

Table: Comparison of Paid Family Leave Plans in Nine States

JFO/jm, LC/djl; November 1, 2019

		Ongoing programs				Enacted, not yet effective					Proposed	Proposed
Status	Enacted	California	New Jersey	Rhode Island	New York	Washington	Washington, DC	Massachusetts	Connecticut	Oregon	Vermont (H.107 as passed Senate)	Vermont (H.107 as passed House)
	Effective	2002	2008	2013	2016	2017	2017	2018	2019	2019	----	----
		2004	2009 (2020)‡	2014	2018	Jan. 2020	July 2020	Jan. 2021	Jan. 2021	Jan. 2022	July 1, 2019	On Passage
									Tax begins Jan 1, 2021; Ben's begin Jan. 1, 2022	Tax begins Jan. 1, 2022; Ben's begin Jan. 1, 2023	Tax begins April 1, 2020; Ben's begin Oct. 1, 2020	Tax begins April 1, 2020; Ben's begin Oct 1, 2020
Reasons and Duration (wks)	Family care	6	6 (12)‡	4	10 in 2019, and 12 in 2021	12	6	12	12	12 ⁵	8	8
	Birth, adoption, foster	6	6 (12)‡	4		12 (14 preg)	8	12	12 (14 preg)	12 ⁵ (14) ⁶	12‡‡	12
	Own disability (year established TDI*)	52 (1946)	26 (1948)	30 (1942)	26 (1949)	12	2	20	12	12 ⁵	6‡‡‡	8
	Military Exigencies and Care							26	12			
	Safe Leave b/c of Domestic Violence		12‡							12 ⁵		
Maximum, if any				Max combined=30		Max 16 wks combined; (18 if ser ill from preg)	6 family care leave; 8 parental leave; 2 own health	Max Combined=26	Max 12 wks in 12 mos	Max of 12 weeks in 12 mos ⁶	Max 12 wks in calendar year	Max 12 wks in calendar year
Definition of Family Member	Child	X	X	X	X	X	X	X	X	X	X	X
	Parent	X	X	X	X	X	X	X	X	X	X	X
	Spouse	X	X	X	X	X	X	X	X	X	X	X
	Domestic partner	X	X, civ unn partner	X	X	X	X	X	X	X	X	X
	Grandparent	X	X‡	X	X	X	X	X	X	X	X	X
	Grandchild	X	X‡		X	X		X	X	X	X	X
	Sibling	X	X‡			X	X	X	X	X	X	
	Parent-in-law	X	X‡			X		X	X	X	X	X
Eligibility		\$300 in wages in base period	>= 20 weeks covered in NJ with >= \$168/wk	Covered employment in RI of at least \$11,520 in base year	Family care: With current employer at least 26 consecutive weeks	Worked 820 hours during qualifying period (4 qrtrs)	Worked at least 50% time with DC employer	Earned at least \$4,700 during last 4 calendar quarters	Earned at least \$2,325 during highest earning qtr in base period	Earned at least \$1,000 during base period	Earned wages in a least 2 of the last 4 calendar quarters	Earned wages in a least 6 mos. during last 4 calendar quarters
			OR earned at least \$8,400 in base year	OR earned at least \$1,920 in a quarter and \$3,840 or more in base year	Own care: With current employer at least 4 consecutive weeks		AND in covered employment for at least 52 weeks	AND at least 30 times wkly UI benefit for which individual is eligible	AND were employed during the previous 12 weeks		AND earned at least (minimum wage) x 1,040hrs in last 4 calendar quarters	AND earned at least (minimum wage) x 1,040hrs in past 12 mos.
Funding	Employer pays		0.1% to 0.75% on 1st \$34,400		Pays remainder of disability insurance, rates determined by insurer	0.145% taxable wages (year 1)****	0.62%	0.315%†		Max of 0.4% on first \$132,900 of ee's wages ⁸	optional	optional
	Employee pays	1.0% on 1st \$118,371	0.25% on 1st \$34,400 ¹	1.1% on 1st \$69,300	0.5% up to \$0.60/wk + family care (0.153% up to \$107.97/yr)	0.255% taxable wgs (year 1)****		0.315%†	0.5% on first \$132,900 of ee's wages^^^	Max of 0.6% on first \$132,900 of ee's wages ⁸	0.2% on first \$132,900 of ee's wages (0.58% for ee's who elect TDI)	0.55% on first \$132,900 of ee's wages ⁹
Benefit amount	Per week	60% or 70% own wages**	66% own wages ²	4.62% of qtrly wages (about 60% of avg wkly wages)	Fam care: 55% avg wkly wage, not to exceed 55% of state AWW; Own disability: 50% own weekly wage, max \$170/wk***	90% of AWW if earn <= 50% of statewide AWW; if more, 90% up to 50% statewide AWW, 50% of excess	If < 150% of DC min wg * 40, 90%; If >150% of DC min wg * 40, 90% of 150% DC min wg * 40 + 50% of own excess wkly wg	80% of employee's wgs up to 50% of MA AWW + 50% of employee's wgs above MA AWW	95% of wages up to 40x CT Min Wage (\$520 on 1/1/2022) and 60% of wages above 40x CT Min Wage	100% of employee's wages up to 65% of OR avg weekly wage + 50% of employee's wages above 65% of OR avg weekly wage	90% of employee's wgs up to 55% of VT avg weekly wage + 55% of employee's wgs above 55% of VT avg weekly wage	90% of employee's wgs up to VT weekly liveable wage + 50% of employee's wgs above VT weekly liveable wage
	Maximum	\$1,252/wk	\$650/wk ³	\$852/wk	\$746.41	\$1,000/wk^	\$1,000/wk	\$850/wk	\$780/wk (on 1/1/2022)	\$1,253/wk ⁷	\$964/wk	\$1,334/wk

Table, continued		California	New Jersey	Rhode Island	New York	Washington	Washington, DC	Massachusetts	Connecticut	Oregon	Vermont (proposed)	Vermont (proposed)
Employer type	Private	All	All if UE Comp	All	Most	All	All in UE Comp	All	All	All	All (May also comply with program through Alternative Plan)	All (May also comply with program through Alternative Plan)
	Public	Some	All if UE Comp	Some	Some	All	Not	State + local govt. may opt in	Some	All	All (May also comply through Alternative Plan)	All (May also comply through Alternative Plan)
	Self-employed	Opt in	All if UE Comp		Opt in	Opt in	Opt in	Opt in	Opt in	Opt in		
Waiting period		None	7 days (paid if receive benefits for >= 3 wks) ⁴	None; must be out of work for 7 days	Family care: none; Out of work 7 consec. days	1 week, but none for bonding care	1 week, only once per year	1 week	None	None	5 days for medical leave or family care leave	None

*TDI is Temporary Disability Insurance for short-term disability

CA beginning in 2018: If quarterly earnings >= \$929 but < 1/3 state average quarterly wage, **70% of worker's weekly wage; if quarterly earnings >= 1/3 of state average quarterly wage, the weekly benefit rate will be the maximum of 23.3% of state average weekly wage or **60%** of the worker's weekly wage; if quarterly earnings <\$929, weekly benefit = \$50; the maximum benefit is adjusted annually based on the statewide average weekly wage

***New York benefit rate rises to **55%** of the worker's weekly wage up to 55% of the state AWW; in 2020, **60%**; and in 2021, **67%** (increases subject to delay); for disability benefit, if employee earns < \$20 per week, the benefit is their full average weekly wage

**** In year 1, the initial premium for Washington is set as .4% of wages. The medical leave premium is 2/3 of that rate and the family leave premium is 1/3.

The employer is responsible for 55% of the medical leave premium and the employee is responsible for 45% of the medical leave premium and all of the family leave premium.

† From 7/1/19-12/31/21 the aggregate contribution rate will be 0.63% of wages. Employees are responsible for up to for up to 100% of the family leave premium and up to 40% of the medical leave premium.

Because medical leave is used more than family leave and is available for a longer period, it is estimated that the costs will be equally split between employers and employees.

The proposed supplemental budget (H.4758) includes language that would direct the Department of Family and Medical Leave to set annual premiums for family leave and medical leave based on anticipated costs.

†† According to Governor's staff, 12-month waiting period is intended for State employees and Governor's plan would permit employers to set eligibility requirements for their employees. This is not reflected in S.151 or H.396.

††† Estimated premiums are presently unknown pending responses to the State's RFI. Premium rates will depend on an employers' size and the percentage of their workforce that is covered.

‡ Effective July 1, 2020 pursuant to A.3975, which was enacted on 2/19/19.

‡‡ If both parents qualify for PFMLI benefits, they are limited to a combined total of 16 weeks of bonding leave per calendar year.

‡‡‡ Employee may elect to obtain coverage for his or her own serious illness.

¹ Taxable wage base is increasing to 107 times State AWW, or \$131,400 in 2019 dollars, on July 1, 2020.

² Increasing to 85% of own wages on July 1, 2020.

³ Increasing to 70% of State AWW, or \$860/wk in 2019 dollars, on July 1, 2020.

⁴ Beginning July 1, 2020, there will be no waiting period for Family Leave Insurance benefits.

⁵ Individuals are entitled to take up to 4 additional weeks of UNPAID leave pursuant to Oregon's Family Leave law after exhausting their Paid Family and Medical Leave.

⁶ An individual may qualify for up to two weeks of additional benefits for limitations related to childbirth, pregnancy, or a related medical condition.

⁷ OR will annually adjust the maximum weekly benefit to 120% of the OR AWW.

⁸ Taxable wage base will annually increase by the percentage increase in the CPI.

⁹ Contribution rate is 0.20% from January 1, 2020 through June 30, 2020.

^ WA will adjust annually the maximum weekly benefit to 90% of the WA AWW

^^ Includes individuals whose employer does not participate in Plan.

^^^ Contribution rate cannot exceed 0.5%. If contributions at max rate are insufficient to ensure solvency of program, Authority may reduce benefits as necessary to ensure solvency.

For more detail, see <http://www.nationalpartnership.org/research-library/work-family/paid-leave/state-paid-family-leave-laws.pdf>

jfo/JM; March 14, 2018
lc/DJL; November 1, 2019