



# A Working Session on Streamlined Absence & Benefits

S. Andrus, P. Dubé, J. Robinson, A. Scaia  
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## Meet the Presenters



Sharon Andrus

Head of Paid Family and  
Medical Leave Product,  
The Hartford



Paul Dubé

Head of Disability Product,  
The Hartford



John Robinson

Client Broker Learning  
Consultant  
The Hartford



Allison Scaia

Head of Employee Benefits  
and Workers' Compensation  
Integration,  
The Hartford



# Today's Agenda

- 1 Landscape of benefits
- 2 Workshop discussion
- 3 Streamlining Benefits Discussion / Best Practices





# Landscape of Benefits



## **EMPLOYEE HAS TWO QUESTIONS:**

1. How and when will I receive pay?
2. Will my job be protected?

## **KEY ASPECTS FOR EMPLOYERS:**

- Compliance
- Employee Experience and Return to Work Activity
- Productivity

# Understanding Absence & Leave Management

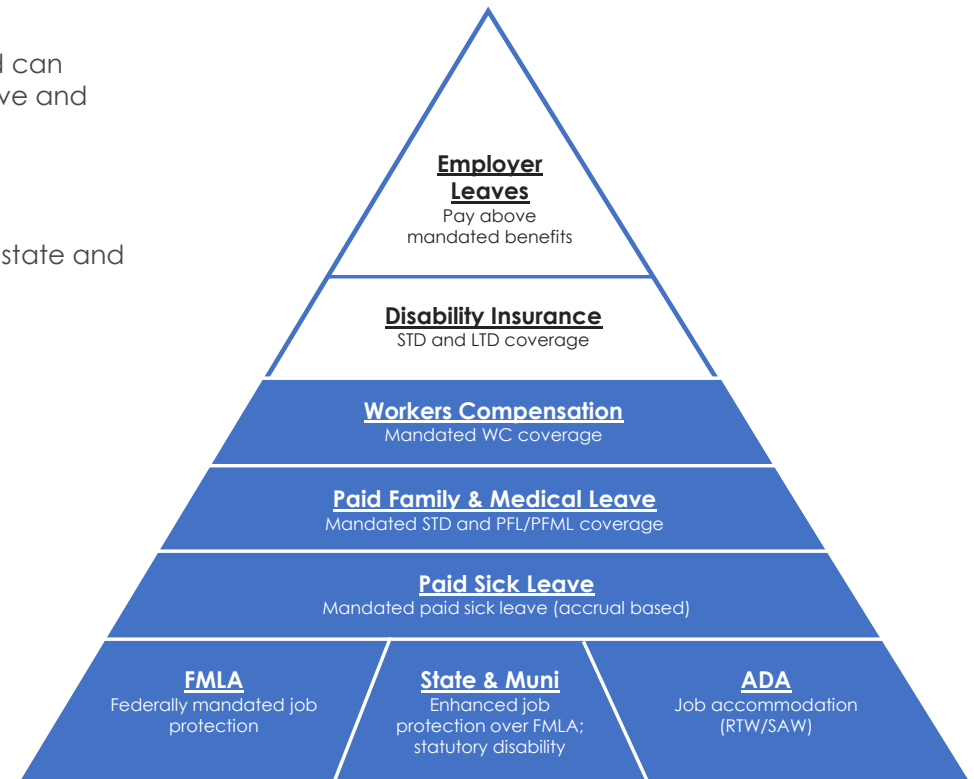
## Absence Management

Leave + Disability management is technically Absence Management, and can also encompass the various types of disability, statutory and company leave and PTO programs.

## Leave Management

Leave management generally refers to administering the unpaid federal, state and local leave requirements including:

- **Determining eligibility** for all applicable leaves
- **Applying** the interaction of leaves
- **Compliance** with requirements of all applicable laws
- **Communicating** leave decisions to employees
- **Documenting** the decision process as required by law
- **Managing** leaves for continuing eligibility
- **Reporting** trends to help improve overall outcomes and reduce costs



# Paid Family and Medical Leave Programs

As of May 17, 2024

## ■ PFML mandates:

- CO, CT, DE, MA, MD, ME\*, MN, NJ, NY, OR- plans can be either insured or self-insured
- CA and WA can only be self-insured
- RI and Washington D.C. do not allow private plans
- HI and PR have Temporary Disability Insurance only, no family leave

## ■ Voluntary/Optional FMLI insurance plan:

- NH, VT

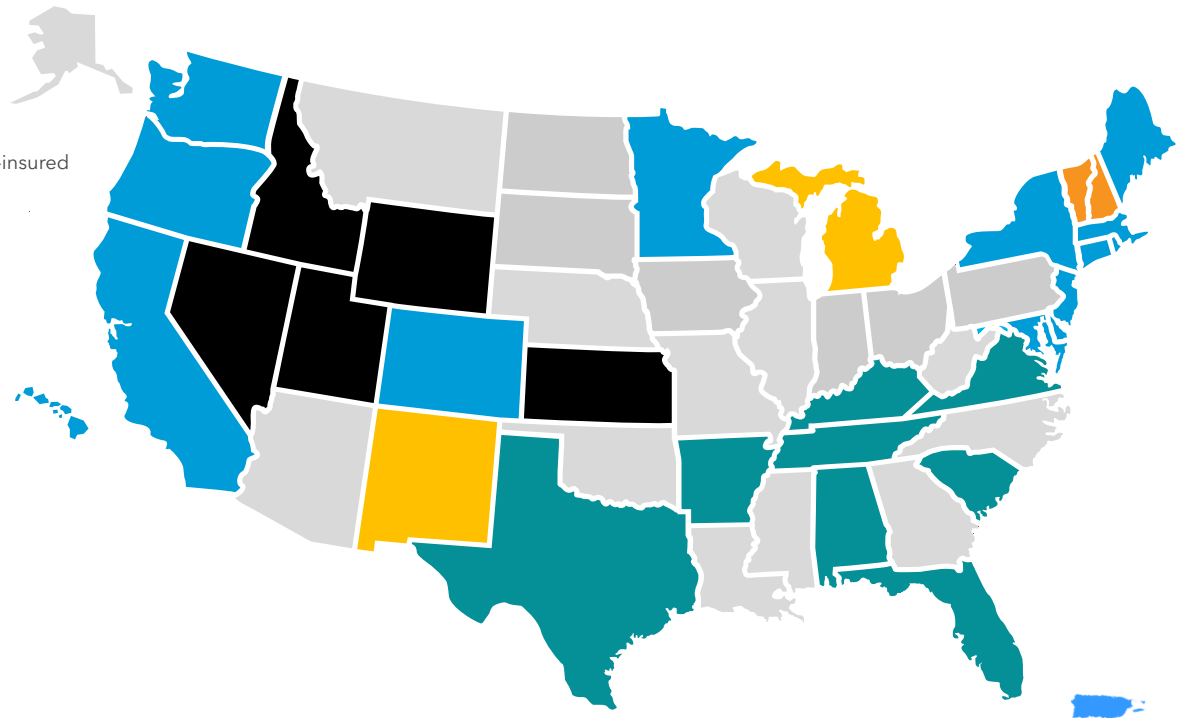
## ■ Voluntary/Optional FLI insurance plan only:

- AL, AR, FL, KY, TN, TX, SC, VA,

## ■ Watching: likely to pass PFML mandate in next two years

## ■ PFML legislation introduced since 2019, but not passed

## ■ Has **not** introduced PFML program



\* The program in ME is a new legislative mandate. The Hartford is exploring our offerings.



# Workshop Discussion



# 101

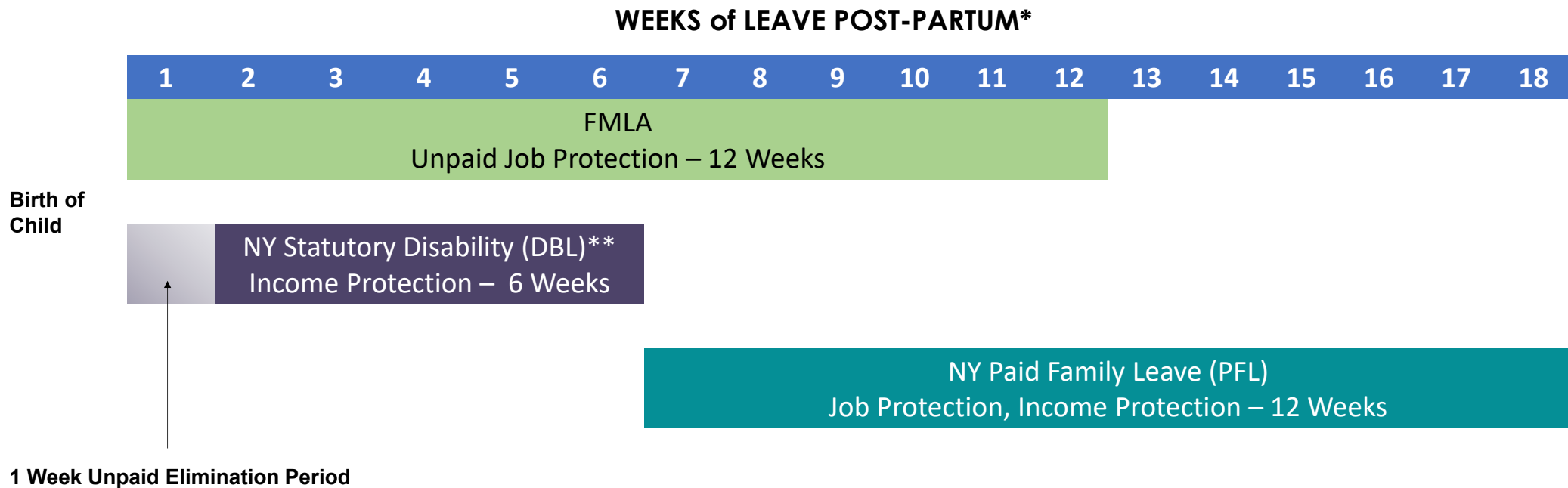
## New Child

Olivia is **welcoming a new child** to her family as the **birth parent**. She lives and works in **New York** and has worked for her employer (**500+ EE's**) for **5 years**. Olivia makes **\$1000/week**. Olivia plans to take leave to bond with her new baby.

- What Federal / Statutory benefits may Olivia be eligible for?
- How long would Olivia's job be protected?
- How long would Olivia receive pay based on Federal / Statutory benefits?



# Job Protection and Income Protection



\* This illustration assumes the availability of full amounts of leave and that the employee takes the full disability leave before taking family leave  
 \*\*NY DBL standardly allows for an employee's paid disability leave: 4 weeks pre-partum/6 weeks postpartum for vaginal delivery and 4 weeks pre-partum/8 weeks postpartum for C-section


# Statutory Income Protection – New York

## DBL (Medical Leave) & PFL (Family Leave)

### Benefits

Disability benefits are **cash-only** benefits. The benefit:

- is 50 percent of your average weekly wage for the last eight weeks worked
- cannot be more than the maximum benefit allowed, currently \$170 per week (WCL §204).
- Is subject to Social Security and Medicare taxes.
- is paid for a maximum of 26 weeks of disability during any 52 consecutive week period (WCL §205).

You cannot collect disability benefits and [Paid Family Leave](#)  benefits at the same time. The total combined disability leave and Paid Family Leave in any 52-week period may not exceed 26 weeks.

Note that the PFL does not provide for the payment of medical expenses.

[Introduction to the Disability Benefits Law \(ny.gov\)](#)



### PAID FAMILY LEAVE

## 2024 Wage Benefit Calculator

Based on your average weekly wage of \$1000.00, your estimated weekly Paid Family Leave wage benefit is \$670.00.

Your actual benefit amount will depend on your gross weekly pay for the eight weeks prior to you taking leave. If you make less than \$100 per week, you will get more than 67%. Talk to your employer's insurance carrier. In 2024, the maximum weekly benefit is \$1,151.16. In most cases, the insurer must pay or deny your request within **18 calendar days** of receiving your completed request or the first day of the start of leave, whichever is later.

Note: Pursuant to the [Department of Tax Notice No. N-17-12](#), Paid Family Leave benefits are taxable. Taxes will not automatically be withheld from benefits, but employees can request voluntary tax withholding. Other questions related to the taxability of Paid Family Leave contributions should be referred to the [NYS Department of Taxation and Finance](#).

[2024 Wage Benefit Calculator | Paid Family Leave \(ny.gov\)](#)

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## New Child

Olivia is **welcoming a new child** to her family as the **birth parent**. She lives and works in **New York** and has worked for her employer (500+ employees) for **5 years**. Olivia makes \$1000/week

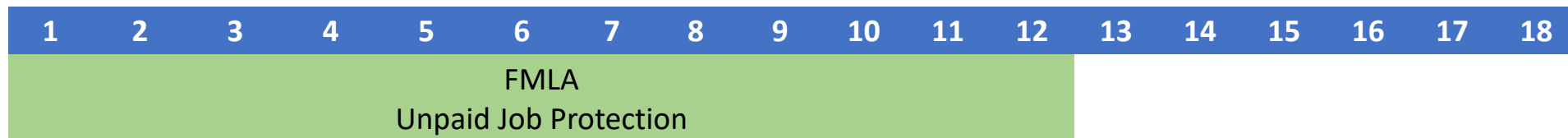
Her employer provides **STD (60%)** to employees

- What would Olivia's income protection look like taking into account her employer's STD plan?

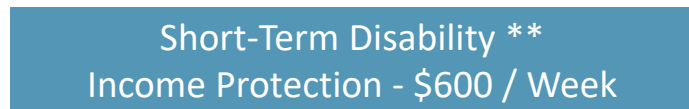


# Job Protection and Income Protection

WEEKS of LEAVE POST-PARTUM\*



Birth of Child



Total Payable = \$600 / Week  
(*\$600 from STD for week 1 and \$170 from NY DBL and \$430 from STD for weeks 2 – 6*)



\* This illustration assumes the availability of full amounts of leave and that the employee takes the full disability leave before taking family leave  
 \*\*NY DBL standardly allows for an employee's paid disability leave: 4 weeks pre-partum/6 weeks postpartum for vaginal delivery and 4 weeks pre-partum/8 weeks postpartum for C-section

	New York	Colorado	Texas
Pre-Disability Earnings/Average Weekly Wage	\$1000 / week	\$1000 / week	\$1000 / week
Statutory Disability / Paid Medical Leave (PML)	\$170 / week	\$794 / week	\$0
Employer STD <sup>1</sup>	\$600 / week	\$600 / week	\$600 / week
<b>Weekly Benefit Payable for Birth/Recovery</b>	<b>6 weeks \$600/week (<i>\$600 from STD for week 1 and \$170 from NY DBL and \$430 from STD for weeks 2 - 6</i>)</b>	<b>6 weeks \$794/week from CO FAMILI STD pays \$0</b>	<b>6 weeks \$600/week from STD</b>
Paid Family Leave	\$670 / week for 12 weeks	\$794 / week for 6 weeks	\$0
FMLA Job Protection <sup>2</sup>	12 weeks from date of first absence PFL is also job protected	12 weeks from date of first absence PFL is also job protected	12 weeks from date of first absence
<b>Total Time Off and Pay<sup>2</sup></b>	<b>18 weeks \$11,640</b>	<b>12 weeks \$9,528</b>	<b>12 weeks \$3600</b>



<sup>1</sup> - Employer plan designs vary and may include a waiting period; this illustration assumes no waiting period on the STD and the availability of full amounts of leave.  
<sup>2</sup> - Employees may need to meet specific eligibility criteria (i.e. hours worked, tenure, size of employer, etc.) for job protection and benefits

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## New Child

John is **welcoming a new child** to his family as the **non-birth parent**. He lives and works in **New York** and has worked for his employer (500+ employees) for **20+ years**.

- What benefits may apply for John?
- What benefits do you as an employer offer birth parents and non-birth parents?



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## Work-Related Injury

A manufacturing employee is injured at work in Massachusetts (250 employee location) and cannot stand for 6+ weeks.

- What benefits may apply for this individual?
- What benefits questions must be considered / next steps for this individual?
- How is your company coordinating benefits when the injury is work-related?





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## Non-Work-Related Injury

A manufacturing employee is injured off the job in Massachusetts (250 employee location) and cannot stand for 6+ weeks.

- What benefits may apply for this individual?
- What benefits questions must be considered / next steps for this individual?
- How might return-to-work goals be approached?





# Streamlining Benefits Discussion / Best Practices

## How do you coordinate and streamline benefits for your employees?

- Do you have any best practices internally?
- Do you leverage any partners / programs?



## EMPLOYER ROUTINES AND BEST PRACTICES

ARE YOU...

YES/NO

Coordinating administration across all available benefits (including federal/state mandated and employer sponsored/voluntary)?

Conducting routine discussions among HR/Benefits/Safety/Risk Management teams to review how you can work together to support keeping employees healthy and productive at work?

Driving consistency and equity across the organization for similarly situated individuals, including but not limited to occupational vs. non-occupational related leaves/injuries, different locations/departments/functions, etc.?

## EMPLOYEE EDUCATION

ARE YOU...

YES/NO

Providing routine education across your workforce on the benefits available to employees?

Including an employee benefit 'wellness' check as part of annual enrollment?

## LEADER/MANAGER EDUCATION AND ENGAGEMENT

ARE YOU...

YES/NO

Reinforcing the benefits with front line managers to help them support their employees?

Educating front line managers on what to listen for, how to recognize when a benefit may be available and how to access the benefit and value-added services for their employees?

## BENEFITS SELECTION AND OFFERINGS

ARE YOU...

YES/NO

Reviewing your benefits to apply holistic and equitable health and wellness offerings that take the diversity of your employee population into account.

Working with partners who can help identify applicable and/or concurrent benefits for employees?

TOPIC	WEBSITE	OWNER
Family and Medical Leave Act (FMLA)	<a href="http://www.dol.gov">www.dol.gov</a>	U.S. Department of Labor
ADA	<a href="http://www.eeoc.gov">www.eeoc.gov</a>	Equal Opportunity Employment Commission (EEOC)
Return to Work	<a href="http://www.askjan.org">www.askjan.org</a>	Ask Jan
Industry Information	<a href="http://www.dmec.org">www.dmec.org</a>	Disability Management Employer Coalition
Industry Data	<a href="http://www.ibinet.org">www.ibinet.org</a>	Integrated Benefit Institute
Pregnant Workers Fairness Act	<a href="https://www.eeoc.gov/statutes/pregnant-workers-fairness-act">https://www.eeoc.gov/statutes/pregnant-workers-fairness-act</a>	EEOC
Paid Family and Medical Leave	<a href="https://www.thehartford.com/paid-family-medical-leave">https://www.thehartford.com/paid-family-medical-leave</a>	The Hartford
The Hartford ADA podcasts	<a href="https://www.thehartford.com/paid-family-medical-leave/podcasts">https://www.thehartford.com/paid-family-medical-leave/podcasts</a>	The Hartford
Protecting Talent on Business Travel	<a href="https://www.thehartford.com/insights/work/business-travel-environment">https://www.thehartford.com/insights/work/business-travel-environment</a>	The Hartford

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Allison Scaia



[Allison.Scaia@thehartford.com](mailto:Allison.Scaia@thehartford.com)



John Robinson



[John.Robinson@thehartford.com](mailto:John.Robinson@thehartford.com)



Paul Dubé



[Paul.Dube@thehartford.com](mailto:Paul.Dube@thehartford.com)



Sharon Andrus



[Sharon.Andrus@thehartford.com](mailto:Sharon.Andrus@thehartford.com)

