



# Legislative Shifts: The Changing Landscape of PFL

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2024





## Presenters



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# PFML Through the Years



# Flashback!!! It's...1994

## Meet Janice

- Occupation: **Paralegal**
- Annual Salary: **\$18,000**
- Work state : **New York**

## Janice's maternity leave

- Leave available: **DBL**
- Benefit amount: **\$170**



## Meet Elizabeth

- Occupation: **Paralegal**
- Annual Salary: **\$18,000**
- Work state: **Colorado**

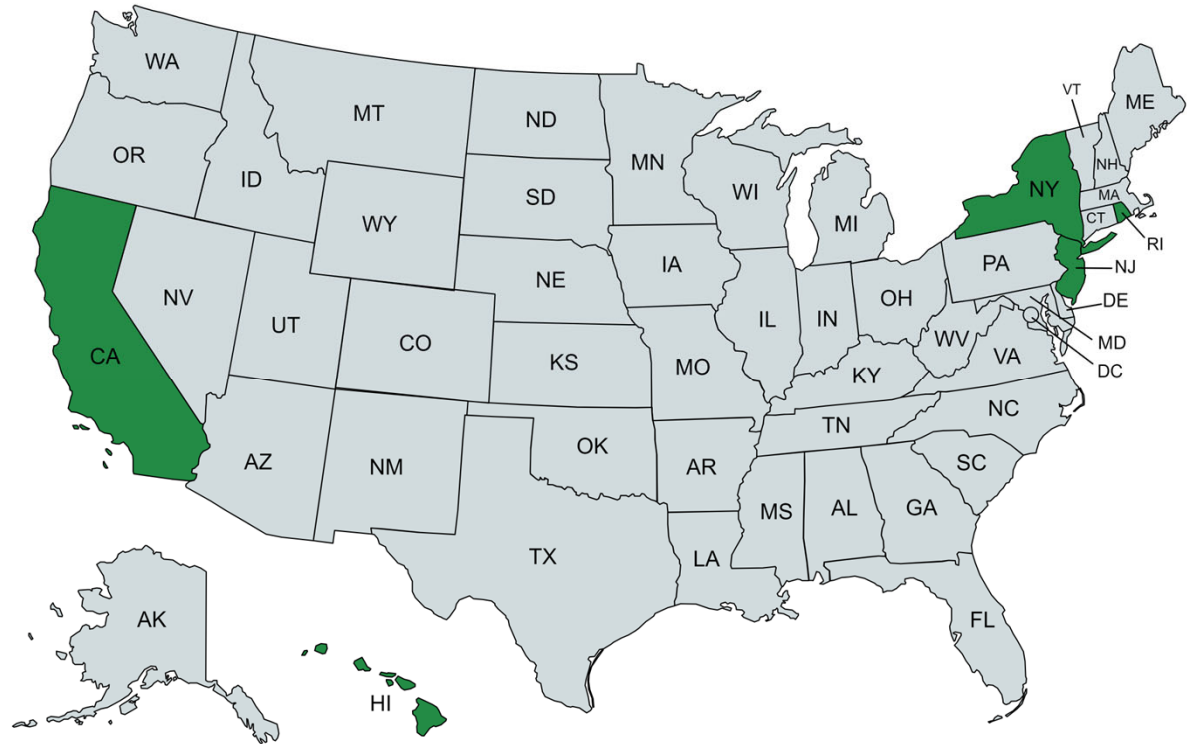
## Elizabeth's maternity leave

- Leave available: **None**
- Benefit amount: **None**

# Paid Leave Benefits: 1994

## Benefits available to eligible workers:

- Rhode Island TDI
- California SDI
- New Jersey TDI
- New York DBL
- Hawaii TDI





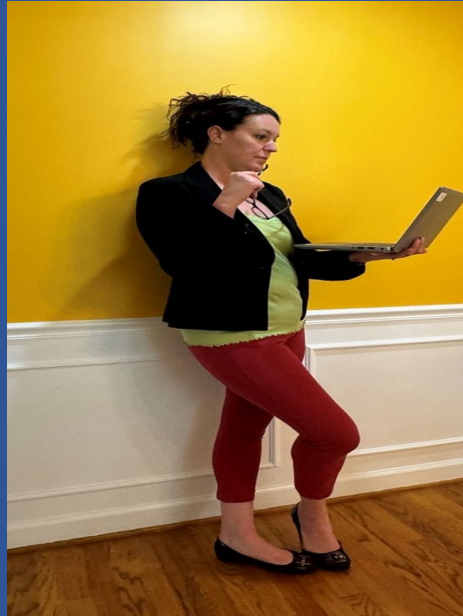
# Fast Forward!!! It's...2014

## Meet Jessica

- Occupation: **Marketing Manager**
- Annual Salary: **\$50,000**
- Work state: **New York**

## Jessica's maternity leave

- Leave available: **DBL**
- Benefit amount: **\$170**



## Meet Brooke

- Occupation: **Marketing Manager**
- Annual Salary: **\$50,000**
- Work state: **Colorado**

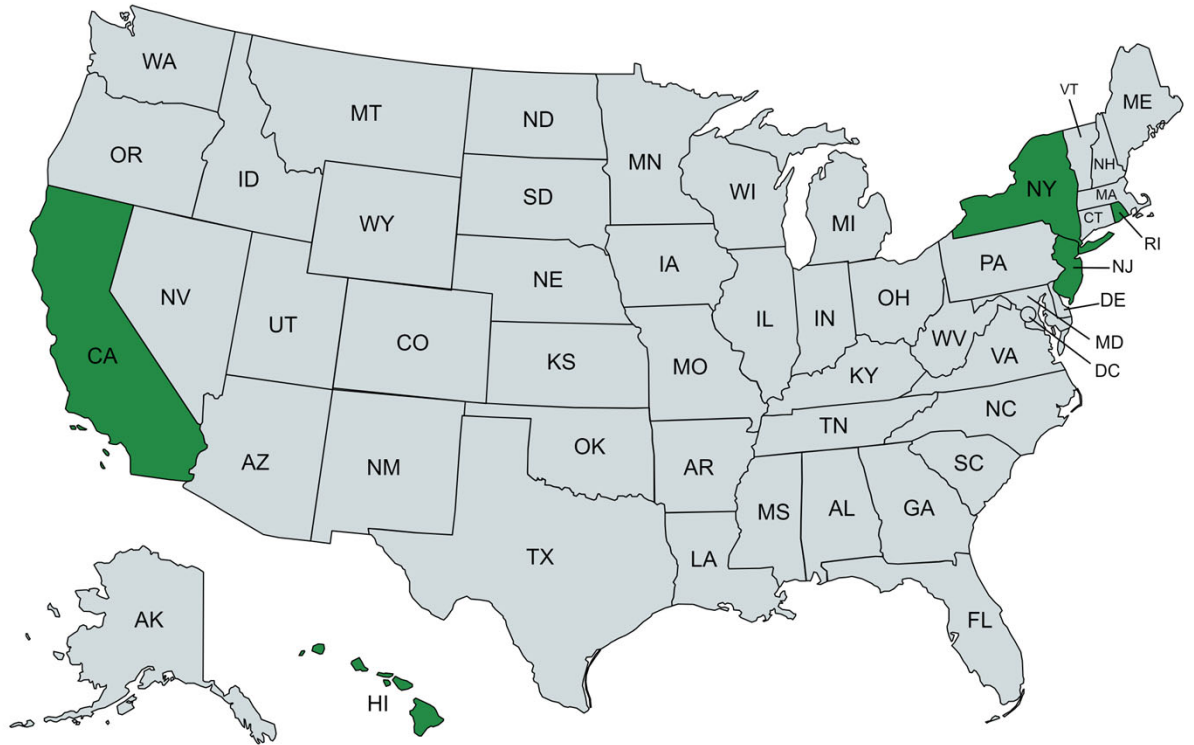
## Brooke's maternity leave

- Leave available: **None**
- Benefit amount: **None**

# Paid Leave Benefits: 2014

## What's new 20 Years Later?

- California PFL (2004)
- New Jersey FLI (2009)
- Rhode Island TCI (2014)



# Ten Years Later...2024

## Meet Sophie

- Occupation: **Analyst**
- Annual Salary: **\$150,000**
- Work state: **New York**

## Sophie's maternity leave

- Leave available: **DBL & PFL**
- Benefit amount: **\$170 (DBL) & \$1,151.16 (PFL)**



## Meet Heather

- Occupation: **Analyst**
- Annual Salary: **\$150,000**
- Work state: **Colorado**

## Heather's maternity leave

- Leave available: **FAMLI**
- Benefit amount: **\$1,100**





# 2024: Mandatory Paid Leave Legislation

State	Leave Type	Covered Reasons	Duration	Maximum Benefit
CA	State Disability Insurance (SDI)	SDI: Employee's medical reason	SDI: 52 weeks	\$1,698
	Paid Family Leave (PFL)	PFL: Bonding, family care, military exigency	PFL: 8 Weeks	
CO	Family and Medical Leave Insurance (FAMLI)	Employee's serious health condition, bonding, family care, military exigency, safe leave	12 weeks Additional 4 weeks for pregnancy or childbirth complications	\$1,100
CT	Paid Family and Medical Leave (PFML)	Employee's serious health condition, bonding, family care, military exigency, safe leave	12 weeks	\$941.40
DC	Universal Paid Leave (UPL)	Employee's serious health condition, bonding, family care	12 weeks 2 weeks for prenatal care	\$1,118
HI	Temporary Disability Insurance (TDI)	Employee's medical reason	26 weeks	\$798
MA	Paid Family and Medical Leave (PFML)	Employee's serious health condition, bonding, family care, military exigency,	20 weeks medical 12 weeks family 26 weeks combined	\$1,149.90

# 2024: Mandatory Paid Leave Legislation

State	Leave Type	Covered Reasons	Duration	Maximum Benefit
NJ	Temporary Disability Insurance (TDI)	TDI: Employee's medical reason	TDI: 26 weeks	\$1,055
	Family Leave Insurance (FLI)	FLI: Bonding, family care, safe leave	FLI: 12 weeks	
NY	Disability Benefits Law (DBL)	DBL: Employee's medical reason	DBL: 26 weeks	DBL: \$170
	Paid Family Leave (PFL)	PFL: Bonding, family care, military exigency	PFL: 12 weeks	PFL: \$1,151.16
OR	Paid Family and Medical Leave Insurance (PFML)	Employee's serious health condition, bonding, family care, safe leave	12 weeks Additional 2 weeks for pregnancy or childbirth complications	\$1,523.63
RI	Temporary Disability Insurance (TDI)	TDI: Employee's medical reason	TDI: 30 weeks	\$1,007
	Temporary Caregiver Insurance (TCI)	TCI: Bonding, family care	TCI: 6 weeks	
WA	Paid Family and Medical Leave (PFML)	Employee's serious health condition, bonding, family care, military exigency,	12 weeks Additional 2 weeks for pregnancy or childbirth complications	\$1,456

# 2026: Looking Ahead

**Delaware**

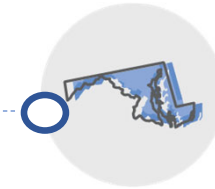
**Maryland**

**Maine**

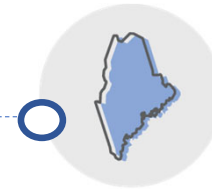
**Minnesota**



- Employee's own serious health condition
- Bonding
- Family care
- Military exigency



- Employee's own serious health condition
- Bonding
- Family care
- Military exigency



- Employee's own serious health condition
- Bonding
- Family care
- Military exigency
- Safe leave



- Employee's own serious health condition
- Bonding
- Family care
- Military exigency
- Safe leave

# The Significance of PFML



Employees cannot afford to take advantage of FMLA without income replacement.



Employers want to support employees during their time of need



Disability benefits leave a gap for an employee needing to care for a family member



Access to paid leave reduces employer turnover by providing flexibility to employees







# Legislative Shifts



# Voluntary PFML: State Plans

- Coverage provided for **state employees**
- **Private employers** can opt-in to coverage, but are not required to participate
- Benefits are administered through a single insurance carrier
- Employers have more control
  - Eligibility
  - Funding
  - Benefit design



# Voluntary PFML: New Hampshire



- Effective January 1, 2023
- Covered Reasons
  - Bonding
  - Care of a family member
  - Military exigency or military care
  - Employee's own serious health condition – if disability coverage does not apply
- Duration
  - 6 weeks or 12 weeks
- Benefits
  - 60% wage replacement up to the SSWC

# Voluntary PFML: Vermont



- July 1, 2023: State employee benefits began
- July 1, 2024: Employers can purchase plans
- July 1, 2025: individuals may elect coverage
- Covered Reasons
  - Bonding and childbirth recovery
  - Care of a family member
  - Military exigency or military care
  - Employee's own serious health condition
- Duration
  - 6 weeks
- Benefits
  - 60% wage replacement up to the SSWC

# The NCOIL Paid Family Leave Insurance Model Act

This act provides a new line of insurance framework for Life and Disability insurance carriers to develop and offer/sell coverage for paid family leave

## Covered reasons

- Bonding following the birth of a child or adoption / foster care placement
- Caring for a family member who has a serious health condition
- Military exigency

## Benefits:

- Flexibility
- Enhanced benefits / war for talent
- Not state specific / equity of benefits across multi-state workforce







# Mandatory Program Shifts: Pregnancy

## Extenders

- Oregon: 2 weeks
- Colorado: 4 weeks
- Connecticut: 2 weeks
- Washington: 2 weeks

## Prenatal Leave

- District of Columbia: 2 weeks



# Mandatory Program Shifts: Family Members

## FMLA



Spouse



Parent

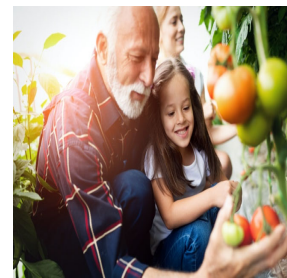


Child

Sibling



Grandchild



Grandparent



Parent-in-law



Affinity relationship



# Mandatory Program Shifts: Leave Reasons

**Safe leave** to address needs related to sexual assault, stalking, or domestic violence

**Leave** for the donation of an organ

**Bereavement leave** following the death of a covered family member



# Other (Proposed) Legislative Trends



- Organ donation
- Bereavement
- Pregnancy loss
- Stillbirth
- Menstrual complications and menopause
- Program expansions:
  - Benefit amounts
  - Safe leave
  - Affinity





PFML Impacts

Putting It All  
Together



# PFML Workforce Impacts

- **Employee interest in paid family leave offerings:**
  - Paid family leave provide employees with **peace of mind** and **security**
  - **Young, urban men and caregivers** show the most interest in voluntary PFL
  - **Older and non-caregiving, suburban females** were less interested in voluntary PFL offerings, mainly because they don't see caregiving as a current need
  - Employees often have broad questions regarding **length of use, cost, and impact on job role**
- **Benefits of PFL offerings for employers:**
  - Employees view their employer **more positively** when they are offered PFL benefits
  - PFL programs **increase loyalty**: nearly 4 in 10 employees stated they would join a new company as a result



# Employee Perceptions

Availability of paid leave...	% of Respondents
Would give me peace of mind	79%
Would make me feel like my employer care about my family and me	77%
Would improve my perception of my employer	70%
Would make me want to stay at my employer	67%
Would make me join a new employer	37%



Source: Mutual of Omaha, 2023, Quarter 3 Paid Leave Programmatic Deep Dives



**Offering paid leave benefits can influence employee satisfaction and loyal to their employer**

# Employer Considerations



Disruption to operations



Compliance with changing PFML laws



Retention of talent



Equity amount multi-state workforces

- Availability of leave
- Covered relationships
- Leave reasons



Administration costs and efforts



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