

Putting Benefits To Work For People<sup>SM</sup>

# Group Insights

The New York Life Group Benefit Solutions Newsletter

In our March edition, you'll find articles highlighting a variety of ways to provide caring guidance to your employees, such as important insights and resources related to employee bereavement and mental health. We've also included federal and state statutory leave updates, complimentary webinars, and more.



## Resources for Rethinking Bereavement Leave

### Build a culture of support with caring guidance.

Only 34% of employees who experienced the death of a loved one say they felt supported by their company, according to the New York Life Foundation's [2022 State of Grief Report](#).

The report also revealed that 60% of surveyed employees would know if a colleague was experiencing a personal loss, and those figures drop when asked if employees are familiar with their workplace

bereavement policies (28%) or whether they even know if their employer offered bereavement benefits (30%).

While bereavement leave may not always be top of mind, these findings indicate that reappraising employer bereavement policies could create a culture of support that cultivates employee loyalty and a more resilient workplace.

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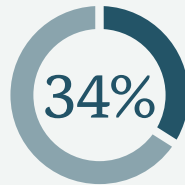
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NYL GBS offers tools and insights that can help enhance your employee bereavement policy. Our partner, [Empathy](#) a global leader in bereavement resources, recently published "What you need to know about bereavement leave." This publication offers best practices for creating a bereavement program that supports grieving workers and fosters a more engaged and productive workforce.

Gain a deeper perspective through our [2022 State of Grief Report](#).

For insights into building comprehensive bereavement benefits, sign up for the [free guide](#) offered to you from our Empathy partners.

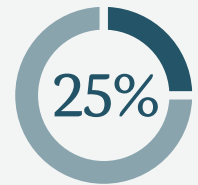
## Findings from the 2022 State of Grief Report<sup>1</sup>



34%  
of grieving employees say they felt supported by their company.



50%  
of employees think their company should make enhancements to their bereavement policy.



25%  
report that their company doesn't even have a bereavement policy.



## NYL GBS in the News

### Four Ways Employers Can Build Meaningful Connections in a Post-Pandemic Workplace

Meg Shea, Vice President and Head of Strategy and Solutions, discusses the emerging disconnect between employers and employees, and identifies benefit programs that can offer employees peace of mind. Read more at [Employee Benefit News](#).

### Challenges and Opportunities in Employee Benefits for 2023

Based on her observations in the group-benefits space, Meg Shea shares key trends to watch this year, and outlines how employers can leverage benefits to reshape the post-pandemic workplace. Read more at [Insurance Innovation Reporter](#).

## 2023 DMEC FMLA/ADA Employer Compliance Conference

Engage our experts.

### Help! Which State Covers My Employee PFML?

Monday, March 27, 2023 | 11:00 a.m. - 12:00 p.m.

**Breanna Scott**  
Corporate Vice President  
NYL GBS

**Allison Wheeler**  
Assistant General Counsel  
NYL GBS

**Jeremiah Shropshire**  
Benefits Leave  
Manager Jeld-Wen

### The Key to an Effective ADA Interactive Process

Tuesday, March 28, 2023 | 4:30 p.m. - 5:30 p.m.

**Ryan Bruce**  
Healthy Working  
Life Program Director  
NYL GBS

**Allison Wheeler**  
Assistant General Counsel  
NYL GBS

**Tammi Beason**  
Senior Benefits Specialist  
Northside Hospital

# Continuing to Support Mental Health Caregivers

Upcoming report assesses mental wellness at home and on the job.

Two-thirds of U.S. employees say that they need more help addressing their mental health. At the same time, almost **50% of employees** who have loved ones with mental illness have reported that their loved ones have more mental-health issues, compared to the previous year. These findings are part of Mental Health Impact on Employee Well Being, a forthcoming survey conducted by NYL GBS in partnership with Morning Consult.



As more and more employees face the need to address mental health challenges, whether for themselves or loved ones, employers have an opportunity to serve as a much-needed resource for mental wellness programs.

To better understand if your organization is equipped to help meet the needs of these struggling employees, start with an evaluation of your benefits package to determine what mental health resources are currently being offered. Chances are, there are resources already available, or programs that can easily be added to your lines of coverage, that can help.

Be on the lookout for more insights into when we release Mental Health Impact on Employee Well Being.

**Contact:**

Elena Cohen  
Corporate Vice President  
New York Life Group Benefit Solutions  
[Elena.Cohen@newyorklife.com](mailto:Elena.Cohen@newyorklife.com)

## More about our survey.

New York Life Group Benefit Solutions commissioned Morning Consult to conduct an online poll between December 9 - December 15, 2022. The national poll included 1,000 employed adults who receive benefits at work and who have had their mental health impacted by caring for loved one who is facing a mental challenge. Results from the full survey have a margin of error of plus or minus three percentage points. New York Life and its affiliates are independent of Morning Consult.



# The Ever-changing Landscape of Statutory Leaves

Important federal and state updates.

## **PWFA and PUMP: Federal Changes After Signing 2023**

**Consolidated Appropriations Act.** On December 29, 2022, President Biden signed this spending bill, which provides federal government funding and added two significant federal protections for pregnant and/or nursing workers: the Pregnant Workers Fairness Act (PWFA) and Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP).

The PUMP Act became effective immediately upon the bill signage and amends the Fair Labor Standards Act (FLSA) by requiring employers with 50 or more employees (whether exempt or non-exempt) to provide reasonable break time in a private, non-bathroom space for an employee to express breast milk for the employee's nursing child for one year after the child's birth. Employers are not required to pay employees for this time unless otherwise required by law, but the break time must be considered hours worked if the employee is not completely relieved from duty during the break.

Employers with less than 50 employees may be exempt from the new requirement if they can show it would impose an undue hardship causing the employer significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business. The PUMP Act also

provides exemptions for crewmembers of air carriers, train crews of rail carriers, and motorcoach services operators.

The PWFA, which becomes effective June 27, 2023, applies to employers with 15 or more employees and was modeled on the Americans with Disabilities Act (ADA). Like the ADA, the PWFA requires employers to engage in an interactive process and to make reasonable accommodations. It differs from the ADA however in that the ADA requires an employee to suffer from a *disability*. While some pregnant employees may have concurrent conditions that qualify as a disability, pregnancy *itself* is not considered a disability under the ADA. The PWFA expands an employee's rights by covering an employee's and applicant's *known limitations* related to pregnancy, childbirth, or related medical conditions, which are far broader than a disability. Like the ADA, an employer is not required to provide an accommodation if it can demonstrate that doing so would impose an undue hardship on the operation of the business. The law contemplates that the employer and employee will engage in an ADA-style interactive process to achieve an appropriate accommodation.

› [PWFA and PUMP: Federal Changes](#)

**Hawaii Temporary Disability 2023 Changes.** Hawaii announced slight increases to two aspects of their temporary disability program which became effective January 1, 2023. For claims beginning after January 1, 2023, the weekly maximum weekly benefit is \$765, up from \$697. In addition, employers are now permitted to withhold 0.5% of an employee's weekly wage up to \$6.59 per week to assist with paying the cost for insurance. Employers are not required to withhold wages if they choose to pay the full premium amount, but if they withhold wages to assist in their premium obligation, they may not exceed this weekly withholding maximum amount.

› [2023 Hawaii Temporary Disability Changes](#)

**Rhode Island Temporary Disability and Temporary Caregiver 2023 Changes.** As of January 1, 2023, the Rhode Island taxable wage base was raised to \$84,000, so employees now contribute 1.1% of the first \$84,000 in wages to fund both the Temporary Disability Insurance and Temporary Caregiver Insurance programs. Additionally, the minimum weekly benefit payment amount for claims beginning after January 1, 2023 was increased to \$121.

› [2023 Rhode Island Temporary Disability and Temporary Caregiver Changes](#)

**Illinois Passes Paid Leave Law Effective in 2024.** The Illinois General Assembly passed SB208, the Paid Leave for All Workers Act, which will become effective January 1, 2024. This new law will require employers to offer to any Illinois worker at least 40 hours of paid leave in a 12-month period to be used for any reason. Employees accrue one hour of paid leave for every 40 hours worked. When an employee takes this leave, they should be paid at their regular rate of pay. Employees are not required to disclose the reason they are taking this leave and may not be required to support documentation or certification of this leave. Due to the accrual-based nature of this leave time and the need to run from a payroll system, NYL GBS is not planning to provide administration of this new paid leave.

› [Illinois Paid Leave Law, Effective in 2024](#)

**Private Plan Administration for Paid Leave Oregon and Colorado FAMLII.** New York Life Group Benefit Solutions is prepared to assist clients seeking private plan administration for the upcoming paid family medical leave insurance programs for workers in Oregon and Colorado. Paid Leave Oregon equivalent plans must be applied for by May 31, 2023 to be approved by the state in time for September 3, 2023, when the program goes live. Colorado private plan applications must be submitted by October 31, 2023, for approval by the state in time for January 1, 2024 when that program becomes effective. Contact your NYL GBS representative for additional information or for a coverage quote.

› [Private Plan Administration for Paid Leave Oregon FAMLII](#)  
› [Private Plan Administration for Paid Leave Colorado FAMLII](#)

**Contact:**

Breanna Scott  
Corporate Vice President  
New York Life Group Benefit Solutions  
[Breanna\\_C.Scott@newyorklife.com](mailto:Breanna_C.Scott@newyorklife.com)



## Get State Updates on Demand

Stay informed about enacted leave, disability, and statutory laws. Bookmark our [Absence Regulatory Guide](#).

# See How an Hour of Self-care Can Improve Peace of Mind

Free, virtual webinars with a click of your mouse.<sup>2</sup>



Click on the webinar titles below to register.

## [The Psychology Behind Saving Money and Other Good Financial Habits](#)

We will examine recent research related to why people save and spend, and how to identify strategies to help you develop new habits.



April 12, 1 p.m. EST

## [Mental Health Awareness](#)

Designed to reduce the stigma associated with mental illness and to promote ways of supporting one another in the workplace, this program will address signs and symptoms of distress.



May 17, 1 p.m. EST

## [Mindfulness: Being Present in Your Work and Life](#)

Being mindful is complete engagement in the present moment. Some benefits include better concentration, improved relationships, and greater emotional control. This training discusses how to incorporate a mindfulness practice into your life.



June 14, 1 p.m. EST

Visit our [landing page](#) for a complete schedule of previously recorded and upcoming webinars!

**Contact:** Monique Thorington, Senior Associate, New York Life Group Benefit Solutions [mathorington@newyorklife.com](mailto:mathorington@newyorklife.com)



<sup>1</sup> New York Life Foundation, "The State of Grief Report: The Changing Nature of Grief," Dec 2022.

<sup>2</sup> These webinars are for informational and educational purposes only and are not intended to be a substitute for professional medical, financial, tax, legal, or any other type of advice. The material, vendors, speakers, etc. conducting the webinars are solely responsible for the content of their webinars or presentations which may not necessarily represent the views and opinions of New York Life Insurance Company or its subsidiaries.

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## **New York Life Insurance Company**

51 Madison Avenue  
New York, NY 10010

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