
NYS Paid Family Leave and Leave Management

Tuesday, October 17, 2017

HR Network

Agenda

- Introduction to New York State Paid Family Leave (PFL)
- PFL Process and Resources
- Leave Management Initiatives

Introduction to Paid Family Leave

- Signed by Governor Cuomo on 4/4/16 and final regulations released on 7/19/17. Provides a paid family leave benefit for eligible employees, phased in over four years
- Beginning 1/1/18, the new law will provide partial wage replacement for employees:
 - to bond with a child during the first 12 months following the birth, adoption or fostering of a child
 - to care for a family member with a serious health condition; or
 - for qualifying exigencies arising out of a family member's covered active duty in the military
- Employees are guaranteed continuing health insurance coverage during the leave as long as they pay contributions while on leave, and the ability to return to their job
- The benefit is administered through Cigna, Columbia University's disability benefits carrier
- Employee payroll deductions will fund the cost of the program and employees will receive payment directly from Cigna

Eligibility

- Columbia University employees working within New York State (excluding Officers of Instruction) who:
 - regularly work 20 hours or more per week, after 26 consecutive weeks; or
 - regularly work less than 20 hours per week, after 175 days worked
- This may include Officers of Research, Officers of the Libraries, Officers of Administration, Student Officers, Federal Work-Study, Support Staff and Student Casuals
- PFL excludes Officers of Instruction, employees who work outside New York State, zero-salaried appointments, and other employees who do not meet the eligibility requirements summarized above
- Employees who do not expect to reach the 26 weeks/175 days threshold may choose to sign a waiver to opt out of payroll deductions

Waivers

- The University is required to *offer* a waiver to employees who may not reach the 26 weeks or 175 days threshold
 - Waivers will be offered to Part-time Officers of Research, Variable Hours Officers, FWS, Casuals and temporary employees who have a total work expectancy of less than 6 months
- Employees are not required to waive; however, new hires will be required to acknowledge receipt of the waiver form
- If employees exceed the threshold of 26 weeks/175 days, the waiver will be revoked, deductions will begin and will be retroactive to January 1, or the date of hire, whichever is later
- For current employees in the above groups, we will send them an email with a waiver attached
 - Email will go out in mid-November
 - Employees will have three weeks to submit a waiver request
 - If the employee does not respond or chooses not to waive, deductions will begin January 1

Implementation Timeline

- Payroll deductions will begin on January 1, 2018
- The deduction is calculated as 0.126% of an employee's weekly wages, up to a maximum total annual deduction of \$85.56 in 2018
- Eligible employees can take PFL as of January 1
- Benefits under the law are phased in over a four-year period:

Year	Weeks Available	Max % Employee Weekly Wage	Cap % of State Average Weekly Wage	Estimated Maximum Weekly Benefit*
1/1/2018	8	50%	50%	\$652.96
1/1/2019	10	55%	55%	\$718.26
1/1/2020	10	60%	60%	\$783.55
1/1/2021	12	67%	67%	\$874.97

*Estimates based on 2018 State Average Weekly Wage Rate of \$1,305.92

Concurrent Leaves

- Many of the leave types run concurrent to each other, based on individual eligibility for a specific leave type

Example: When leave purpose is to care for a family member

FMLA: 12 weeks (max)

PFL: 8 weeks (max)

Example: When leave purpose is to care for one's self

FMLA: 12 weeks (max)

DBL: 26 weeks (max)

Salary Continuation: 26 weeks (6 months max)

Example: When leave is for disability post-partum and newborn care

FMLA: 12 weeks (max)

DBL: 20 weeks

PFL: 6 weeks*

Parental Care Leave

*DBL+PFL cannot exceed 26 weeks

PFL Process

- Notification
 - Employee notifies Supervisor/Departmental HR contact at least 30 days' prior if PFL leave is foreseeable; if the PFL leave is not foreseeable, then as soon as possible
 - Departmental HR Contact determines leave type
 - Officers of Research - submit letter to Provost's office requesting leave
 - Employee is provided with Cigna's contact info
- Employee files claim with Cigna
 - Employee will need to decide if they want to use vacation/personal/NYC Earned Sick time, if applicable, to receive full salary
 - As with NYDBL, for any period of the PFL leave covered by vacation/personal/NYC Earned Sick Time, the state PFL payment will be remitted directly to the University
 - Employee will provide Cigna with additional documentation/certification depending on type of leave

PFL Process (cont'd)

- The following information will be confirmed by Cigna:
 - PFL eligibility (*note: if employee works less than 20 hrs/wk, provide # of days worked*)
 - Employee's average weekly wage
 - Vacation/personal/NYC Earned Sick Time used, if employee chooses to use them
- Cigna will issue PFL leave confirmation email to Departmental HR Contact and Leave Management (within 18 days of the employee's initial PFL request)
 - Triggers the need for a PAF
- Just a reminder that the NYDBL and FMLA process have not changed
 - NYDBL requests are routed to Cigna and FMLA paperwork is managed with the Department and/or Leave Management

Next Steps

- The Paid Family Leave Policy will be available and posted online in mid to late November
- Communications will go out to HR Network in October and November
- PFL Communications will be sent to all employees in November
- Upcoming PFL Info Sessions throughout November and December
- Training as needed to Departmental HR Contacts in the Schools and Departments
 - See us today!
 - Send a request to leavemanagement@columbia.edu

Leave Management Training

In this course you will learn about Columbia-specific policies, as well as the application of federal, state and local laws with regard to leave management. You will also increase your understanding of University procedures and gain comfort in providing general information to your employees about their leave options.

Date: Tuesday , October 24 (full)
Time: 1:30 p.m. – 4:30 p.m.

By the end of this workshop, participants will learn how to:

Understand and explain leaves of absence, including FMLA, medical leaves of absences, personal leaves, pregnancy-related disability, intermittent absences and much more. Provide effective guidance to managers and employees in your own department. Evaluate a situation in your own department and consider appropriate next steps.

Additional dates for this training will be added!

Leave Management Initiatives

- Manager Toolkit
- Job Aids and Template Letters
- Training
- Cigna Partnership
 - Feedback to Cigna is ongoing as the process is further refined and developed
 - Departments may consider creating an alias HR email account so that more than one person can receive emails from Cigna

For more information, email leavemanagement@columbia.edu

Questions?