

# New Hampshire

<b>Date law enacted</b>	Granite State Paid Family Leave Plan (NH PFL) Enacted 7/1/2021 Benefits payable 1/1/2023
<b>Key dates</b>	December 2022 (target) - Employer open enrollment January 2023 (target) - Individuals open enrollment
<b>Benefits can be used for</b>	PFL can be used to (1) bond with a child within one year of the child's birth or placement for foster care or adoption; (2) care for a family member with a serious health condition; or (3) respond to military exigency. PML available for an employee's own serious health condition for certain public and private employers.
<b>Type of law</b>	NH State employees will have PFL as an insured options funded by the State. Voluntary insurance for employers who choose to offer PFL and PML benefits. Premium tax credit incentives available to certain employers. Individuals will be able to opt in to purchase Paid Family and Medical Leave through the state purchasing pool if it is not available through their employer.
<b>Funding source</b>	Employer funded, employee funded and split funding options available. Individuals - \$5/week (\$260/year) cap.
<b>Types of private plans</b>	Insured (through state approved carrier(s) only) and self-insured plans equaling or exceeding state fund standards.
<b>Limitations upon right to establish private plans</b>	Private plan cannot exclude any class of employees, determined by age, sex, race, or wages.
<b>Plan Cost</b>	Group insurance premiums are set based on the flexibility approved by the NH Insurance Department. Individuals - \$5 maximum per week, or \$260 annually, as set under the statute.
<b>Employer eligibility</b>	Voluntary program for employers and employees. Individual coverage is only available if not covered under an employer plan.
<b>How benefits are computed</b>	60% wage replacement up to Social Security taxable wage maximum. Employers' plan may be more generous.
<b>Maximum weekly benefit</b>	\$1,696.15, estimated using the 2021 SSW.
<b>Waiting period/elimination period</b>	7 days for state employees and employer plans. 7 month elimination period for individual pool coverage.

## New Hampshire (continued)

<b>Effects of continued pay from employer during leave</b>	Employer group plans as permitted under NH insurance department rules when published PFML benefit cannot be reduced because the employee is receiving unemployment
<b>State sick leave mandate</b>	None
<b>Post-employment benefits</b>	None
<b>Job protections</b>	<p>Group insurance: Employers that sponsor NH PFL benefits per the statute must restore employees to the position the employee held prior to such leave or an equivalent position consistent with the job restoration provision of the federal Family and Medical Leave Act (FMLA).</p> <p>Individual insurance: none</p>
<b>Family leave covered relatives</b>	Wages means every form of remuneration for personal services paid to the employee by the employer, including salaries, commissions, tips and bonuses.
<b>Definition of wages</b>	Reduces benefits if benefits plus continued employer pay exceeds regular weekly wages.

New Hampshire will issue a Request for Information (RFI) or Request for Proposal (RFP) to identify an insurance carrier or carriers that will administer the NH PFL benefits for the state's workforce, and also allow for employers and individuals to opt in for coverage. The law also creates a purchasing pool where employees who work for employers that do not offer these benefits can purchase coverage through the pool. The RFI/RFP process is scheduled to begin no later than March 31, 2022. Since New Hampshire is relying on private insurance to administer benefits, the program will begin paying benefits January 1, 2023.

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