



Paid Family Leave

2020 STATEMENT OF RIGHTS FOR PAID FAMILY LEAVE

IF YOU NEED TO TAKE TIME OFF FROM WORK TO CARE FOR A FAMILY MEMBER, YOU MAY BE ENTITLED TO PAID FAMILY LEAVE BENEFITS

Paid Family Leave is employee-funded insurance that provides job-protected, paid time off to:

- Bond with a newly born, adopted or fostered child;
- Care for a family member with a serious health condition; or
- Assist loved ones when a spouse, domestic partner, child or parent is called to active military service abroad.

Eligibility:

- Employees with a regular work schedule of **20 or more hours per week** are eligible after **26 consecutive weeks** of employment.
- Employees with a regular work schedule of **less than 20 hours per week** are eligible after **175 days worked**.

Citizenship or immigration status is not a factor in your eligibility.

Benefits: In 2020, you can take up to 10 weeks of Paid Family Leave and receive 60% of your average weekly wage, capped at 60% of the New York State average weekly wage. Generally, your average weekly wage is the average of your last eight weeks of pay prior to starting Paid Family Leave.

Rights and Protections:

- **Job Protection:** Return to the same or comparable job after you take leave.
- You keep your **health insurance** while on leave (you may have to continue paying your portion of the premium costs, if any).
- Your **employer is prohibited from discriminating or retaliating** against you for requesting or taking Paid Family Leave.
- You **do not have to exhaust sick leave or vacation** accruals before using Paid Family Leave.

Paid Family Leave Request Process:

1. Notify your employer at least 30 days in advance, if foreseeable, or as soon as possible.
2. Complete and submit the *Request for Paid Family Leave (Form PFL-1)* to your employer.
3. Complete and attach the additional forms as required and submit to the insurance carrier listed below **within 30 days of starting your leave, to avoid losing benefits**.
4. In most cases, the insurance carrier must pay or deny benefits within 18 calendar days of receiving your completed request or your first day of leave, whichever is later.

You may obtain all forms from your employer, their insurance carrier listed below or online at PaidFamilyLeave.ny.gov/Forms.

Disputes:

If your Paid Family Leave claim is denied, you may request to have the denial reviewed by a neutral arbitrator. The insurance carrier listed below will provide you with information about requesting arbitration.

Discrimination Complaints:

If your employer terminates your employment, reduces your pay and/or benefits, or disciplines you in any way as a result of you requesting or taking Paid Family Leave, you may request to be reinstated by taking these steps:

1. Complete the *Formal Request for Reinstatement Regarding Paid Family Leave (Form PFL-DC-119)*
2. Send your completed form to your employer and a copy of the completed form to: Paid Family Leave, P.O. Box 9030, Endicott, NY 13761-9030
3. If your employer does not reinstate you **or take other corrective action** within 30 days, you may file a discrimination complaint with the Workers' Compensation Board using the *Paid Family Leave Discrimination/Retaliation Complaint (Form PFL-DC-120)*, available at PaidFamilyLeave.ny.gov/Forms. The Workers' Compensation Board will assemble your case and schedule a hearing.
4. There are other state and federal laws that protect employees from discrimination. Additional information is available at PaidFamilyLeave.ny.gov.

For more information, forms, and instructions, visit PaidFamilyLeave.ny.gov or call (844)-337-6303.

This information is a simplified presentation of your rights as required by Section 229 of the Disability and Paid Family Leave Benefits Law. Your employer's Paid Family Leave benefits insurance carrier is:

THE STANDARD LIFE INSURANCE COMPANY OF NEW YORK
333 WESTCHESTER AVENUE, WEST BUILDING, SUITE 300
WHITE PLAINS, NEW YORK 10604

833-786-5638

SNY 20507

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(11/19)

**PRESCRIBED BY THE CHAIR,
WORKERS' COMPENSATION BOARD**



Special Paid Family Leave Notice of Rights Information for SUNY Employees

Unclassified SUNY employees (MC13 and UUP-represented) have a unique eligibility definition that does not fully align with the basic state definition. For Unclassified SUNY Employees, eligibility is defined as:

- A. A **professional** employee or academic employee (whose regular professional obligation is primarily other than teaching classes) whose regular professional obligation is **at least 20 hours per week**, and who will complete **26 consecutive workweeks** of such employment.*
- B. A **professional** employee or academic employee (whose regular professional obligation is primarily other than teaching classes) whose regular professional obligation is **less than 20 hours per week**, and who will complete **175 cumulative workdays** of such employment. For these purposes, work days include days that the employee reports to the work location.*
- C. An **academic** employee whose regular professional obligation is primarily teaching, and teaches **at least two courses per semester**, and who will complete **26 consecutive workweeks** of such employment. Periods of professional obligation beginning prior to and/or ending after the respective semesters will count for these purposes.*
- D. An **academic** employee whose regular professional obligation is primarily teaching, and teaches **less than two courses per semester**, and who will complete **175 cumulative workdays** of employment. For these purposes, workdays include days the employee is scheduled to teach/student contact, plus one day per week. Periods of professional obligation beginning prior to and/or ending after the respective semesters will count for these purposes.*

*Note: Durations of full-paid leave (e.g., through use of accruals) count towards the service requirement (e.g., 26 consecutive workweeks, 175 cumulative workdays), as long as the biweekly PFL premiums are paid for the duration of the leave. Separations of less than one year will not constitute a break in service. Once an employee has had a separation of more than one year they will once again have to meet the minimum eligibility requirements for PFL.

Unclassified SUNY employees also have additional contact information available:

For PFL forms - please visit <https://www.suny.edu/benefits/attendance/pfl/>

For PFL filing process questions - please call **888-PFL-SUNY (888-735-7869)** or email PFL@flexbene.com

For PFL claim specific or claim payment questions - please call The Standard at **833-786-5638**