

Paid Family Leave (NY PFL)

What are the state benefits and when can I use them?

If you work in New York, eligible workers can receive wage replacement benefits for:



NY DBL	NY PFL — Paid Family Leave		
NY Disability Benefit Employee's own medical need including organ and tissue donations	Child Bonding Including Newborn, Adoption and Foster placement	Family Caregiver When a covered family member has a serious health condition	Military Exigency When a covered family member is called to active service overseas
Up to 26 weeks • 7 day unpaid waiting period applies (minus any Paid Family Leave time taken)	Up to 12 weeks or 84 days if taken intermittently		

How much can I get?

Benefits are paid as a percentage of your average weekly wage.

Maximum Weekly Benefit	
NY DBL	NY PFL
\$170.00	\$1,068.36
Wage replaced at 50% of the employee's average weekly wage up to the state's cap	Wage replaced at 67% of the employee's average weekly wage up to the state's cap (2022 State's average weekly wage is \$1,594.57)
If you receive for the full 26 weeks, maximum annual benefit could be: \$4,420 $170 \times 26 = \$4,420$	Either or in combination
	If you receive for the full 12 weeks, maximum annual benefit could be: \$12,820.32 $1068.36 \times 12 = \$12,820.32$

An employee can have more than one benefit each year, but no more than 26 weeks combined PFL and DBL in a 52-week period.

How much does it cost me (as an employee)?

Employers may choose to fund on behalf of their employee or may take payroll deductions.

NY DBL	NY PFL
No more than \$0.60 per week	No more than 0.511% per week up to cap
Max Annual contribution: \$31.20	Max Annual Contribution: \$423.71
0.5% up to cap	0.511% to cap

Am I eligible to receive benefits?

New York DBL/PFL benefits are tied to your employer's plan when you work in the state.

NY DBL	NY PFL
<p>Yes, if you are an employee (including family members) who performs under the supervision, direction, and control of an employer either on or off their premises. This applies whether the worker is:</p> <ul style="list-style-type: none"> • Part-time • Full-time • Temporary • Seasonal • Casual/ Day Labor • Leased • Borrowed • Unpaid - including volunteers and family members <p>These employees must be covered by New York statutory benefits insurance 4 weeks following the 30th day of employment.</p>	<p>Yes, if you work for a private employer in New York State, or a public employer who has opted in. And, who meets the time-worked requirements:</p> <ul style="list-style-type: none"> • Full-time (regularly work 20+ hours/week), after 26 consecutive weeks Or • Part-time (regularly work less than 20 hours/week), after 175 working days <p>Waiver</p> <p>If a temporary worker will not meet the eligibility listed above, they can sign a waiver to remove the payroll deduction. However, the Waiver is void once the hours worked meets the qualifications listed above and employers can take retroactive contributions back to your original state of hire.</p>

If you are a business owner there are special eligibility rules that apply. Visit, <https://paidfamilyleave.ny.gov/> for more details.

How do I apply for PFL/DBL benefits?

1 Notify Your Employer	2 Apply for Benefits	3 Submit supporting documentation	4 Stay connected until your return to work
<ul style="list-style-type: none"> • At least 30 days prior if leave is foreseeable or as soon as you can if unforeseeable 	<ul style="list-style-type: none"> • Contact MetLife within 30 days prior or within 30 days after leave starts • MetLife can accept claims via web, telephone, or paper claim. Method dependent on your employer's coverage plan 	<ul style="list-style-type: none"> • Proof may be required before the claim decision can be made • MetLife will make a claim decision within 18 calendar days of receiving all information (or your first day of leave whichever is later) 	<ul style="list-style-type: none"> • Your employer and MetLife will need to have your anticipated return to work date scheduled or an intermittent leave plan on file to efficiently manage your claim

Do I qualify for more than one benefit?

You may qualify for more than one benefit based on your leave reason. Some common events are listed below.

Leave Reason	NY DBL	NY PFL	FMLA	Company	Other
Employee has complications to pregnancy	Yes	No	Yes	STD	
Employee has a serious health condition requiring multiple days-weeks-months away from work (including acting as a bone/organ donor)	Yes	No	Yes	STD-Continuous or reduced leave schedules Maybe for intermittent leave	
Employee is injured at work	No	No	Yes	No	Workers Comp
Employee is fostering and/or adopting a child under age 18	No	Yes	Yes	Maybe (Parental/Bonding leave)	
Employee needs to care for a parent, child, spouse with a serious health condition	No	Yes Unless Company PTO, Sick leave 100% salary continuation used	Yes	Sick leave, PTO May overlap or replace state paid leave	
Employee needs to care for a grandparent, sibling, grandchild, or affinity family member with a serious health condition	No	Yes Unless Company PTO, Sick leave 100% salary continuation used	No	Sick leave, PTO May substitute state paid leave	
Former employee receiving unemployment (less than 90 days post termination) has a qualifying event	No	No	No	No	Unemployment
Former employee not on unemployment (less than 30 days post termination) has a disability	Yes		No	No	

What proof or supporting documentation is needed to support my claim?

For NY DBL, or your own serious health condition (when you are sick or hurt and cannot work for an extended period of time):

- Certification of a Serious Health Condition form filled out by you and your healthcare provider. It can take two weeks or more for your doctor's office to process this paperwork, so be sure to submit it to them as soon as possible; or
- A doctor's note, or Attending Physician Statement (APS). Please make sure it includes the same information as the Certification of Serious Health Condition form.

For NY PFL child bonding for a newborn:

- A copy of the child's Birth Certificate, or
- A statement from the child's health care provider stating child's date of birth, or
- A statement from the mother's health care provider stating child's date of birth.

For child bonding for adoption or foster care placement:

- A copy of court documents finalizing the adoption; or
- Documentation from the child's healthcare provider; or
- Foster/adoption agency paperwork containing adoption or placement.
- Please note: If you are not the parent named in the court documents, you may also be asked to provide proof verifying your relationship to the parent in locos named in the court documentation, such as, but not limited to, marriage certificate, civil union, or domestic partnership documentation.

For NY PFL to care for a family member with a serious health condition, including medical events related to pregnancy or childbirth, you must provide ONE of the following:

- Certification of a Serious Health Condition form filled out by you and your healthcare provider. It can take two weeks or more for your doctor's office to process this paperwork, so be sure to submit it to them as soon as possible, or
- A doctor's note, or Attending Physician Statement (APS). Please make sure it includes the same information as the Certification of Serious Health Condition form.

NY PFL to address military exigency needs, you will need to verify your family member's service with one of the following:

- Covered family member's active-duty orders, or
- Letter from the military unit documenting impending call or order to covered duty, or
- Documentation of military leave signed by the approval authority for the military member's Rest and Recuperation.
- If leave is requested to meet with a third party, such as a school official, counselor, or attorney, you must provide documentation of the meeting that includes:
 - The name, address, and contact information of the individual or entity with whom you are meeting
 - A description of the meeting

Additional FAQs

Are NY benefits job protected?

For NY PFL, yes, you have rights and protections.

- You have job protection, ensuring you can return to the same job (or a comparable one) when you return from Paid Family Leave.
 - You can keep your health insurance while on leave. If you contribute to the cost of your health insurance, your employer can ask you to pay your portion of the premium cost while on leave.
 - Your employer is prohibited from discriminating or retaliating against you for requesting or taking Paid Family Leave.
 - You do not have to take all of your sick and/or vacation time before using NY PFL.

NY DBL does not offer job protection. But you may have protections using the federal FMLA (Family and Medical Leave Act).

For PFL, who are covered family members?

- Spouse/domestic partner
- Child and stepchild
- Parent and stepparent
- Parent-in-law
- Grandparent
- Grandchild
- Sibling (effective 1/1/23)

What is a serious health condition under the PFL law?

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.
- Continuing treatment or continuing supervision by a health care provider.
- Chronic illnesses are covered such a child with asthma, or epilepsy.

What is military exigency?

You can take PFL for Military exigency for family situations arising when your spouse, domestic partner, child, or parent is deployed abroad on active military service or has been notified of an impending military deployment abroad. You cannot use Paid Family Leave for your own qualifying military event.

Can I take NY DBL and PFL at the same time?

No*. NY DBL is available on days which you were prevented from performing work because of disability and for which you have not received regular wages or remuneration. You are ineligible for disability benefits if you perform any type of work for which you receive wages or profit, even if performed at home.

PFL on the other hand is based on the family member 's event.

*NY COVID emergency protections do allow for an employee to receive benefits under NY DBL and PFL at the same time in limited situations during quarantine only.

If I start my claim in one year (2021) and it extends into the next (2022), am I eligible for the benefits at the new year's plan?

No. Benefits are locked in based on your first day of leave, even if the leave is being taken intermittently.

What benefits are available if I'm pregnant and want to use both?

NY DBL is normally used directly after childbirth or for any disability related to pregnancy – 6 weeks for a normal birth and 8 weeks for cesarian birth.

NY PFL is normally used directly after the NY DBL (starting week 7 or week 9) and provides an additional 12 weeks of benefits that can be used any time before the child's first birthday.

What if my claim is denied?

If your claim has been denied, you may reach out to MetLife to have the claim reconsidered, especially if you have new information to support your claim. If, after a second review and the claim is still denied, you may file for arbitration. The denial letter will provide the arbitration filing form and instructions.



Need more information visit:

The New York State websites for [PFL](#) and [DBL](#)

The MetLife PFML [website](#) regarding state mandated benefits.

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