

# Absence Management

A newsletter from New York Life Group Benefit Solutions

Our seventh issue includes PFML updates in New Hampshire, Oregon and Maine, recent changes in Rhode Island disability legislation, plus two new financial webinars to be offered in July and August.



## New Hampshire passed PFML.

New Hampshire Governor John Sununu included a Paid Family and Medical Leave (PFML) package in his budget bill, HB 2 which was passed by the House and Senate and signed by the governor on June 25, 2021. The program provides 60% of wage replacement for up to six weeks per year, but does not mandate coverage to be provided by employers to their employees. Instead, it establishes a marketplace in the state for reasonably priced PFML wage replacement benefits.

Individuals who are employed by private employers who do not offer PFML coverage can purchase a PFML plan through a purchasing pool.

Five categories qualify for paid family leave: the birth of a child or caring for a newborn child within the first year; care for newly adopted or fostered children within the first year; care for an employee's spouse, child or parent with a serious health condition; care for a spouse,

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child or parent who is in the military on "covered active duty;" a personal serious health condition that is independent of employment, if the employer does not offer short-term disability insurance.

State employees will automatically receive the benefit and will serve as a risk pool for the policy.



## Doesn't matter where it resides.

Maine Senate Bill 77 for Disability and Life policies

[Senate Bill 77](#) was signed into law June 8, 2021 and authorizes a public employer to deduct payroll deductions designated in writing by a public employee for disability insurance and life insurance offered in conjunction with the employee's membership in an employee organization recognized by the employer or designated by a collective bargaining agreement.

**The bill went into effect June 29, 2021.**

## Possible pending OR PFML delay.



Due to the COVID-19 pandemic, the Oregon Employment Department, which will administer the Oregon Paid Family Medical Leave program, was overwhelmed with a record number of unemployment claims. As a result, the Oregon Paid Family and Medical Leave Insurance (PFMLI) Advisory Committee determined they could not meet the legislative timeline defined

in the law. In June, the Committee submitted a bill that would delay the program with employee contributions beginning January 1, 2023 and benefit administration beginning September 3, 2023. The Oregon House and Senate both approved the bill, and on June 25, it was sent to Governor Kate Brown for her signature.



## Free webinars for NYL GBS clients.



As a reminder, every month My Secure Advantage (MSA), hosts financial wellness webinars\* which are free for New York Life Group Benefit Solutions' (NYL GBS) clients.

The webinars are presented the second Tuesday at 12:00 PM ET (9:00 AM PT) and the fourth Thursday at 3:00 PM ET (12:00 PM PT). The upcoming webinars include:

**Tuesday, July 22**

### [Your Debt-Free Game Plan »](#)

Debt is one of the biggest obstacles keeping Americans from reaching financial goals, so this class encourages you to prioritize debt management. But it doesn't stop there! We'll also go over specific debt reduction strategies and help you choose one that you can sustain. We will also review how to write and follow (Specific, Measurable, Attainable, Relevant, and Time-Bound) goals, so you can leave this class motivated and empowered to reduce your debt.

**Thursday, August 10**

### [Protecting your Income and Assets »](#)

In this class, we explain why you might need insurance policies, and we review five common forms of insurance. Our goal is that you will feel better equipped to assess the coverage appropriate for your needs. We'll also discuss typical qualifications required by the different types of insurances, as well as tax considerations. Lastly, we share some tips for shopping around and getting the best price.

If you also have Group Benefit Solutions' Life Assistance Program (LAP), ask your Account Manager to provide you with the quarterly calendar of LAP webinars, which also includes the MSA webinars.



## Rhode Island TDI updates.

**Rhode Island is the only state that reevaluates the maximum amount payable under their TDI program twice a year. Effective July 1, 2021:**

- › **The maximum weekly benefit amount** is increased from \$887 per week to \$978 per week.
- › **The maximum weekly benefit amount for dependents** (with a maximum of five dependents) is increased from \$1,197 per week to \$1,320 per week.

## Maine PFML proposal.

A proposal to create a commission to develop a paid family medical leave policy in Maine moved closer to becoming reality when the Maine Senate voted in favor of the proposal. The commission would be tasked with studying the best way to implement a paid family and medical leave benefits program.

# Maine Family Medical Leave Amendment.

Maine [House Bill 27](#) was enacted on June 14, 2021 and amends the Family Medical Leave law to allow a grandparent to request employee family medical leave in order to care for a grandchild who has a serious health condition. The bill was effective June 29, 2021.

Covered leave reasons under Maine Family Medical Leave now with the definitions shown below:

Leave may be requested by an employee for:

- 1 A serious health condition of the employee;
- 2 The birth of the employee's or the employee's domestic partner's child;
- 3 The placement for adoption with the employee or the employee's domestic partner of a child 16 years of age or under;
- 4 A child, domestic partner's child, grandchild, domestic partner's grandchild, parent, sibling or spouse with a serious health condition;
- 5 The donation of an organ of the employee for a human organ transplant; or
- 6 The death or serious health condition of the employee's spouse, domestic partner, parent, sibling or child as a member of the state military forces or the United States Armed Forces, including the National Guard and Reserves, while on active duty.

**NYL GBS leave clients:** NYL GBS has reviewed the bill and will be addressing any required changes.



# Oregon Family Leave Act Amendment.

Oregon [House Bill 2474](#) was enacted on June 8, 2021 and goes into effect January 1, 2022 and addresses eligibility for leave under the Oregon Family Leave Act during a public health emergency. Additional details to the amendment include:

- During a period of time covered by a public health emergency, all employees are eligible to take leave under OR Family Medical Leave (ORS 659A.159) **except** if the employee has worked for the covered employer for fewer than 30 days immediately before the date on which the family leave would commence or if the employee worked for the covered employer for less than an average of 25 hours per week in the 30 days immediately before the date on which the family leave would commence.
- The following employees are eligible to take leave:
  - Employees who separate from employment for any reason, if the employee is eligible for leave at the time of separation and is reemployed within 180 days of separation; or
  - Employees who are eligible to take leave at the beginning of a temporary work cessation of 180 days or less and returns to work at the end of a temporary cessation of less than 180 days.
- Any family leave taken in any one-year period counts against the total entitlement.
- The amount of time an employee is deemed to have worked for a covered employer prior to a break in service due to a separation from employment or temporary cessation of scheduled hours must be restored to the employee when the employee is reemployed by the employer within 180 days of separation or when the employee returns to work at the end of the temporary cessation of scheduled hours of 180 days or less.
- An employee is eligible to take leave to take care of a child who requires home care due to the closure of the child's school or the child care provider as a result of a public health emergency.
  - Verification may be required in the form of the name of the child, name of the school subject to closure, a statement from the employee that no other family member is willing and able to provide the care and, if applicable, a description of the special circumstances that require the employee provide care to a child who is over 14.



## Pending legislation watch.

We understand the challenges of staying on top of the potential legislative changes across the country.

### Recent activity includes:

- › **District of Columbia Universal Paid Leave:** There was language included in the DC budget bill making changes to the duration and amount of benefits qualifying under the District's Universal Paid Leave Program. The changes would expand the definition of qualifying leave event to include prenatal, domestic violence, sexual abuse, and stalking leave events, and establish two weeks of leave within a 52-workweek period for qualifying prenatal events and two weeks of leave within a 52-workweek period for qualifying domestic violence, sexual abuse, and stalking leave events.
- › **Washington:** Regulations have been proposed implementing changes made by recently passed legislation, including providing pandemic leave assistance and clarifying premium rate calculations for the program. The proposal would also make changes to provisions relating to requirements for voluntary PFML plans to pay pandemic leave assistance benefits, small business grants, and documentation requirements for family relationships.

We will continue to update you as we receive new information.

\*Seminars are provided through a third party vendor who is solely responsible for their products and services. Terms and conditions are contained in the client program description, and are subject to change. Program availability may vary by plan type and location, and is not available where prohibited by law.

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123541 a 0721 SMRU 1906423 Exp. Date 07.10.2022