES) for District fund.
Post-employment	None
Job protection	No
Family leave covered relatives	Child, parent, parent-in-law, spouse, grandparent, sibling, or registered domestic partner.

Hawaii

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

Date law enacted	Temporary Disability insurance (TDI) Start Date: 1969
Benefits can be used for	TDI can be used for a worker's own serious off-the-job illness or injury.
Type of law	All Private Plan (no state fund or plan).
Approach used	Employer must provide benefits — like Workers' Compensation, but employees share cost.
Types of private plans	Insured and Self-insured plans equal to or exceeding statutory requirements and continuation of certain existing plans (collective bargaining).
Limitations upon right to establish private plans	None
Employee contributions	0.5% of their weekly pay up to maximum weekly wage base (\$1,119.44), to a maximum of \$5.60 per week.
Employer contributions required	Balance of cost.
Employers covered	All employers.
Employees excluded	Certain domestic servants, non-profit organization employees and others referenced in the statute.
Religious exemptions	Ministers or member of religious order employed by a nonprofit organization.
Employee eligibility requirements	At least 14 weeks of Hawaii employment, during each of which the employee was paid for 20 hours or more and earned at least \$400 during the 52 weeks immediately before the disability. The 14 weeks can be with multiple employers and does not need to be consecutive.
How benefits are computed	58% of average weekly earnings, up to the cap.
Minimum weekly benefits	If employee's average weekly wage is less than \$26, weekly benefit amount is the average weekly wage, up to \$14.
Maximum weekly benefits	\$650 in 2020.
Maximum duration	26 weeks for any disability or within a benefit year.

Hawaii *(continued)*

Waiting period	7 days
Maternity benefits	Pregnancy related disabilities treated as any other illness.
Effect of continued pay from employer during disability	No disqualification from benefits, but salary continuance may be used as part of compliance with benefit provisions of the law.
State program benefits financed by	Special fund created July 1, 1969, from employer contribution of 0.2% of covered wages. Levy on employers or insurers when balance is below \$500,000.
Post-employment	2 weeks
Job protection	No
Family leave covered relatives	Not applicable

Massachusetts

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

Date law enacted	Paid Family and Medical Leave(PFML) Enacted 6/20/2018 Premiums start 10/1/2019 Benefits start 1/1/2021
Benefits can be used for	Medical Leave can be used for a worker's own serious health condition. Family Leave can be used to (1) bond with a child within one year of the child's birth or placement for foster care or adoption; (2) care for a family member with a serious health condition; or (3) address certain military family needs. Benefits begin on January 1, 2021, except for benefits for family caregiving, which will begin on July 1, 2021.
Type of law	Competitive between state fund and private plans — former automatic if latter opt out not elected by employer.
Approach used	Employee and Employer contributions.
Types of private plans	Insured and Self-insured Private Plans may be substituted. Private plans may cover Medical Leave only; Family leave only; or combined Family and Medical Leave coverage.
Limitations upon right to establish private plans	None
Employee contributions	Employee contributions: up to 40% of medical rate (deducted from wages by employer) and up to 100% of family leave benefits up to state set maximums.
Employer contributions required	Employer contributions up to 60% of medical rate or balance of costs for private plan.
Employers covered	Employers of one (1) or more on any day in current or previous calendar year.
Employees excluded	Services performed for son, daughter or spouse, those under 18, services performed by inmates of penal institution, railroad workers, real estate brokers, commission only workers, newspaper sales, work-study students, religious workers.
Religious exemptions	Employment by churches and certain religious organizations are exempt.
Employee eligibility requirements	Minimum earnings of \$4,700 during the base period (last 4 completed quarters or 3 most recent with partial 4th quarter) and must meet an earnings requirement tied to the worker's average earnings that, generally, means the worker must have worked about 15 weeks. Can combine hours worked at more than one employer.
How benefits are computed	80% of a worker's average weekly wage up to an amount equal to 50% of the statewide average weekly wage and 50% of a worker's average weekly wage above an amount equal to 50% of the statewide average weekly wage.

Massachusetts *(continued)*

Minimum weekly benefits	None
Maximum weekly benefits	\$850
Maximum duration	Own health: up to 20 weeks Family leave and military exigency: up to 12 weeks, Military Family care: up to 26 weeks Combined 26 weeks max
Waiting period	7 days
Maternity benefits	Pregnancy related disabilities treated as any other serious health condition.
Effect of continued pay from employer during disability	Employee may receive compensation concurrently with any employer-provided plan. Total compensation shall not exceed such covered employee's regular pay.
State program benefits financed by	State Fund created in January 2020 from Employee and Employer contributions.
Post-employment	Yes, 26 weeks post termination.
Job protection	Yes
Family leave covered relatives	Spouse, domestic partner, child, parent, parent of a spouse or domestic partner (registration not required), grandchild, grandparent, or sibling.

New Jersey

<https://myleavebenefits.nj.gov/>

Date law enacted	Temporary Disability Insurance (TDI) Plan Start Date: 1948 (revised 2019) Family Leave Insurance (FLI) Start Date: 2009 (revised 2019)
Benefits can be used for	TDI can be used for a worker's own serious off-the-job illness or injury. FLI can be used to (1) bond with a child within one year of the child's birth or placement for foster care or adoption; (2) care for a family member with a serious health condition; or (3) address certain nonmedical needs arising from domestic or sexual violence, also known as "safe time."
Type of law	Competitive between state fund and private plans — former automatic if latter not elected by employer and, if contributory, by majority of employees.
Approach used	Tax supported state fund provides benefits — like Unemployment Compensation, but private plans may be substituted.
Types of private plans	Insured and self-insured plans equaling or exceeding state fund standards, and continuation of certain other existing plans.
Limitations upon right to establish private plans	Private plan cannot exclude any class of employees, determined by age, sex, race, or wages.
Employee contributions	TDI: 0.26% of maximum subject wages (\$134,900 effective 1/1/2020). Maximum of \$350.74. FLI: 0.16% of maximum subject wages (\$134,900 effective 1/1/2020). Maximum of \$215.84.
Employer contributions required	State: 0.10% - 0.75% of maximum subject wages (\$35,300 effective 1/1/20), determined annually. Also subject to experience rating. Private Plan: Balance of cost. FLI: no ER contribution
Employers covered	Employers of 1 or more who pay \$1,000 or more in total wages — same as Unemployment Compensation.
Employees excluded	Federal government employees, out-of-state employees, and workers that are not technically employees (such as contractors).
Religious exemptions	Members of any sector, etc., which depends for healing upon prayer or other spiritual means upon filing waiver of benefits.
Employee eligibility requirements	In 2020, either 20 base weeks of work in covered employment during base year with earnings of at least \$200 in each week (equivalent to 20 times the minimum wage); or \$10,000 of annual earnings.
How benefits are computed	2/3 average weekly wage subject to a maximum of 53% of statewide average remuneration (determined annually). 1/1/2020 through 6/30/2020. 85% of average weekly wage, subject to a maximum of 70% of the statewide average weekly wage. (7/1/2020 and beyond)

New Jersey *(continued)*

Minimum weekly benefits	None
Maximum weekly benefits	\$667 After 6/30/2020: \$881
Maximum duration	TDI - 26 weeks with respect to any 1 period of disability FLI - 6 weeks leaves beginning before 7/1/2020 12 weeks after 7/1/2020
Waiting period	Disability: 7 days for each disability, but if benefits are payable for 3 consecutive weeks, then benefits become payable with respect to the first 7 days. Family: None
Maternity benefits	Pregnancy related disabilities treated as any other illness.
Effect of continued pay from employer during disability	Reduces benefits if benefits plus continued employer pay exceeds regular weekly wages.
State program benefits financed by	State Plan, which has custody of the Unemployment Disability Account which provides for employer assessment not to exceed 1/10 of 1% of taxable wages paid in preceding year if account has deficit over \$200,000.
Post-employment	2 weeks
Job protection	2019 amendment included anti-retaliation provisions.
Family leave covered relatives	Child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, registered domestic partner, civil union partner, any other person related to the worker by blood, and any other person that the worker shows to have a close association with the worker which is the equivalent of a family relationship.

New York

DBL: www.wcb.ny.gov/content/main/DisabilityBenefits/Employer/introToLaw.jsp

PFL: www.ny.gov/programs/new-york-state-paid-family-leave

Date law enacted	Disability Benefit Law (DBL): Start Date: 1949 Paid Family Leave (PFL): Start date: 1/1/2018
Benefits can be used for	DBL is disability insurance that can be used for a worker's own serious off-the-job illness or injury. PFL can be used to (1) bond with a child within one year of the child's birth or placement in foster care or adoption; (2) care for a family member with a serious health condition; or (3) address a family member's military exigency.
Type of law	Competitive between state fund and private plans — employer must choose.
Approach used	Employer required to provide benefits or obtain insurance coverage — like Workers' Compensation but employees responsible for the cost.
Types of private plans	Insured and self-insured plans equaling or exceeding statutory requirements and continuation of certain existing plans.
Limitations upon right to establish private plans	None
Employee contributions	DBL: 0.5% of employee's wages, but not in excess of \$.60 weekly. PFL: 0.270% of employees weekly wage and is capped at an annual maximum of \$196.72 in 2020. PFL coverage is paid 100% by employees.
Employer contributions required	DBL: Balance of cost PFL: No contribution
Employers covered	Employers of one (1) or more on each of at least 30 days in one calendar year.
Employees excluded	Certain elementary and high school day students, casual employees, employees of non-profit organizations and others referenced in the statute.
Religious exemptions	Members of a religious order which depends for healing upon prayer or other spiritual means upon filing waiver of benefits.
Employee eligibility requirements	DBL: generally four consecutive weeks of covered employment, not necessarily with current employer. PFL: employees with a regular work schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment. Employees with a regular work schedule of less than 20 hours per week are eligible after 175 days worked.
How benefits are computed	DBL: 50% of average weekly wage, subject to a maximum of \$170 (unchanged since 5/1/89). PFL: 60% of average weekly wage, subject to a maximum of \$840.70 in 2020 (will grow to 67% in 2021).

New York *(continued)*

Minimum weekly benefits	DBL: \$20, or average weekly wage, whichever is less PFL: \$100 or average weekly wage, whichever is less
Maximum weekly benefits	DBL: \$170 (unchanged since 5/1/89) PFL: \$840.70 in 2020
Maximum duration	Combined DBL/PFL 26 weeks PFL 10 weeks in 2020, 12 weeks in 2021
Waiting period	DBL: 7 days for each disability PFL: none
Maternity benefits	Pregnancy-related disabilities treated as any other illness.
Effect of continued pay from employer during disability	Generally, sick pay and benefits may be received simultaneously, though benefits may be reduced by other income benefits received. Cannot be on PFL and DBL at same time.
State program benefits financed by	Assessment on insurance companies, self-insurers, state insurance fund and existing plans, without limit.
Post-employment	DBL: 4 weeks PFL: None
Job protection	Disability: No Family leave: Yes
Family leave covered relatives	Child, parent, parent-in-law, spouse, grandchild, grandparent, or domestic partner (registration not required).

Oregon

TBD

Date law enacted	Paid Family and Medical Leave (PFML) Contributions Start: 1/1/2022 Benefits payable: 1/1/23
Benefits can be used for	Medical Leave can be used for a worker's own serious health condition. Family Leave can be used to (1) bond with a child within one year of the child's birth or placement for foster care or adoption; or (2) care for a family member with a serious health condition. Safe leave can be taken to address certain medical and nonmedical needs arising from domestic violence, harassment, sexual assault or stalking. Benefits begin January 1, 2023.
Type of law	State fund primarily with self-insured voluntary plan option.
Approach used	Employee and Employer contributions.
Types of private plans	Insured and Self-insured Private Plans may be substituted. Combined Family and Medical Leave coverage only (cannot separate medical and family benefits).
Limitations upon right to establish private plans	None
Employee contributions	Employee contributions: 60% of total rate (deducted from wages by employer).
Employer contributions required	Employer contributions: 40% of total rate.
Employers covered	Employers of 1 or more on any day in current or previous calendar year.
Employees excluded	Federal government or a tribal government.
Religious exemptions	None
Employee eligibility requirements	Earnings of \$1,000 during the base year. (first 4 of the last 5 completed quarters or the 4 most recently completed quarters.) Can combine hours worked at more than one employer.
How benefits are computed	If an employee's average weekly wage is equal to or less than 65% of the statewide average weekly wage, 100% of the employee's average weekly wage, up to the cap. If an employee's average weekly wage is more than 65% of the statewide average weekly wage, the sum of (1) 65% of the statewide average weekly wage plus (2) 50% of the employee's average weekly wage that is more than 65% of the statewide average weekly wage, up to the cap.
Minimum weekly benefits	5% of the statewide average weekly wage.
Maximum weekly benefits	Up to 120% of state average weekly wage. Estimated benefit in 2022 \$1,250.

Oregon *(continued)*

Maximum duration	12 weeks of paid leave (2 additional weeks for complications related to pregnancy). May also qualify for 4 weeks unpaid leave for a total of 16 approved leave weeks.
Waiting period	None
Maternity benefits	12 weeks of paid leave (2 additional weeks for complications related to pregnancy).
Effect of continued pay from employer during disability	Employee may receive compensation concurrently with any employer-provided plan. Total compensation shall not exceed such covered employee's regular pay.
State program benefits financed by	State Fund to be created in 2022 from Employee and Employer contributions of no more than 1.0% of wages up to Social Security (SS) cap.
Post-employment	None
Job protection	Yes, if employed more than 90 days with same employer.
Family leave covered relatives	Spouse or registered domestic partner, sibling, child, child-in-law, child of the worker's registered domestic partner, grandparent, grandchild, parent, parent-in-law or parent of the worker's registered domestic partner, or any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.

Puerto Rico

<https://www.trabajo.pr.gov/sinot.asp>

Date law enacted	Seguro Incapacitate No Occupational (SINOT) Start date: 2008
Benefits can be used for	Seguro Incapacitate No Occupational (SINOT) is disability insurance can be used for a worker's own serious off-the-job illness or injury.
Type of law	Competitive between state fund and private plans — former automatic if latter not elected by April 30 — to be effective July 1. Contributory plans require majority employee consent.
Approach used	Tax supported state fund provides benefits — like Unemployment Comp., but private plans may be substituted.
Types of private plans	Insured and Self-insured plans equal to or exceeding statutory requirements and continuation of certain other existing plans.
Limitations upon right to establish private plans	Must agree to pay certain assessments.
Employee contributions	State or Private Plan: 0.3% of taxable wages (up to \$9,000).
Employer contributions required	0.3% of wages (up to \$9,000).
Employers covered	Employers of one (1) or more on any day in current or previous calendar year.
Employees excluded	Certain domestic servants, students employed by school or college, government or non-profit organization employees and others referenced in the statute.
Religious exemptions	Services performed for a nonprofit organization created and administered exclusively for religious purposes.
Employee eligibility requirements	Base year earnings of \$150 in covered employment.
How benefits are computed	65% of average weekly wage, subject to a maximum of \$113.
Minimum weekly benefits	\$12 (non-agricultural).
Maximum weekly benefits	\$113 — (non-agricultural) there is a death benefit of \$4,000; also dismemberment benefits of \$2,000 to \$4,000.

Puerto Rico *(continued)*

Maximum duration	26 weeks for any disability or in any 52 week period.
Waiting period	7 days for each disability; if hospitalized during first 7 days, benefits begin on 1st day of hospitalization.
Maternity benefits	First 8 weeks: employer-paid leave at full salary per Working Mothers Act; regular SINOT benefits thereafter.
Effect of continued pay from employer during disability	Reduces benefit if combined total would exceed wages. Provision under state plan for benefit payment to employer if full pay continues.
State program benefits financed by	Contributions under the Act. Private plans to be assessed annually on a basis considered to be an equitable share of cost.
Post-employment	2 weeks
Job protection	Yes
Family leave covered relatives	Not applicable

Rhode Island

www.dlt.ri.gov/tdi/TDIfile.htm

Date law enacted	Temporary Disability Insurance (TDI) Start Date: 1942 Temporary Caregiver Insurance (TCI) Start Date: 2014
Benefits can be used for	Temporary disability insurance (TDI) can be used for a worker's own serious off-the-job illness or injury. Temporary caregiver insurance (TCI) can be used to (1) bond with a child within one year of the child's birth or placement for foster care or adoption; or (2) care for a family member with a serious health condition.
Type of law	State fund only — no private plans allowed in substitution.
Approach used	Tax supported state fund provides benefits — like Unemployment Compensation.
Types of private plans	None
Limitations upon right to establish private plans	Not applicable.
Employee contributions	1.3% of first \$72,300 of annual wages in 2020.
Employer contributions required	None
Employers covered	Employers of one (1) or more — same as Unemployment Compensation. Also any city or town which elects coverage.
Employees excluded	Certain domestic servants, students employed by school or college, employees of certain non-profit organizations, government employees and others.
Religious exemptions	Members of any sect, etc., which depends for healing upon prayer or other spiritual means upon filing waiver of benefits.
Employee eligibility requirements	Either base year earnings of \$12,600; or at least \$2,100 in one of the base period quarters and base period wages of at least 1½ times the highest quarter earnings and total base period wages of at least \$4,200. Must be unemployed due to illness/injury at least 7 days.
How benefits are computed	4.62% of highest quarter wages in base period; subject to a maximum of 85% of statewide average of employees covered by Employment Security Act in the preceding calendar year.
Minimum weekly benefits	\$98, plus greater of \$10 or 7% of weekly benefit per dependent child to age 18, or over 18 if handicapped. (maximum of five (5) children).

Rhode Island *(continued)*

Maximum weekly benefits	\$867, plus greater of \$10 or 7% of benefit per dependent child (up to 5) under age 18 (or over 18 if handicapped).
Maximum duration	TDI: 30 weeks TCI: 4 weeks
Waiting period	No
Maternity benefits	Pregnancy-related disabilities treated as any other illness.
Effect of continued pay from employer during disability	Generally, sick pay and benefits may be received simultaneously.
State program benefits financed by	State Plan
Post-employment	None
Job protection	Disability: No Family leave: Yes
Family leave covered relatives	Child, child of the workers' domestic partner, parent, parent-in-law or parent of the worker's registered domestic partner, grandparent, spouse, or registered domestic partner.

Washington

<https://paidleave.wa.gov/>

Date law enacted	Paid Family & Medical Leave (PFML): Premiums started 1/1/2019 Benefit Start date 1/1/2020
Benefits can be used for	Medical Leave can be used for a worker's own serious health condition. Family Leave can be used to (1) bond with a child within one year of the child's birth or placement; (2) care for a family member with a serious health condition; or (3) address certain military family needs. Benefits begin on January 1, 2020.
Type of law	State fund primarily with self-insured voluntary plan option.
Approach used	Employee and Employer contributions.
Types of private plans	Self insured only.
Limitations upon right to establish private plans	None
Employee contributions	Employee contributions: up to 45% of medical rate (deducted from wages by employer) and up to 100% of family leave benefits up to state set maximums.
Employer contributions required	Employer Contributions up to 55% of medical rate or balance of costs for self insured plan.
Employers covered	Employers of one (1) or more on any day in current or previous calendar year.
Employees excluded	Federal government employees, union members covered under a CBA negotiated before 10/19/2017, federally recognized tribes, independent contractors, self-employed individuals (may opt-in) and federally recognized tribes (may opt-in).
Religious exemptions	None
Employee eligibility requirements	At least 820 hours worked in the state, during the qualifying period (first 4 of the 5 most recently completed quarters or, if eligibility isn't established, the 4 most recent completed quarters.) Can combine hours worked at more than one employer.
How benefits are computed	For employees earning 50% or less than the statewide average weekly wage: 90% of the employee's average weekly wage, up to the cap. For employees earning greater than 50% of the statewide average weekly wage, the sum of (1) 90% of one-half the state average weekly wage and (2) 50% of the difference of the employee's average weekly wage and 50% of the state average weekly wage, up to the cap.
Minimum weekly benefits	\$100 or the employee's full wage when the average weekly wage is less than \$100.
Maximum weekly benefits	\$1,000 for 2020.

Washington *(continued)*

Maximum duration	Own health: up to 12 weeks (14 if complications during pregnancy) Family leave: up to 12 weeks, Combined 16 weeks max; (18 weeks if pregnancy complications)
Waiting period	7 days. None for child bonding.
Maternity benefits	Certain pregnancy related health needs may receive up to an additional 2 weeks up to a total of 14 weeks in a 12-month period.
Effect of continued pay from employer during disability	Generally, employee may receive compensation concurrently with any employer-provided plan. Total compensation shall not exceed such covered employee's regular pay.
State program benefits financed by	State Fund to be created in 2019 from Employee and Employer contributions.
Post-employment	Yes, so long as employee meets eligibility requirements.
Job protection	Yes, for workers who meet state's Family and Medical Leave Act (FMLA).
Family leave covered relatives	Child, grandchild, grandparent, parent, sibling, spouse, or registered domestic partner.

