



## **Paid Family Leave FAQs**

### **Does Paid Family Leave cost me anything?**

It depends. New York's Paid Family Leave law was designed to be entirely employee funded. This means the premium is paid through employee payroll deductions. However, those Einstein employees who are members of 1199 or NYSNA (benefit plan eligible) will not have premiums withheld from their pay at this time. The premium for all other Einstein employees eligible for Paid Family Leave will be paid through employee payroll deductions.

The maximum employee contribution in 2018 will be .0126% of an employee's weekly wage (up to the annualized New York State Average weekly wage of \$1,305.92) up to a maximum weekly and yearly amount set by the state.

### **When will payroll deductions begin?**

Payroll deductions will become effective January 1, 2018 for semi-monthly payroll and January 6, 2018 for biweekly payroll.

### **Do I have to participate in the Paid Family Leave program?**

Yes. The exception is that two groups of employees may choose to waive coverage, and certain employees are not covered by the Paid Family Leave law. Those full-time (20+ hours worked each week) employees who will not work 26 consecutive weeks, and part time (less than 20 hours worked per week) employees who will not work 175 days in a year may sign waivers to decline coverage. Additionally, faculty and students do not have to participate because they are not eligible under the Paid Family Leave Law and are not covered.

### **How do I apply for PFL?**

You are responsible for notifying your supervisor and the Benefits Office if you intend to apply for Paid Family Leave benefits. If the family leave is foreseeable, you must give 30 days' advance notice so your department can plan for the absence. If the event is not foreseeable, you must notify us as soon as possible.

### **I am pregnant. Will I be able to receive Paid Family Leave during my pregnancy?**

Paid Family Leave will begin after your disability period ends (typically 6-8 weeks after the birth of your child). It is not available for pre-natal conditions.

**Can I take Paid Family Leave for my own serious health condition?**

No. Paid Family Leave is only available to care for a covered family member with a serious health condition; bond with a newborn child; or, to help relieve family pressures when a covered family member is called to active military service.

**Will I be able to use Paid Family Leave to take care of an eligible family member living outside New York?**

Yes. As long as you are caring for an eligible family member, provide medical certification and are in close proximity of the family member you are caring for.

**What family members may I take Paid Family Leave to care for?**

Family members include your spouse, domestic partner, child, step child, grandchild, parent, parent-in-laws, or grandparent.

**Will I be able to use Paid Family Leave if I don't work full-time?**

If you work less than 20 hours a week you will become eligible after 175 days of work. If you work 20 or more hours a week you will become eligible after 26 consecutive weeks of work.

**Do I have to take all of my sick time and/or vacation before I use Paid Family Leave?**

No. You are not required to use any paid sick time and or vacation time during Paid Family Leave. However, you may use accrued vacation or up to 40 hours' accrued sick leave under ESTA (New York City's Earned Sick Time Act) in lieu of receiving PFL wage replacement payments to care for a sick family member for full salary while on leave.

**My spouse or relative and I both work at Einstein, may we use Paid Family Leave at the same time?**

No. Paid Family Leave is available to only one of you at a time to care for the same family member, or to bond with a child. If you and your spouse/relative have different employers, you are both eligible to take Paid Family Leave at the same time.

**Will Einstein pay my salary while I am on leave?**

No. You will receive the PFL wage replacement payments through a Temporary Disability Insurance policy (or union benefit fund) unless you use your available accrued paid time off provided by Einstein under its policies.

**I am new to Einstein. When will I be eligible for Paid Family Leave?**

If you work less than 20 hours a week you will become eligible after 175 days of work. If you work 20 or more hours a week you will become eligible after 26 consecutive weeks of work.

**How does Paid Family Leave interact with the Family Medical Leave Act (FMLA)?**

Time off that qualifies under both PFL and FMLA will run concurrently. Paid Family Leave provides monetary support in addition to the federally mandated, unpaid time off provided by FMLA, when taking a Paid Family Leave for an FMLA-qualifying reason.

**Will I be able to take Paid Family Leave on an hourly basis?**

Paid Family Leave is only paid in full day or weekly increments, but it can be taken intermittently.

**Can I have multiple Intermittent Paid Family Leave claims at the same time?**

Yes, you may potentially need to care for multiple qualified family members but may not exceed the maximum leave benefit in a 52-week period.

**If I receive 8 weeks of Paid Family Leave benefits to bond with my newborn and then one of my parents becomes seriously ill later in the year, will I be able to receive Paid Family Leave benefits again since it is for a different reason?**

No. You are only eligible for the maximum benefit in a 12-month look back period.

**Can I take both temporary disability and Paid Family Leave at the same time?**

No. New York State Disability benefits cannot be combined with PFL benefits. Your combined total disability benefits and Paid Family Leave benefits in any 52-week period may not exceed 26 weeks.

**How much will I receive if I am approved for a leave under Paid Family Leave?**

For 2018, you will receive 50% of your average weekly wage or 50% of the State's Average Weekly Wage, whichever is less. Currently, 50% of the State's Average weekly wage is \$653. For more information on Einstein's Paid Family Leave Policy, please contact Einstein's Benefits Office or Employee Relations.

**What constitutes a serious health condition?**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential health care facility or continuing treatment/supervision by a health care provider.

**Can an employee collect PFL while receiving workers' compensation benefits?**

No. If an employee is not working and is collecting workers' compensation, the employee may not use Paid Family Leave.

**Will PFL wage replacement payments be taxable?**

Yes. PFL wage replacement payments paid to employees will be taxable, non-wage income that must be included in federal gross income. Our insurance carrier will issue a 1099-G to claimants for tax reporting.

*Disclaimer: This information is provided as a general guide only and shall not alter or supersede Einstein's PFL Policy.*