



August 2017

As of January 1, 2018, all private employers (association libraries and reading centers), regardless of size, must make Paid Family Leave available to their employees. While the posters and other regulation materials haven't been distributed to employers yet, many payroll companies have already begun making the deductions from employee pay checks. In order for all libraries to make informed decisions about this benefit and to budget appropriately for FY2018, we have compiled this guidance.

What is Paid Family Leave?

Paid Family Leave is a benefit by which an employee may take time off of work to provide care to a family member or bond with a child, including in cases of fostering and adoption. This employee is paid at a rate of half their wage, up to a maximum cap based on the average wage in the state of New York. Over the next 4 years, the percentage of wage that can be compensated, and for how many weeks, will increase annually. Paid Family Leave is a program governed by many of the same rules as the Disability Benefit Law (DBL) coverage (also known as short-term disability) you probably currently provide.

Which libraries have to participate?

Association libraries and reading centers (if they have at least one paid employee) are required to participate in the Paid Family Leave program - just as they are required to participate in DBL by carrying a New York State approved disability benefit through their insurance company for each of their employees. Libraries chartered as school district or municipal publics and special legislative districts are able to offer this benefit to their employees, but are not required to do so. There are only ten libraries within the STLS membership that aren't required to participate in Paid Family Leave.

How much does it cost?

Like DBL, this program is designed to be completely funded by the employee, not the library – although the library can choose whether to absorb the cost of the insurance, or to pay for it through pre-tax payroll deduction. At the time of this writing, Paid Family Leave and DBL are set at the same rate per week: \$1.65.

How does a library offer the benefit to their employees?

Like DBL, Paid Family Leave is accomplished by contracting with an insurance company to have the employee pay through payroll deduction. This is an important time to investigate if your library has been operating in compliance with the Disability Benefits Law, as well. If you are a chartered association library, but do not have Disability Benefit/Short-term Disability coverage for your director and staff, you are currently not compliant with the law.

This is an opportunity to get bundled coverage for both DBL and PFL. Both programs are intended to be fully employee funded and would be deductions from the employee's paycheck totaling \$3.30 per week or \$6.60 per bi-weekly check. The library has the option of funding this insurance itself as a low-cost benefit to their director and staff.

Who benefits from Paid Family Leave?

Employees who work more than 20 hours per week, as well as employees who work less than 20 hours per week, if they work more than three days within every week and after they've worked more than 175 days within one calendar year.

Paid Family Leave has many features that are similar to the federal Family Medical Leave Act, but differs in important ways, including that Paid Family Leave is paid and covers a larger circle of family. Circumstances that qualify for Paid Family Leave include:

- Bonding with the employee's new child during the first 12 months after birth or placement for adoption or foster care
- Providing care for a family member with a serious illness
- Participating in "qualifying exigencies" due to family member's active duty military service or notice of a call to active duty
- Family member is defined as
 - Spouse OR domestic partner
 - Child (no age limit)
 - Parent
 - Parent-in-law
 - Grandparent
 - Grandchild

All association library directors and staff who meet the above outlined eligibility criteria are able to use this benefit as of January 1, 2018. As an example, if an eligible staff person gave birth in August 2017, that same staff person could take time off to care for that child on January 1, 2018 and receive the benefits afforded by the program as outlined below.

What are the benefits?

Effective Date	Maximum Annual Benefit	Amount to be Paid per Week
January 1, 2018	8 Weeks (1 day increments)	50% of salary up to cap
January 1, 2019	10 Weeks (1 day increments)	55% of salary up to cap
January 1, 2020	10 Weeks (1 day increments)	60% of salary up to cap
January 1, 2021	12 Weeks (1 day increments)	67% of salary up to cap

For more information

All of the guidance is based on information from the following sources

Fact Sheet for Employees.

https://www.ny.gov/sites/ny.gov/files/atoms/files/PaidFamilyLeave_EmployeeFactSheet.pdf

Fact Sheet for Employers.

https://www.ny.gov/sites/ny.gov/files/atoms/files/PaidFamilyLeave_BusinessOwnerFactSheet.pdf

New York Issues Final Paid Family Leave Regulations. HRWorks-Inc. 16 August 2017.

<http://www.hrworks-inc.com/hr-focus/new-york-issues-final-paid-family-leave-regulations>.

Paid Family Leave Program Website. <https://www.ny.gov/programs/new-york-state-paid-family-leave>