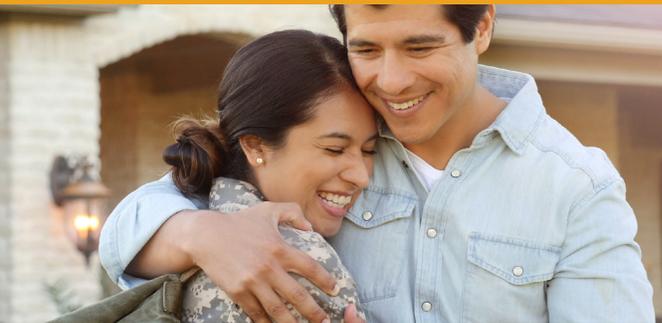




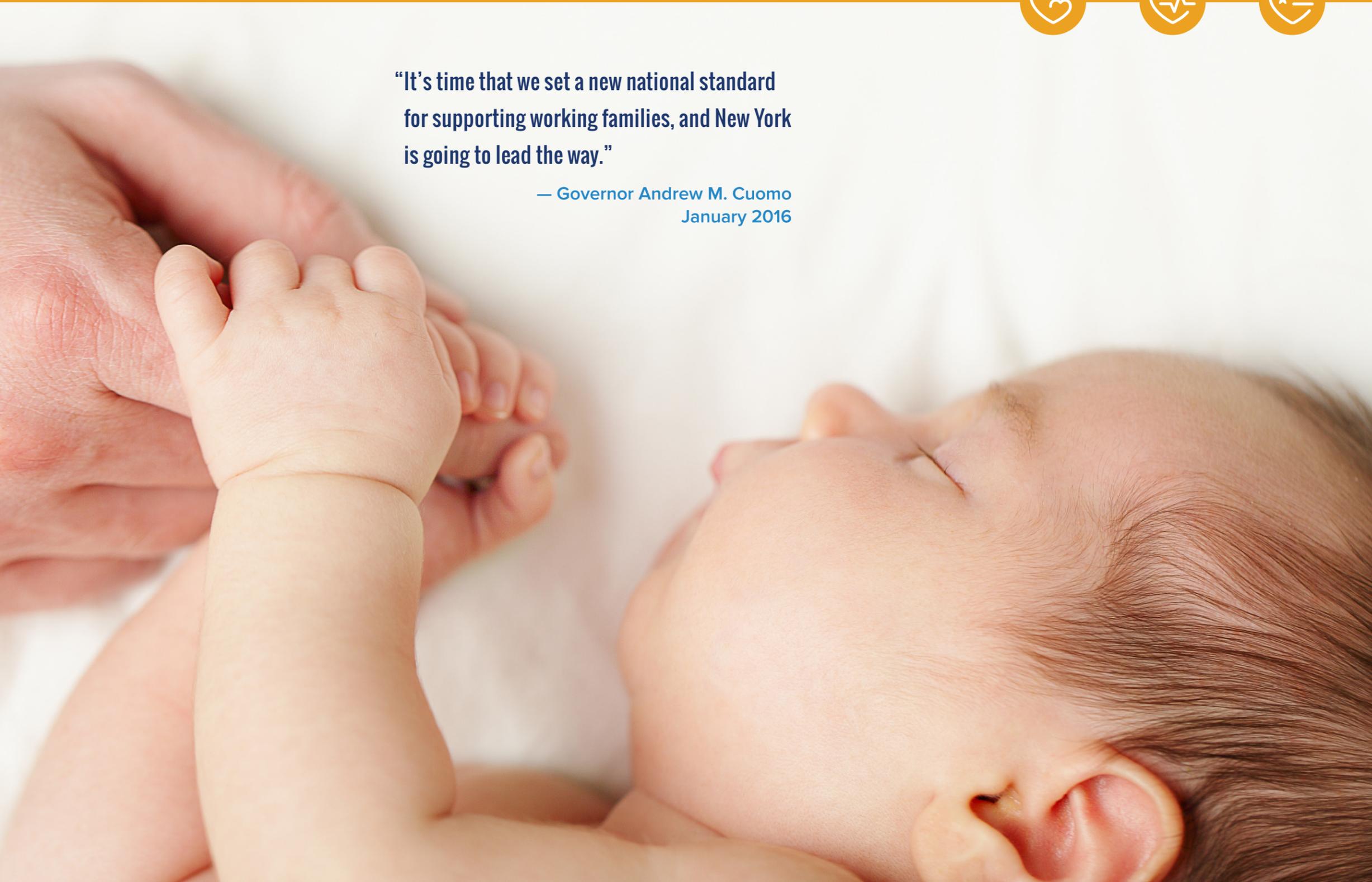
Paid Family Leave



2018

YEAR IN REVIEW





“It’s time that we set a new national standard for supporting working families, and New York is going to lead the way.”

— Governor Andrew M. Cuomo
January 2016

PAID FAMILY LEAVE 2018

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8,500,000+

NEW YORKERS COVERED BY PFL



“It would be the most robust such program in the nation — and it would show the nation what it means to stand up for and help working families.”

— Governor Cuomo, March 2016

More than 8.5 million covered



New Yorkers who were **not** covered by FMLA but **are** now covered by PFL

Executive Brief

On January 1, 2018, New York State launched the strongest, most comprehensive Paid Family Leave (PFL) in the nation.

Governor Andrew M. Cuomo’s fight for Paid Family Leave began just two years earlier, with his passionate appeal during the 2016 State of the State Address. Inspired by the time he spent with his father in his final days, the Governor challenged the Legislature to restore basic dignity for workers by making job-protected, paid leave a legal **right** — ensuring New Yorkers don’t have to choose between caring for their families and earning a paycheck.

In the absence of a national program, New York joined only three other states that mandate some form of paid family leave. Governor Cuomo’s legislation brought New York State to the forefront, passing a policy with better protections, broader uses and richer benefits than any other paid family leave in the nation.

In its first year, Paid Family Leave touched the lives of millions of families in New York. **More than 8.5 million** working New Yorkers, **2.2 million** of whom are not covered by the federal Family and Medical Leave Act, now have access to Paid Family Leave.

As you’ll see in this report, the numbers and stories underscore how well Paid Family Leave is working. The insurance market is stable, New York’s economy is thriving, and workers now have an inclusive and flexible benefit that’s meeting the diverse needs of families across the State.

Our success serves as a model for lawmakers and advocates fighting for paid family leave both in other states and at the federal level. We are proud that New York Paid Family Leave is leading the way for dignity and economic justice, not just for the people of our state, but for all hardworking Americans.

New York Paid Family Leave

Most employees who work in New York State for private employers are now covered under Paid Family Leave. This landmark benefit provides job-protected, paid time off for employees to:

- **BOND** with a newly born, adopted or fostered child;
- **CARE** for a family member with a serious health condition; or
- **ASSIST** loved ones when a spouse, domestic partner, child or parent is deployed abroad on active military service.

Paid Family Leave includes strong protections. Employees continue their health insurance on the same terms as if they continued to work, are guaranteed the same or a comparable job after their leave ends, and cannot be discriminated or retaliated against for requesting or taking Paid Family Leave.

Benefits are phasing in over a four-year period that began in 2018.

Paid Family Leave is insurance that is fully funded by employees through small payroll deductions. Employers use the deductions to pay for the cost of the premium. The Department of Financial Services sets the deduction rate annually as a percentage of gross wages, and every covered employee pays the same rate.



BENEFITS INCREASE THROUGH 2021

Year	Weeks of Leave	Benefits
2019	10 weeks	55% of pay*, up to a cap
2020	10 weeks	60% of pay*, up to a cap
2021	12 weeks	67% of pay*, up to a cap

*Employee’s average weekly wage, up to the same percentage of the New York State average weekly wage.

“Family is everything, and Paid Family Leave allows people to spend time with family when they need to the most, without having to sacrifice financially. It is truly heartbreaking to have to make the choice between caring for a loved one and staying afloat financially, and Paid Family Leave makes it so you don’t have to make that choice.” — Bria C., Porter Corners

BABIES BENEFITED FROM BONDING | 81,000+

39,000+ | FAMILY MEMBERS RECEIVED CARE



86,500+ | BONDING LEAVE CLAIMS

30% | APPROXIMATE % OF BONDING LEAVE CLAIMS FROM MEN

Building Strong Families

Paid Family Leave can be taken to bond with a newly born, adopted or fostered child within the first 12 months of the child's birth, adoption or foster placement. Families in New York come in all shapes and sizes, and Paid Family Leave is here for all of them. Paid Family Leave is available to New York's working parents, regardless of their gender or marital status.

Paid Family Leave gives families critical time together. In 2018, more than **86,500** working New Yorkers took an average of **33** days of Paid Family Leave to bond with their new child.

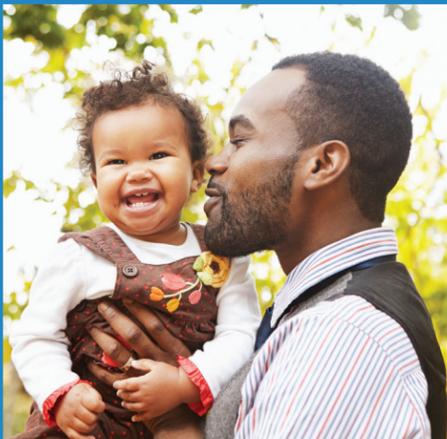
"I was home to see my daughter roll over, sit up, and eventually crawl for the first time. I missed some of these milestones with my other kids so it was nice to have the time off work to witness them."

— Tiffany J., Elmira

Paid Family Leave supports gender equality. While women represent the majority of employees taking bonding leave (approximately **58,900** took it in 2018), men are taking time to bond with their children, too — approximately **26,600** men took bonding leave in 2018.

"I took Paid Family Leave to be a good father to my newborn son. He was born a month before the law took effect, and my workplace offered me nothing — when I went to HR to ask about (my employer's) policy for fathers, I got a blank look and was told that fathers typically just take two weeks of vacation time. While biology creates somewhat of an imbalance, I want to do my part as a father and Paid Family Leave has helped me do that."

— Jonathan K., Brooklyn



Support in Times of Need

Family Care

Paid Family Leave can be used to care for a family member with a serious health condition. This could be a spouse, domestic partner, child, stepchild, parent, parent-in-law, stepparent, grandchild, grandparent, or grandparent-in-law. In the first year, approximately **39,000** employees took an average of **21** days of Paid Family Leave to care for a loved one.

Paid Family Leave supports families even beyond New York's borders.

"NY Paid Family Leave has not only alleviated my financial fears and hardships, but has allowed me to give my daughter the full care she deserves when she needs me the most. I cannot say thank you enough for this life-changing program."

— Brian W., Williamstown

21 DAYS

Average Duration of Family Care Leave

Family Members Benefiting from PFL	
RECEIVING CARE	APPROX. NUMBER
Parent	16,000
Spouse/Partner	9,900
Child	9,100
Grandparent	600
Grandchild	200

Military Family Support

Eligible employees can also take Paid Family Leave to assist family when a spouse, domestic partner, child or parent is called to active military service abroad. Paid Family Leave:

- Provides enhanced support to New York's military families — as well as military family members across the nation and around the world.
- Reaches more military families who would not otherwise qualify for FMLA.

More than **150** New Yorkers took an average of 12 days of Paid Family Leave in 2018 to help when a family member was called to active military service abroad. The very existence of New York Paid Family Leave is a powerful show of support to service members whose families may need it one day.



27 | CARRIERS APPROVED TO SELL PFL INSURANCE

“It is being there to hold a hand, to smile and just being there because it is the right thing.”

— Governor Cuomo, March 2016



From Law to Launch

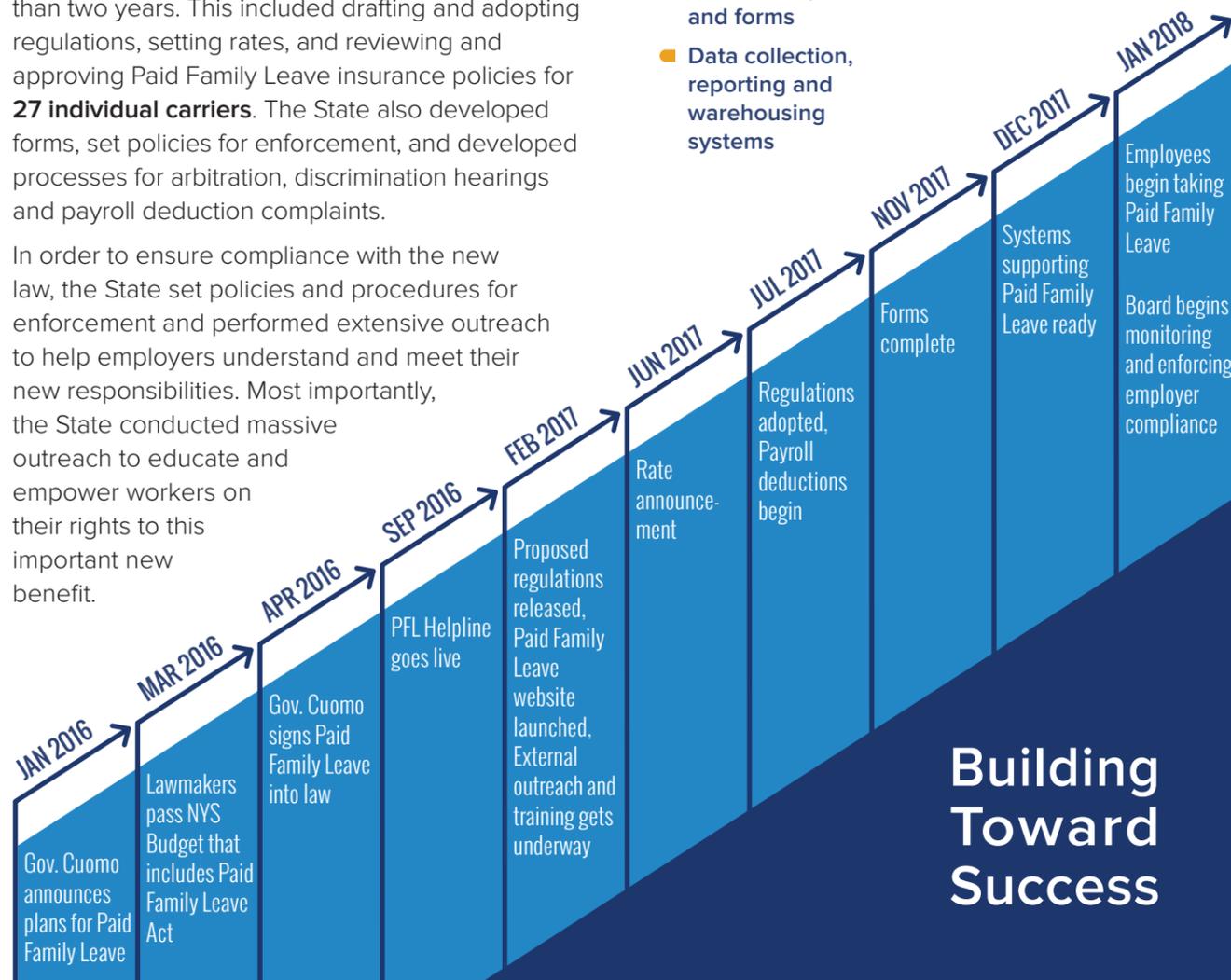
Just three months after Governor Cuomo first proposed Paid Family Leave, this landmark legislation became law. New York State immediately mobilized to build and implement what would become the largest project of its kind in more than a half century.

Over **21 state agencies** worked collaboratively to build and implement Paid Family Leave in less than two years. This included drafting and adopting regulations, setting rates, and reviewing and approving Paid Family Leave insurance policies for **27 individual carriers**. The State also developed forms, set policies for enforcement, and developed processes for arbitration, discrimination hearings and payroll deduction complaints.

In order to ensure compliance with the new law, the State set policies and procedures for enforcement and performed extensive outreach to help employers understand and meet their new responsibilities. Most importantly, the State conducted massive outreach to educate and empower workers on their rights to this important new benefit.

Numerous PFL elements created and implemented

- Regulations
- Forms
- PFL Helpline
- Systems for uninsured claims, discrimination, and compliance
- Arbitration process and forms
- Data collection, reporting and warehousing systems
- Systems for underwriting, payment, claims handling, and enforcement
- Paid Family Leave website



An Extraordinary Success

Diligent planning. Tireless efforts to raise awareness. Strict attention to detail. Everything New York put into developing and launching the nation’s strongest Paid Family Leave contributed to what has been an extraordinary success for New York and the great people of our state. Early data, as well as stories from real people, show New York Paid Family Leave is working — and working well — for employers, for insurance carriers who administer the benefits, and for employees, who now have access to Paid Family Leave benefits in times of critical need.

“Small business owners support policies like these because they know paid leave benefits can help attract and retain talented employees, and because it allows small businesses to offer a benefit that is typically reserved for larger firms at no added cost...By implementing a statewide paid leave insurance program, New York is helping level the playing field for small businesses.”

— Renée J. Johnson, Mid-Atlantic Outreach Director of Small Business Majority

Paid Family Leave is good for business. New York employers are providing a desirable benefit to employees at no direct cost to their businesses. By September 2018, **over 93%** of covered employers

were in full compliance with the law, a testament to both Paid Family Leave’s employer-friendly design and extensive outreach by the State.

Sole-proprietors and other **self-employed individuals** can voluntarily opt in to Paid Family Leave so they can access these important benefits when they need them most. More than **85,000** self-employed individuals are now covered for Paid Family Leave.

Paid Family Leave works for insurance carriers. New York State is host to a robust market of carriers who provide Paid Family Leave insurance, with many options for employers when they shop for their policies. One hundred percent of the carriers offering Paid Family Leave insurance in 2018 are continuing their participation in 2019, proving it is a model that works for their businesses.

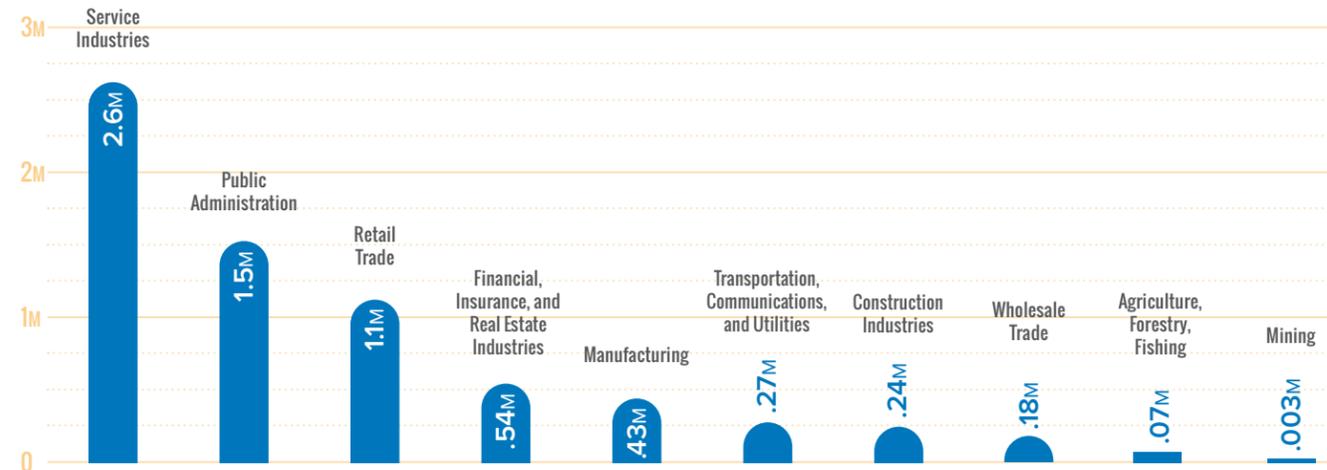
Most importantly, Paid Family Leave is making a real difference for working families, by enabling employees in New York to balance their work and family lives. Employees have peace of mind knowing they can take care of their families without fear of losing their paychecks — or their jobs. Paid Family Leave is helping working New Yorkers be there for their families in the times that matter most.



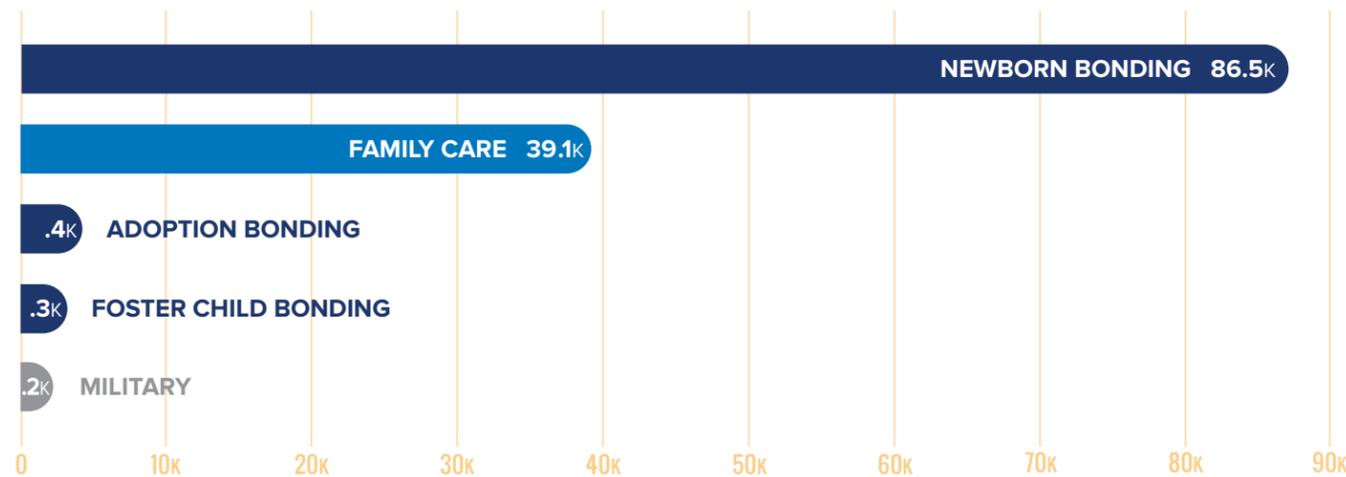
COVERAGE & CLAIMS DATA JANUARY THROUGH DECEMBER 2018

Please Note: These numbers are approximate and data is under ongoing review.

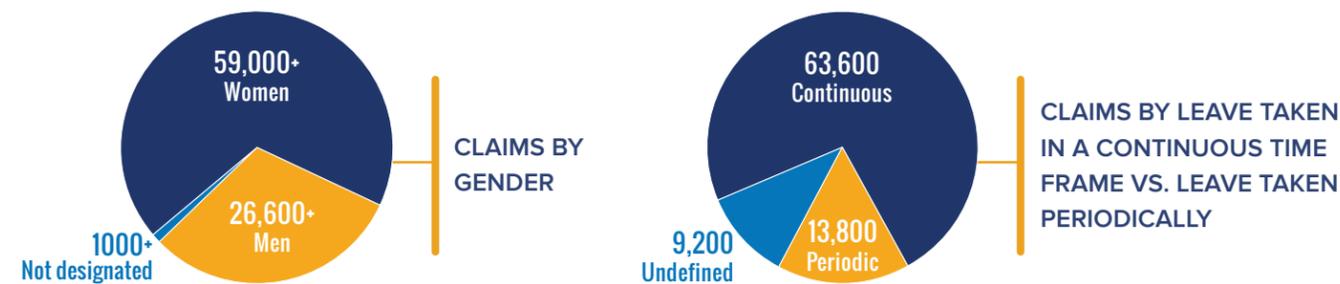
COVERED LIVES BY INDUSTRY



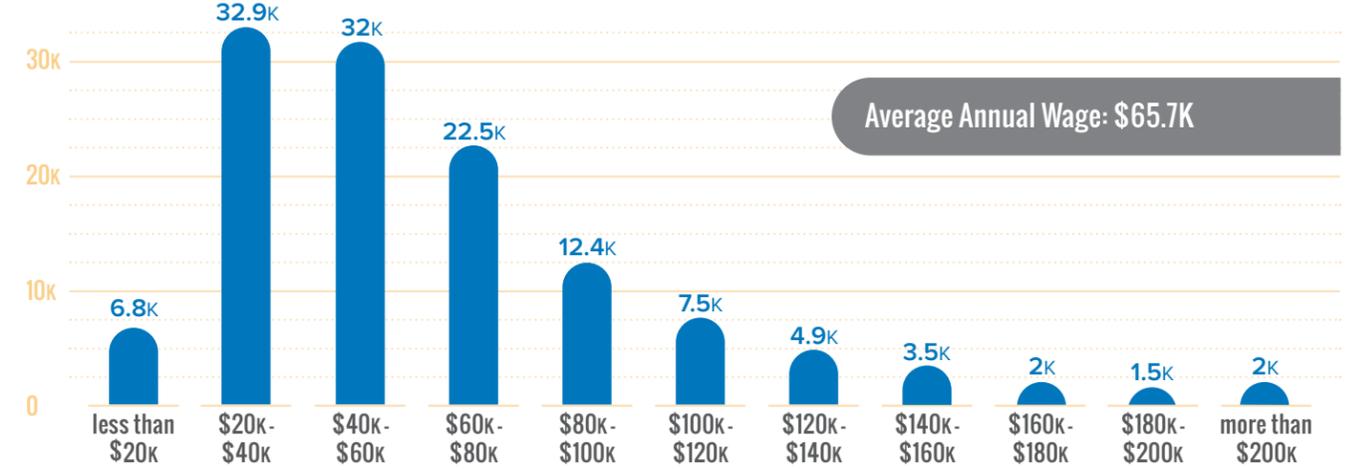
CLAIMS BY TYPE



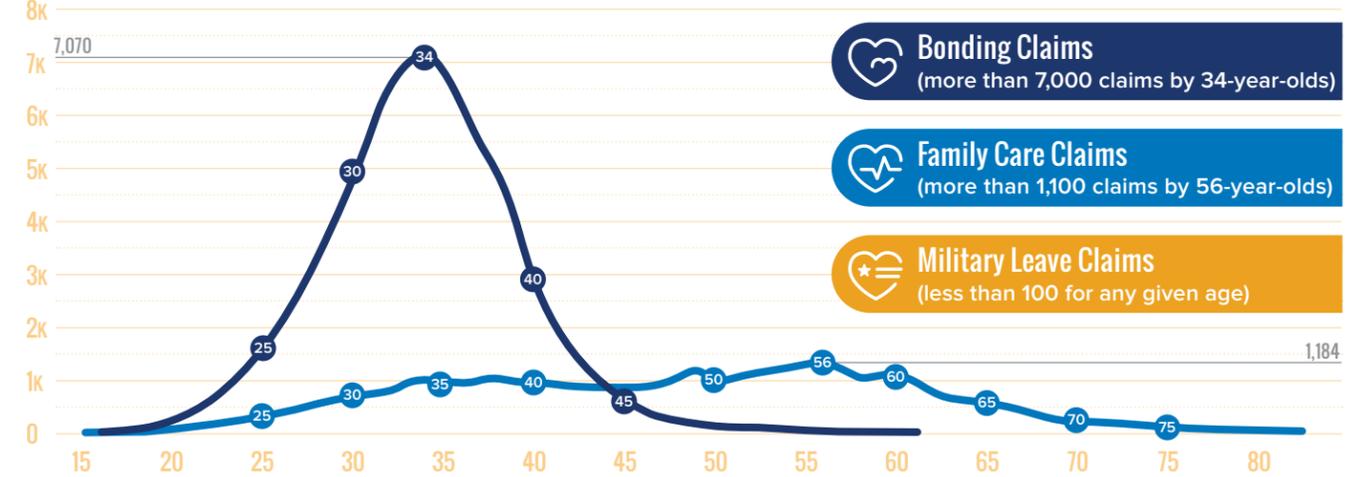
APPROVED BONDING CLAIMS



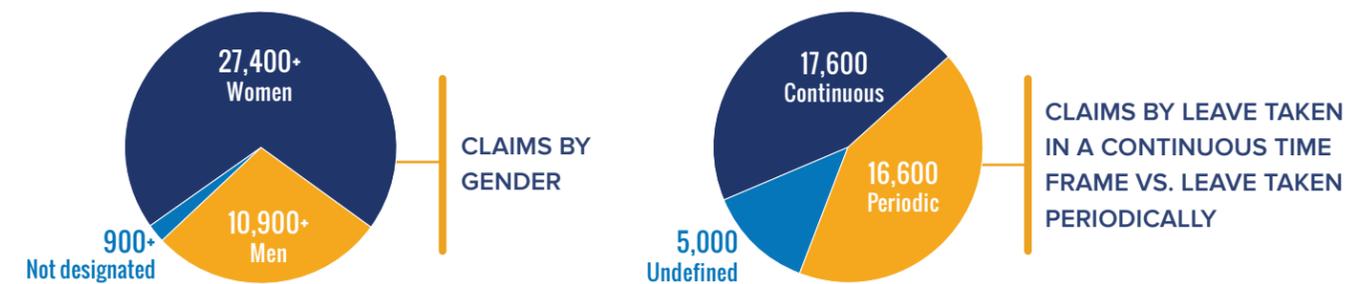
CLAIMS BY WAGE BAND



CLAIMS BY EMPLOYEE AGE



APPROVED FAMILY CARE CLAIMS





Looking Ahead

New York has proven that Paid Family Leave works and is showing other states and the nation how to do it well. In 2019, as the four-year Paid Family Leave phase-in period continues, working New Yorkers and their families can look forward to significantly enhanced benefits. Benefits now include:

MORE TIME WITH LOVED ONES: As of January 1, 2019, eligible employees can take up to 10 weeks of Paid Family Leave, up from eight weeks in 2018.

GREATER FINANCIAL SECURITY: The wage benefits employees receive in 2019 increased to 55% of their average weekly wage, capped at

55% of the statewide average weekly wage, an increase from 50% in 2018.

SAME STRONG PROTECTIONS: Employees can take Paid Family Leave knowing they'll have a job to return to, and they can keep their health insurance on the same terms as if they had continued to work while on leave. Employers can't discriminate or retaliate against employees for taking or requesting Paid Family Leave. Immigration status is never a factor in eligibility.

New York Paid Family Leave helps us all because **when we build strong families, we build a strong New York.**

“From the birth of the women’s rights movement at Seneca Falls to the most comprehensive Paid Family Leave policy in the nation, New York leads the nation in championing women’s rights and breaking down barriers to equality...”

— Governor Cuomo, January 2018





Paid Family Leave



PaidFamilyLeave.ny.gov

 facebook.com/NYSWCB

 twitter.com/NYSWorkersComp

 instagram.com/NYSWorkersCompBoard

 youtube.com/NewYorkStateWorkersCompensationBoard

A GROUP EFFORT: More than 21 state agencies worked collaboratively to build and implement Paid Family Leave in New York, including:

Workers' Compensation Board
Department of Financial Services
Information Technology Services
State Insurance Fund
Department of Civil Service
Governor's Office of Employee Relations
Department of Health

Empire State Development
Office of Children and Family Services
Division of Veterans' Affairs
Department of Agriculture
Department of State
Department of Motor Vehicles
Department of Labor

Military and Naval Affairs
Office of Temporary and Disability Assistance
Division of Budget
Office of the Aging
State Education Department
Department of Taxation and Finance
Washington D.C. Office

