

▶ STATUTORY PAID LEAVE PROGRAMS

In Effect as of 7/1/2020

An increasing number of states have mandated disability/medical and paid family leave benefit plans. The laws of each jurisdiction vary and therefore employee eligibility, benefit levels, contribution amounts, and administrative compliance responsibilities vary by jurisdiction. The following chart provides a general outline of the plans in each jurisdiction.

Jurisdiction and Benefit Name	Eligible Leave Types	Benefit Calculation	Weekly Maximum Benefit	Elimination Period (Waiting Period)	Maximum Duration	Maximum Employee Contribution	Prudential Plans Available	Additional Information
California State Disability Insurance (SDI) Paid Family Leave (PFL)	Medical; new child bonding; care of a family member	60% of weekly wage for mid/high wage earners 70% of weekly wage for low wage earners	\$1,300	SDI: 7 days PFL: N/A	SDI: 52 x weekly benefit PFL: 1/1/2020 6 x weekly benefit 7/1/2020 8 x weekly benefit	1.0% of the first \$122,909 in taxable wages inclusive of SDI and PFL	Self-insured Voluntary Disability Insurance (VDI)	Automatic state plan coverage fully funded by employee contribution; SDI/VDI and PFL must be administered together
Hawaii Temporary Disability Insurance Law (TDI)	Medical	58% of weekly wage	\$650	7 days	26 weeks	½ premium cost, but no more than 0.5% average weekly wage, up to weekly maximum of \$5.60	Insured	No state plan available
New Jersey Temporary Disability Benefits Law (TDB) Family Leave Insurance (FLI)	Medical; new child bonding; care of a family member	1/1/2020: 66⅔% of weekly wage 7/1/2020: 85% of weekly wage	1/1/2020: \$667 7/1/2020: \$881	TDB: 7 days; retroactive to first day after 22 consecutive days of disability FLI: N/A	TDB: 26 weeks FLI – 1/1/2020: 6 weeks FLI – 7/1/2020: 12 weeks	TDB: 0.26% of the first \$134,900 – maximum \$350.74 FLI: 0.16% of the first \$134,900 — \$215.84 maximum	TDB: Insured and self-insured FLI: Not currently available	Automatic state plan coverage; mandatory first of quarter effective date to move out of state plan; TDB and FLI may be administered separately
New York Disability Benefits Law (DBL) Paid Family Leave (PFL)	Medical; new child bonding; care of a family member; military exigency	DBL: 50% of AWW PFL: 60% of AWW	DBL: \$170 PFL: \$840.70	DBL: 7 days PFL: N/A	DBL: 26 weeks PFL: 10 weeks * Duration may not exceed 26 weeks in a consecutive 52-week period when combined with DBL	DBL: ½ of 1% of weekly wages, not to exceed \$0.60 per week PFL: 0.27% of weekly wage. \$196.72 annual maximum	Insured and Advice to Pay DBL/PFL	Employer must actively elect DBL/PFL coverage; options are insured through State Insurance Fund (SFI), private plan, or self-insured DBL and PFL must be administered together
Puerto Rico Disability Benefits Act (DBA)	Medical	Graduated steps	\$113 (\$55 maximum for agricultural workers)	7 days, unless hospitalized	26 weeks	0.3% of eligible wages up to a \$9,000 maximum or \$27 per year	Insured	Automatic state plan coverage; 7/1 effective date for any change

Legend

AWW: Average Weekly Wage

DCMW: District of Columbia Minimum Wage Rate

SAWW: Statewide Average Weekly Wage (calculated annually)

COFM: Care of a Family Member

Medical: Employee's own serious health condition/disability



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Rhode Island Temporary Disability Insurance Act (TDI) Temporary Caregiver Insurance (TCI)	Medical; new child bonding; care of a family member	TDI: 60% of weekly wage TCI: 4.62% of total high quarter wages in base period	Eff 7/1/2020 increased to \$887 For TDI only, an additional child benefit is payable equal to the greater of \$10 or 7% of the benefit rate for up to five children	N/A. Benefits paid retroactive to first day if leave extends for 7 or more days	TDI: 30 weeks TCI: 4 weeks	1.3% of the first \$72,300 earned; \$940 annual maximum inclusive of TDI and TCI	N/A	Only state can provide coverage
Washington Paid Family and Medical Leave (PFML)	Medical; new child bonding; care of family member; military exigency	If employee earns 50% or less of SAWW: 90% of AWW If employee earns more than 50% of SAWW: The sum of 90% of AWW up to 50% of SAWW PLUS 50% of AWW that exceeds 50% of SAWW	1/1/2020: \$1,000 1/1/2021: \$1,206	7 consecutive calendar days beginning Sunday of 1st week leave is taken. *May be satisfied with 8 consecutive hours of leave *Waived for Bonding Leave *One Waiting Period per Claim Year	12 weeks *Combined annual maximum is 16 weeks **Medical Leave and combined annual maximum may be extended by 2 weeks if incapacitated due to pregnancy	0.4% of wages shared by the employer (37%) and employee (63%) *Employer contribution waived for employers with fewer than 50 employees	Self-insured Voluntary Plans beginning 1/1/2021	https://paidleave.wa.gov/
District of Columbia Universal Paid Leave (UPL) * Effective 7/1/2019: Employer payroll tax begins * Effective 7/1/2020: Benefit eligibility begins	Medical; new child bonding; care of family member	Amount depends on whether the employee earns more or less than 150% of DCMW multiplied by 40 • If employee AWW is less than this amount: 90% of AWW • If employee's AWW is more than this amount: The sum of 90% of DCMW multiplied by 40 PLUS 50% of AWW that exceeds 150% of DCMW multiplied by 40	7/1/20: \$1,000	7 days * Applies once per 52-week period	Medical: 2 weeks Bonding: 8 weeks COFM: 6 weeks *Combined max duration of 8 weeks in a 52-week period	N/A *Fully funded by a quarterly employer payroll tax of 0.62% of total covered employee wages	N/A	Only the District can provide coverage https://dcpaidfamilyleave.dc.gov/

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▶ STATUTORY PAID LEAVES

Pending Implementation as of 7/1/2020

Four jurisdictions are in the process of implementing Paid Leave programs. The following chart provides a general outline of the programs. The information is accurate as of the date of publication and may change as the plans are implemented. Employers are encouraged to check the jurisdiction websites for the most current information.

Jurisdiction and Benefit Name	Eligible Leave Types	Benefit Calculation	Weekly Maximum Benefit	Elimination Period (Waiting Period)	Maximum Duration	Maximum Employee Contribution	Prudential Plans Available	Additional Information
Connecticut Paid Family and Medical Leave (PFML) * 1/1/2021 Premium collection begins * 1/1/2022 Benefits begin	Medical; new child bonding; care of family member; military exigency; military caregiver; organ or bone marrow donor; victims of domestic violence	<ul style="list-style-type: none"> 95% of the employee's base weekly earnings up to 40x the minimum wage; PLUS Employees earning more than the minimum wage will receive an additional 60% of their weekly pay above 40x minimum wage 	60x the minimum wage	None	12 weeks *Combined annual maximum is 14 weeks if medical leave needed for pregnancy-related disability	1/1/2021: 0.5% of earnings, not to exceed the Social Security contribution and benefit base	Insured and self-insured private plans are permissible Plans must be approved by a majority vote of employees Prudential intends to offer private plan administration	
Massachusetts Paid Family and Medical Leave (PFML) * 10/1/2019 Premium collection begins; first payment to MA due no later than 1/31/20 * 1/1/2021 Benefits begin for all but COFM *7/1/2021 Benefits begin for COFM	Medical; new child bonding; care of family member; military exigency; military caregiver	The sum of: <ul style="list-style-type: none"> 80% of the portion of the employee's AWW that is equal to or less than 50% of the SAWW; PLUS 50% of the portion of the employee's AWW that is greater than 50% of the SAWW. 	64% of SAWW; adjusted each January 1	7 days *waived if bonding immediately follows medical leave	Medical: 20 weeks Bonding: 12 weeks COFM: 12 weeks Military exigency: 12 weeks Military caregiver: 26 weeks *Employee may not take more than 26 weeks combined in a benefit year **Durations include elimination period	10/1/2019: 0.75% of AWW (employee pays 40% of medical premium and 100% of family leave premium) *Employer contribution waived for employers with fewer than 25 employees	Insured and Self-Insured Plans	https://www.mass.gov/orgs/departments-of-family-and-medical-leave

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Oregon Paid Family and Medical Leave (PFML) * 1/1/2022 Premium collection begins * 1/1/2023 Benefits begin	Medical; new child bonding; care of family member; Safe leave	<ul style="list-style-type: none"> If employee earns less than 65% of SAWW: 100% of AWW If employee earns more than 65% of SAWW: The sum of 65% of SAWW PLUS 50% of AWW that exceeds 65% of SAWW 	120% of SAWW	None	12 weeks *Combined annual maximum is 14 weeks for limitations related to pregnancy, childbirth, or a related medication, including but not limited to lactation **Employee may take an additional 4 weeks unpaid for a total of 16 weeks per benefit year (18 weeks when there are limitations related to pregnancy/childbirth)	1/1/2022: TBD, not to exceed 1% of employee wages, up to \$132,900. Shared by the employer (40%) and employee (60%) *Employer contribution waived for employers with fewer than 25 employees	Employers are permitted to provide Equivalent Plans Prudential will determine offering at a future date	

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This chart provides a summary description of the statutorily mandated paid leave benefit plans and jurisdictions in the process of developing Paid Leave programs. It is intended to highlight certain key provisions of the laws and regulations governing such statutorily mandated paid leave plans, for informational purposes only.

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