



A more human resource.™

## New York Enacts Paid Family Leave Program

New York has passed legislation that will require all private employers to provide employees with paid family leave.

### Insurance Options:

Employers will be required to purchase a paid family leave insurance policy or self-insure. The premium for the policy will be funded solely by employees through a payroll deduction.

### Maximum Contributions:

The premium rate and the maximum employee contribution for coverage beginning January 1, 2018 is set at 0.126% of an employee's weekly wage up to and not to exceed the statewide average weekly wage (currently \$1,305.92).

### Payroll Deductions:

Withholding will automatically begin for eligible employees with checks dated January 1, 2018. Starting July 1, 2017, voluntary employee deductions can be taken for the 2018 coverage period. If clients decide to start voluntary deductions, ADP® can set up deductions for their employees.

### How the deduction works:

- There's no catch up;
- The goal amount depends on the number of weeks left in 2017;

- As of January 1, 2018, the 0.126% rate will be automatically deducted for all eligible employees.

### Employee Eligibility and Notice:

To be eligible for the benefit, employees must generally work full-time for their employer for at least 26 consecutive weeks or part-time for at least 175 days. When the need for family leave is foreseeable, employees must generally provide at least 30 days' notice to their employer.

### Use of Leave:

Beginning January 1, 2018, employees may use paid family leave:

- To care for a family member with a serious health condition;
- To bond with the employee's child during the first 12 months after the child's birth or after the placement of the child for adoption or foster care; or
- Because of any qualifying exigency arising out of the fact that the spouse, domestic partner, child, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the armed forces of the United States.



## Benefit Caps:

| Year | Duration | Wage Replacement   |
|------|----------|--|
| 2018 | 8 weeks  | 50% of the employee's average weekly wage or 50% of the statewide average weekly wage, whichever is less |
| 2019 | 10 weeks | 55% of the employee's average weekly wage or 55% of the statewide average weekly wage, whichever is less |
| 2020 | 10 weeks | 60% of the employee's average weekly wage or 60% of the statewide average weekly wage, whichever is less |
| 2021 | 12 weeks | 67% of the employee's average weekly wage or 67% of the statewide average weekly wage, whichever is less |

## Vacation and Personal Leave:

Employers may offer employees the option of using any accrued, unused paid vacation or personal leave during family leave and receive their full salary. Employers that pay employees their full salary during family leave may request reimbursement from the insurance carrier.

### *Compliance Recommendations*

Employers with employees in New York state should review their policies, forms, practices, and supervisor training to ensure compliance with the new paid family leave program. [Learn more.](#)

For more information, contact your ADP Associate or your RUN Powered by ADP® service center.

This content provides practical information concerning the subject matter covered and is provided with the understanding that ADP is not rendering legal advice or other professional services. ADP does not give legal advice as part of its services. While every effort is made to provide current information, the law changes regularly and laws may vary depending on the state or municipality. This material is made available for informational purposes only and is not a substitute for legal advice or your professional judgment. You should review applicable law in your jurisdiction and consult experienced counsel for legal advice.

ADP, the ADP logo and RUN Powered by ADP are registered trademarks of ADP, LLC. ADP A more human resource. is a service mark of ADP, LLC.

Copyright © 2017 ADP, LLC. ALL RIGHTS RESERVED.