

New York Paid Family Leave

The New York State Paid Family Leave (PFL) Law requires insurers and employers to provide state-mandated Paid Family Leave (PFL) coverage along with its New York Disability Benefits (DBL) coverage.

Expanded Benefits for Employees

PFL coverage must be offered along with DBL coverage for covered employees. PFL provides expanded benefits for employees (regardless of gender) to bond with a child, adopt or foster care a child, or need time to care for a family member with a serious health condition or a relative on a qualifying military leave. The PFL is included under an employer's DBL policy and coverage for both must be from the same carrier.

The maximum contribution rate is 0.373% of an employee's gross weekly wage and is capped at an annual maximum of \$333.25 for calendar year 2024.

UniCare includes PFL coverage on all DBL quotes for new DBS customers and continues to work with The State of New York to provide additional updates.

The benefit is 67% of the employee's average weekly wage, not to exceed 67% of the statewide average weekly wage, and not to exceed a duration of 12 weeks in a 52-calendar-week period.

For 2024, the statewide average weekly wage is \$1,718.15 and may change annually as determined by the state.

Frequently Asked Questions

Does UniCare provide PFL coverage?

Yes, UniCare provides New York Paid Family Leave (PFL) coverage along with New York Disability Benefits Law (DBL) coverage. We do not offer stand-alone PFL plans.

How/When will UniCare bill us for PFL?

Premiums for both DBL and PFL are paid monthly, in advance. This is the same way payment has historically been made for DBL coverage.

Will UniCare add administrative expenses to the PFL premium?

No administrative fees will be added for fully insured PFL coverage.

Are NY PFL benefits taxable?

Yes, NY PFL benefits are considered taxable non-wage income subject to federal income tax.

What taxes do you withhold from NY PFL benefits?

UniCare will not automatically withhold any taxes from NY PFL benefits. However, employees may submit a completed W-4V during the claim process if they wish to voluntarily have federal and state income taxes withheld.

Do you also withhold FICA taxes?

No. FICA and unemployment taxes do not apply to NY PFL benefits.

How is this income reported for tax filing?

Each January, UniCare will issue 1099-MISC forms to employees reflecting their NY PFL benefits paid the previous year.

What amount will employees pay toward PFL coverage?

Employee contribution rates are determined each year by the New York State Department of Financial Services. Contribution rates are community rated and are paid entirely by employees. The maximum contribution rate is 0.373% of an employee's gross weekly wage and is capped at an annual maximum of \$333.25 for calendar year 2024.

What amount will employers pay toward PFL coverage?

PFL coverage is funded by employee contributions. The employer is not required to contribute toward the premium but may opt to pay for the coverage.

What amount will be billed for PFL premium?

The premium amount billed will equal the employee contributions.

Can employee contributions be taken on a pre-tax or post-tax basis?

Premiums are deducted from employees' after-tax wages.

What other actions must employers take?

Employers are required to conspicuously post a notice in the workplace to indicate their compliance with the paid family leave requirements.

Will UniCare require the PFL to follow the funding of the DBL? Or will UniCare offer insured PFL to those employers who self-fund their DBL?

UniCare will require the funding of PFL to be the same as for DBL, which is on an insured basis.

Will W-2 practices follow DBL W-2 practices?

No. Employees will receive a 1099-MISC form for PFL benefits and receive a W-2 for DBL benefits paid.

Employees can supplement PFL time with Paid Time Off (PTO). Will UniCare collect that request and send it back to the employer? How will the request be collected and provided to the employer, to ensure compliance with the NY PFL regulations?

The employer will be responsible for collecting these requests and notifying UniCare if PFL will be supplemented by PTO.

What actions must employees take?

The employee must give the employer 30 days advance notice of a foreseeable family leave. If paid family leave is foreseeable and the employee fails to give 30 days' advance notice, there can be a partial denial of the paid family leave claim for a period of up to 30 days from the date the notice was provided by the employee.

What's the PFL benefit level?

- The benefit is 67% of the employee's average weekly wage, not to exceed 67% of the statewide average weekly wage, and not to exceed a duration of 12 weeks in a 52-calendar week period.
- The statewide average weekly wage may change annually as determined by the state.

The duration for DBL and paid family leave is combined, not to exceed a maximum of 26 weeks in a 52-calendar week period.

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