



## State Paid Family and Medical Leave Insurance Laws

January 2021

	California	New Jersey	Rhode Island	New York	District of Columbia	Washington	Massachusetts	Connecticut	Oregon	Colorado
<b>Status</b>	<p>Enacted 2002, effective 2004; expanded 2016, effective 2018; expanded 2017 and 2019, effective 2020</p> <p>(A.B. 908, 2015-2016 Leg., Reg. Sess. (Cal. 2016) (enacted); S.B. 63, 2017-2018 Leg., Reg. Sess. (Cal. 2017) (enacted), S.B. 83, 2019-2020 Leg., Reg. Sess. (Cal. 2019) (enacted))</p>	<p>Enacted 2008, effective 2009; expanded 2019, effective 2019 and 2020</p> <p>(N.J. Stat. Ann. § 43:21-38; A. 3975, 218th Leg., Reg. Sess. (N.J. 2019))</p>	<p>Enacted 2013, effective January 2014</p> <p>(R.I. Gen. Laws § 28-41-35(h))</p>	<p>Enacted 2016, effective January 2018</p> <p>(S. 6406C, Part SS, 239th Leg., Reg. Sess. (N.Y. 2016) (enacted))</p>	<p>Enacted 2017, effective July 2020</p> <p>(D.C. Law 21-264 (D.C. 2016))</p>	<p>Enacted 2017, effective January 2019 (premiums) and January 2020 (benefits)</p> <p>(S.B. 5975, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))</p>	<p>Enacted 2018, effective July 2019 (premiums) and January 2021 (benefits)</p> <p>(H. 4640 § 29, 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted))</p>	<p>Enacted 2019, effective January 2021 (premiums) and January 2022 (benefits)</p> <p>(S.B. 1 § 3, 2019 Leg., Reg. Sess. (Conn. 2019) (enacted))</p>	<p>Enacted 2019, effective January 2022 (premiums) and January 2023 (benefits)</p> <p>(H.B. 2005 § 63, 80th Leg. Assembly, Reg. Sess. (Or. 2019) (enacted))</p>	<p>Enacted 2020, effective January 2023 (premiums) and January 2024 (benefits)</p> <p>(Colo. Rev. Stat. §§ 8-13.3-501 to -524)</p>

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<b>Reasons for paid leave</b>	<p>1. Bonding with new child (birth, adoption, foster)</p> <p>2. Care for family member with serious health condition</p> <p>3. Care for own disability (must be unable to perform regular or customary work), includes pregnancy</p> <p>4. As of January 1, 2021, qualifying exigency arising out of spouse, domestic partner, child or parent being on active duty (or having been notified of an impending call</p>	<p>1. Care for new child (birth, adoption, foster)</p> <p>2. Care for family member with serious health condition</p> <p>3. Care for own disability (must be continuously and totally unable to perform customary work), includes pregnancy</p> <p>4. Engaging in certain activities related to individual or family member being victim of domestic or sexual violence</p> <p>(N.J. Stat. Ann. §§ 43:21-27(g), (o); A. 3975,</p>	<p>1. Bonding with new child (birth, adoption, foster)</p> <p>2. Care for family member with serious health condition</p> <p>3. Care for own disability (must be unable to perform regular or customary work; partially unemployed workers may be able to claim benefits)</p> <p>(R.I. Gen. Laws §§ 28-39-2, 28-41-5(d)), 28-41-35(a))</p>	<p>1. Bonding with new child (birth, adoption, foster)</p> <p>2. Care for family member with serious health condition</p> <p>3. Qualifying exigency arising out of spouse, domestic partner, child or parent being on active duty (or having been notified of an impending call or order to active duty)</p> <p>4. Care for own disability (must be unable to perform work)</p> <p>(N.Y. Workers' Comp. Law § 201(14) (as</p>	<p>1. Bonding with new child (birth, adoption, foster)</p> <p>2. Care for family member with serious health condition</p> <p>3. Care for own serious health condition</p> <p>(D.C. Law 21-264 §§ 101(12)-(17), 104(a)-(b) (D.C. 2016))</p>	<p>1. Bonding with new child (birth, adoption, foster)</p> <p>2. Care for family member with serious health condition</p> <p>3. Care for own serious health condition</p> <p>4. Qualifying exigency arising out of family member being on active duty (or having been notified of an impending call or order to active duty)</p> <p>(S.B. 5975, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))</p>	<p>1. Bonding with new child (birth, adoption, foster)</p> <p>2. Care for family member with serious health condition</p> <p>3. Care for own serious health condition</p> <p>4. Qualifying exigency arising out of family member being on active duty (or having been notified of an impending call or order to active duty)</p> <p>5. Care for family member who is a covered servicemember</p>	<p>1. Bonding with new child (birth, adoption, foster)</p> <p>2. Care for family member with serious health condition</p> <p>3. Care for own serious health condition</p> <p>4. Serving as organ or bone marrow donor</p> <p>5. Qualifying exigency arising out of spouse, child or parent being on active duty (or having been notified of an impending call or order to active duty)</p> <p>(S.B. 1 § 18(a)(2), 2019</p>	<p>1. Bonding with new child (birth, adoption, foster)</p> <p>2. Care for family member with serious health condition</p> <p>3. Care for own serious health condition</p> <p>4. Certain purposes arising out of employee or employee's minor child/dependent experiencing domestic violence, harassment, sexual assault or stalking</p> <p>(H.B. 2005 § 2(17), (19), (21), § 4; 80th Leg. Assembly, Reg.</p>	<p>1. Bonding with new child (birth, adoption, foster)</p> <p>2. Care for family member with serious health condition</p> <p>3. Care for own serious health condition</p> <p>4. Qualifying exigency arising out of family member being on active duty (or having been notified of an impending call or order to active duty)</p> <p>5. Engaging in certain activities related to individual or family member being victim of</p>

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	<p>or order to active duty)</p> <p>(Cal. Unemp. Ins. Code §§ 2626, 3302(e); S.B. 83, 2019-2020 Leg., Reg. Sess. (Cal. 2019) (enacted))</p>	<p>218th Leg., Reg. Sess. (N.J. 2019))</p>		<p>amended by S. 6406C))</p>			<p>(H. 4640 § 29(2)(a), 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted))</p>	<p>Leg., Reg. Sess. (Conn. 2019) (enacted))</p>	<p>Sess. (Or. 2019) (enacted); Or. Rev. Stat. § 659A.272)</p>	<p>domestic violence, stalking, sexual assault or abuse</p> <p>(Colo. Rev. Stat. e 8-13.3-504(2); 8-13.3-503(16), (18))</p>
<b>Definition of family member</b>	<p>Child, parent, spouse, domestic partner</p> <p>Amended in 2013 (effective 2014) to add grandparent, grandchild, sibling and parent-in-law</p> <p>(Cal. Stat. §§ 3302(f)-(j))</p>	<p>Child, parent, parent-in-law, spouse, domestic partner, civil union partner, sibling, grandparent, grandchild, any person related by blood, any person with whom employee has close association that is equivalent of a family relationship</p> <p>(N.J. Stat. Ann. § 43:21-27(n); A. 3975, 218th</p>	<p>Child, parent, spouse, domestic partner, grandparent</p> <p>(R.I. Gen. Laws § 28-41-35(a))</p>	<p>Child, parent, spouse, domestic partner, grandparent, grandchild</p> <p>(N.Y. Workers' Comp. Law § 201(16), (17), (19)-(21) (as amended by S. 6406C))</p>	<p>Child, parent, spouse, domestic partner, grandparent, sibling</p> <p>(D.C. Law 21-264 § 101(7) (D.C. 2016))</p>	<p>Child, parent, spouse, domestic partner, grandchild, grandparent, sibling</p> <p>(S.B. 5975 § 2, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))</p>	<p>Child, parent or parent of a spouse or domestic partner, spouse, domestic partner, grandchild, grandparent, sibling</p> <p>(H. 4640 § 29(1), 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted))</p>	<p>Child, parent, parent-in-law, spouse, grandparent, grandchild, sibling, individual related by blood or affinity whose close association the employee shows to be the equivalent of those family relationships</p> <p>(S.B. 1 § 17(6), 2019 Leg., Reg. Sess. (Conn. 2019) (enacted))</p>	<p>Child, parent or parent of a spouse or domestic partner, spouse, domestic partner, grandparent or grandparent's spouse or domestic partner, sibling or sibling's spouse or domestic partner, individual related by blood</p>	<p>Child, parent or parent of a spouse or domestic partner, spouse, domestic partner, grandparent, grandchild, sibling, individual with whom the covered individual has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship</p>

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		Leg., Reg. Sess. (N.J. 2019))							or affinity whose close association with the employee is the equivalent of a family relationship  (H.B. 2005 § 2(18), 80th Leg. Assembly, Reg. Sess. (Or. 2019) (enacted))	(Colo. Rev. Stat. § 8-13.3-503(11))
<b>Maximum length of paid leave</b>	Six weeks for family leave, increasing to eight weeks on July 1, 2020  (Cal. Unemp. Ins. Code § 3301(c); S.B. 83, 2019-2020 Leg., Reg. Sess. (Cal. 2019) (enacted))  52 weeks for own disability  (Cal. Unemp. Ins. Code § 2653)	Six weeks for family leave, increasing to 12 weeks on July 1, 2020  26 weeks for own disability  (N.J. Stat. Ann. § 43:21-38; A. 3975, 218th Leg., Reg. Sess. (N.J. 2019))	Four weeks for family leave  (R.I. Gen. Laws § 28-41-35(d)(1))  30 weeks for own disability; no more than 30 weeks total/year for combined own disability and family care  (R.I. Gen. Laws §§ 28-41-7, 28-41-35(e))	For family leave, eight weeks in 2018; increasing to 10 weeks in 2019 and to 12 weeks in 2021 (increases subject to delay)  26 weeks for own disability  (N.Y. Workers' Comp. Law §§ 204(2)(A), 205(1)(A) (as amended by S. 6406C))	Eight weeks for parental leave, six weeks for family care, two weeks for own serious health condition  No more than eight weeks total/year for combined family and medical leave  (D.C. Law 21-264 §§ 101(12)-(17), 104(d) (D.C. 2016))	12 weeks for family leave  12 weeks for own serious health condition (14 if employee experiences pregnancy-related serious health condition that results in incapacity); no more than 16 weeks total/year for combined own serious health condition and	12 weeks for family leave  26 weeks for caring for a covered service member  20 weeks for own serious health condition  No more than 26 weeks total/year for combined family and medical leave	12 weeks (14 if employee experiences incapacitating serious health condition that occurs during pregnancy); if two spouses work for same employer, can only take 12 weeks combined  (S.B. 1 § 18, 2019 Leg., Reg. Sess. (Conn. 2019) (enacted))	12 weeks (14 if employee experiences limitations related to pregnancy, childbirth or a related medical condition, including but not limited to lactation)  (H.B. 2005 § 4, 80th Leg. Assembly, Reg. Sess. (Or. 2019) (enacted))	12 weeks (16 if employee experiences a serious health condition related to complications of pregnancy or childbirth)  (Colo. Rev. Stat. § 8-13.3-505)

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						<p>family leave (18 if employee experiences pregnancy-related serious health condition that results in incapacity)</p> <p>(S.B. 5975 § 6, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))</p>	(H. 4640 § 29(2)(c), 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted))			
<b>Minimum increment of leave time for which benefits are payable</b>	<p>Statute does not mention the minimum length of leave time, just benefits for intermittent leave</p> <p>(Cal. Unemp. Ins. Code § 3303; <a href="http://www.edd.ca.gov/disability/Part-time%20Intermittent%20Reduced%20Work%20Schedule.htm">http://www.edd.ca.gov/disability/Part-time Intermittent Reduced Work Schedule.htm</a>)</p>	<p>Statute does not mention the minimum length of leave time, just benefits for intermittent leave</p> <p>(N.J. Stat. Ann. § 43:21-39)</p>	<p>No minimum increment of leave time; claimants must initially be out of work for at least seven consecutive days to be eligible for benefits</p> <p>(11-000-002 R.I. Code R. §§ 16(G), 37(D))</p>	<p>For family care, benefits can be paid in increments of one full day or one-fifth of the weekly benefit</p> <p>(N.Y. Workers' Comp. Law § 204(2)(A) (as amended by S. 6406C))</p>	<p>Leave can be taken in one-day increments</p> <p>(D.C. Law 21-264 § 101(9) (D.C. 2016))</p>	<p>Eight consecutive hours</p> <p>(S.B. 5975 § 6, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))</p>	<p>Statute does not mention the minimum length of leave time, just benefits for intermittent leave</p> <p>(H. 4640 § 29(2)(c), 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted))</p>	<p>Statute does not mention the minimum length of leave time, just benefits for intermittent leave</p> <p>(S.B. 1 § 18(c), 2019 Leg., Reg. Sess. (Conn. 2019) (enacted))</p>	<p>Leave can be taken in increments equivalent to one work day</p> <p>(H.B. 2005 § 12(4), 80th Leg. Assembly, Reg. Sess. (Or. 2019) (enacted))</p>	<p>One hour</p> <p>(Colo. Rev. Stat. § 8-13.3-505(3))</p>

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<b>Employee eligibility requirements</b>	<p>Employee must have been paid \$300 in wages during the base period</p> <p>(<a href="http://www.edd.ca.gov/Disability/Am_I_Eligible_for_PFL_Benefits.htm">http://www.edd.ca.gov/Disability/Am_I_Eligible_for_PFL_Benefits.htm</a>)</p>	<p>Employee must have had at least 20 calendar weeks of covered New Jersey employment, earning \$172 or more each week, or must have been paid \$8,600 or more in such employment during the base period</p> <p>(<a href="https://myleavebenefits.nj.gov/labor/myleavebenefits/worker/t-di/">https://myleavebenefits.nj.gov/labor/myleavebenefits/worker/t-di/</a>)</p>	<p>Employee must have been paid wages in Rhode Island and paid into the TDI/TCI fund and must have been paid at least \$12,600 in the base period</p> <p>Alternately, employees qualify if they earned at least \$2,100 in a quarter of their base period, their total base period taxable wages were at least 150 percent of their highest quarter of earnings, and their taxable wages during their base period are \$4,200 or more</p> <p>(<a href="http://www.dlt.ri.gov/lmi/news/quickref.htm">http://www.dlt.ri.gov/lmi/news/quickref.htm</a>)</p>	<p>For family care, employee must be currently employed by a covered employer and must have been employed by a covered employer for 26 or more consecutive weeks (or 175 days of employment for part-time employees)</p> <p>For own disability, employee must have been employed by a covered employer for four or more consecutive weeks (or 25 days of employment for part-time employees)</p>	<p>Employee must spend more than 50 percent of work time in the District of Columbia for a covered employer or be based in the District of Columbia and regularly spend a substantial amount of work time for the covered employer in the District of Columbia and not more than 50 percent of work time for that covered employer in another jurisdiction; and must have been a covered employee for some or all of the 52 calendar weeks preceding the covered event</p>	<p>Must have worked for at least 820 hours in four out of the five quarters prior to leave application</p> <p>(S.B. 5975 §§ 2-3, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))</p>	<p>Must meet the financial eligibility requirements of the state unemployment insurance law (currently, one must have earned at least \$4,700 in the last four completed calendar quarters and at least 30 times the weekly unemployment benefit amount that person would be eligible to collect)</p> <p>(H. 4640 § 29(1), 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted); <a href="https://www.mass.gov/service-details/check-eligibility-for-">https://www.mass.gov/service-details/check-eligibility-for-</a></p>	<p>Must have earned at least \$2,325 from one or more employers during the highest-earning quarter of the base period and have been employed by an employer in the previous 12 weeks</p> <p>(S.B. 1 § 1, 2019 Leg., Reg. Sess. (Conn. 2019) (enacted))</p>	<p>During the base year or alternative base year, must have earned at least \$1,000 in wages and paid into the Paid Family and Medical Leave Insurance Fund</p> <p>(H.B. 2005 §§ 2(11), 3, 80th Leg. Assembly, Reg. Sess. (Or. 2019) (enacted))</p>	<p>Must have earned at least \$2,500 in wages subject to premiums during the base period</p> <p>(Colo. Rev. Stat. § 8-13.3-503(3)(a))</p>

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				(N.Y. Workers' Comp. Law § 203 (as amended by S. 6406C))	Self-employed individual must have earned self-employment income for work performed more than 50 percent of the time in the District of Columbia during some or all of the 52 calendar weeks preceding the covered event, and must have opted into the paid leave program  (D.C. Law 21-264 §§ 101(3)-(4), (6) (D.C. 2016))		<u>unemployment-benefits)</u>			
<b>Discrimination prohibited</b>	Not more than federal Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA)	Not more than federal FMLA and New Jersey Family Leave Act (NJ FLA)	Not more than federal FMLA and RI Parental and Family Medical Leave Act (PFMLA)	Yes  (N.Y. Workers' Comp. Law § 120 (as amended by S. 6406C))	Yes  (D.C. Law 21-264 §§ 101(18), 110 (D.C. 2016))	Yes  (S.B. 5975 § 72, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))	Yes  (H. 4640 § 29(9), 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted))	Yes  (S.B. 1 § 21, 2019 Leg., Reg. Sess. (Conn. 2019) (enacted))	Yes  (H.B. 2005 § 11, 80th Leg. Assembly, Reg. Sess. (Or. 2019) (enacted))	Yes  (Colo. Rev. Stat. § 8-13.3-509(4))

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<b>Method to fund insurance system</b>	<p>Own disability and family care are funded by the employee only (currently at 1 percent of worker's first \$118,371 in wages)</p> <p>(<a href="http://www.edd.ca.gov/PayrollTaxes/RatesandWithholding.htm">http://www.edd.ca.gov/PayrollTaxes/RatesandWithholding.htm</a>)</p>	<p>State's temporary disability insurance program is financed jointly by employee and employer payroll contributions. As of January 1, 2019, each worker contributes 0.17 percent of the taxable wage base (the first \$34,400 in covered wages paid during the calendar year), up to \$58.48 per year.</p> <p>(<a href="https://www.nj.gov/labor/ea/rates/ea2019.html">https://www.nj.gov/labor/ea/rates/ea2019.html</a>)</p> <p>The contribution rate for employers varies from 0.10 to 0.75</p>	<p>Own disability and family care are funded by the employee only. The current withholding rate is 1.1 percent of worker's first \$71,000 in wages.</p> <p>(<a href="http://www.dlt.ri.gov/lmi/news/quickref.htm">http://www.dlt.ri.gov/lmi/news/quickref.htm</a>)</p>	<p>Own disability is funded jointly by employee and employer payroll contributions. Each worker contributes one half of 1 percent of the worker's wages, up to 60 cents per week. The employer contributes the balance of the plan costs not covered by the employee.</p> <p>(<a href="http://www.wcb.ny.gov/content/main/DisabilityBenefits/Employer/complyWithLaw.jsp">http://www.wcb.ny.gov/content/main/DisabilityBenefits/Employer/complyWithLaw.jsp</a>)</p> <p>Family care is funded by the employee only. The current rate is 0.153 percent of the</p>	<p>Funded by employer only. The current rate is 0.62 percent of wages or of annual self-employment income.</p> <p>(D.C. Law 21-264 § 103 (D.C. 2016))</p>	<p>For the program's first year, the total premium rate is 0.4 percent of the worker's first \$132,900 in wages; employers can deduct from the wages of each employee the full amount of the premium for family leave and 45 percent of the premium for medical leave.</p> <p>For each following year, the premium rate is adjusted annually based on the solvency of the fund. Employers with fewer than 50 employees are not required to pay their portion; if they do pay, they are</p>	<p>For the program's first year, the total premium rate is 0.63 percent of an employee's wages; employers can deduct from the employee's wages the full amount of the premium for family leave and 40 percent of the premium for medical leave.</p> <p>For each following year, the premium rate is adjusted based on the fund's expenditures.</p> <p>Employers with fewer than 25 employees are not required to pay their portion</p>	<p>Funded by employee only. Contribution rate shall be set by the Paid Family and Medical Leave Insurance Authority, but shall not exceed 0.5 percent</p> <p>(S.B. 1 § 3, 2019 Leg., Reg. Sess. (Conn. 2019) (enacted))</p>	<p>Funded jointly by employee and employer payroll contributions. Total contribution rate shall not exceed 1 percent of the worker's first \$132,900 in wages; employee pays 60 percent of this total rate and employer pays 40 percent.</p> <p>The premium rate is adjusted annually based on the fund's expenditures.</p> <p>Employers with fewer than 25 employees are not required to pay their portion; if they do pay, they are</p>	<p>Funded jointly by employee and employer payroll contributions. For the program's first two years, the total premium rate is 0.9 percent of an employee's wages. Employers can deduct 50 percent of the premium from the employee's wages.</p> <p>For each following year, the premium rate is adjusted based on the fund's expenditures, not to exceed 1.2 percent.</p> <p>Employers with fewer than 10 employees are not required to</p>



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		<p>percent. For 2019, employers contribute between \$34.40 and \$258.00 on the first \$34,400 paid to each employee during the calendar year.</p> <p><a href="https://myleavebenefits.nj.gov/labor/myleavebenefits/employer/index.shtml?open=TDI">https://myleavebenefits.nj.gov/labor/myleavebenefits/employer/index.shtml?open=TDI</a></p> <p>Family care is funded entirely by the employee. Currently, each worker contributes 0.08 percent of the taxable wage base (first \$34,400 in covered wages paid during the calendar year), and the</p>		<p>worker's first \$70,568.63 in wages, up to \$107.97 per year.</p> <p><a href="https://paidfamilyleave.ny.gov/paid-family-leave-information-employers">https://paidfamilyleave.ny.gov/paid-family-leave-information-employers</a>)</p>		<p>eligible for state assistance. Employers with 150 or fewer employees are also eligible for state assistance with premiums.</p> <p>(S.B. 5975, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted); <a href="https://paidleave.wa.gov/employers#helpques34">https://paidleave.wa.gov/employers#helpques34</a>)</p>	<p>(H. 4640 §§ 29(6)-(7), 30, 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted)</p>		<p>eligible for state assistance.</p> <p>(H.B. 2005 § 16, 80th Leg. Assembly, Reg. Sess. (Or. 2019) (enacted))</p>	<p>pay their portion.</p> <p>(Colo. Rev. Stat. § 8-13.3-507)</p>

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		<p>maximum yearly deduction for family leave insurance is \$27.52.</p> <p><a href="https://www.nj.gov/labor/ea/rates/ea2019.html">https://www.nj.gov/labor/ea/rates/ea2019.html</a></p> <p>Beginning on January 1, 2020, the taxable wage base shall increase to a number equal to 107 times the statewide average weekly wage.</p> <p>(A. 3975, 218th Leg., Reg. Sess. (N.J. 2019))</p>								
<b>Size of employer covered</b>	All private sector employers are covered  (Cal. Unemp. Ins. Code	Private and public sector employers covered by the New Jersey Unemployment Compensation Law must	All private sector employers are covered  Only some public	Most private sector employers are covered  Self-employed individuals can opt in	Private sector employers covered by the D.C. Unemployment Compensation Act are covered	All employers are covered  (S.B. 5975, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))	Private sector employers and the state government are covered  Self-employed individuals*	All private sector employers are covered  Self-employed individuals and state or local	All employers are covered  Self-employed individuals and independent contractors can opt in	Private sector employers and the state government are covered  Local government

	California	New Jersey	Rhode Island	New York	District of Columbia	Washington	Massachusetts	Connecticut	Oregon	Colorado
	<p>§§ 3302, 2606, 675, 135)</p> <p>Self-employed individuals can opt in</p> <p>Only some public employees are covered</p> <p>(<a href="http://www.edd.ca.gov/disability/FAQ_PFL_Eligibility.htm">http://www.edd.ca.gov/disability/FAQ_PFL_Eligibility.htm</a>)</p>	<p>provide paid leave for family care and temporary disability, with some exceptions for government employers</p> <p>(<a href="http://lwd.state.nj.us/labor/fli/content/fli_faq.html">http://lwd.state.nj.us/labor/fli/content/fli_faq.html</a>; <a href="http://lwd.state.nj.us/labor/tdi/employer/state/state_emp_coverage.html">http://lwd.state.nj.us/labor/tdi/employer/state/state_emp_coverage.html</a>)</p>	<p>employees are covered</p> <p>(R.I. Gen. Laws §§ 28-39-2, -3)</p>	<p>Certain public employers (other than the state government) can opt in to family care or own disability; the state government, certain public employers, and public employees represented by an employee organization can only opt in to family care</p> <p>(N.Y. Workers' Comp. Law §§ 201(4), 212(2), (4)(B), 212-A, 212-B (as amended by S. 6406C))</p>	<p>Self-employed individuals can opt in</p> <p>Employees of the D.C. city government and the United States government, or of any employer the District is not authorized to tax under federal law or treaty, are not covered</p> <p>(D.C. Law 21-264 § 101(4) (D.C. 2016))</p>	<p>Self-employed individuals and independent contractors can opt in</p> <p>(S.B. 5975, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))</p>	<p>and local governments can opt in</p> <p>*Some self-employed individuals may be automatically covered</p> <p>(H. 4640 §§ 29(1), (6)(e), 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted))</p>	<p>collective bargaining units can opt in</p> <p>(S.B. 1 § 1, 2019 Leg., Reg. Sess. (Conn. 2019) (enacted))</p>	<p>(H.B. 2005 §§ 2(14), 3, 80th Leg. Assembly, Reg. Sess. (Or. 2019) (enacted))</p>	<p>employers can opt out</p> <p>Self-employed individuals and independent contractors can opt in</p> <p>(Colo. Rev. Stat. § 8-13.3-503(8), -514, -522)</p>
<b>Benefit amount</b>	Beginning on January 1, 2018, for a four-year period:	The weekly benefit rate is 66 percent of a worker's average weekly wage (AWW),	The average weekly benefit rate is 4.62 percent of wages paid during the	For family care, in 2019, the weekly benefit rate is 55 percent of a worker's	For workers paid wages less than or equal to 150 percent of the D.C. minimum wage	For workers paid 50 percent or less of the statewide average weekly wage (AWW),	For workers paid 50 percent or less of the statewide average weekly wage (AWW),	For workers paid wages less than or equal to the Connecticut minimum wage multiplied by	For workers paid 65 percent or less of the statewide average weekly wage (AWW),	The weekly benefit rate is 90 percent of the individual's average weekly wages (AWW)

	California	New Jersey	Rhode Island	New York	District of Columbia	Washington	Massachusetts	Connecticut	Oregon	Colorado
	<p>For workers whose quarterly earnings are at least \$929 but less than 1/3 of the state average quarterly wage, the weekly benefit will be 70 percent of the worker's weekly wage;</p> <p>A) For workers whose quarterly earnings are at</p>	<p>with a maximum benefit of \$650 in 2019 (maximum adjusted annually based on statewide AWW)</p> <p>(<a href="https://myleavebenefits.nj.gov/labor/myleavebenefits/worker/fli/index.shtml">https://myleavebenefits.nj.gov/labor/myleavebenefits/worker/fli/index.shtml</a>; <a href="https://myleavebenefits.nj.gov/labor/myleavebenefits/worker/fli/index.shtml">https://myleavebenefits.nj.gov/labor/myleavebenefits/worker/fli/index.shtml</a>)</p> <p>Beginning on July 1, 2020, the weekly benefit rate is 85 percent of a worker's AWW, with a maximum benefit equivalent to 70 percent of the statewide AWW.</p>	<p>highest quarter of worker's base period, up to \$852 per week for claims effective January 1, 2019 or later (maximum adjusted annually based on statewide average weekly wage)</p> <p>(<a href="http://www.dlt.ri.gov/tdi/tdifaqs.htm">http://www.dlt.ri.gov/tdi/tdifaqs.htm</a>; <a href="http://www.dlt.ri.gov/lmi/news/quickref.htm">http://www.dlt.ri.gov/lmi/news/quickref.htm</a>)</p> <p>In December 2018, the average weekly benefit was \$551 for family care and the average for own disability was \$500</p>	<p>average weekly wage (AWW), not to exceed 55 percent of the state AWW; benefit amounts increase in 2020 to 60 percent of the worker's weekly wage up to 60 percent of the state AWW; and in 2021, to 67 percent of the worker's weekly wage up to 67 percent of the state AWW (increases subject to delay)</p> <p>For own disability, the weekly benefit rate is 50 percent of the employee's weekly wage, with a maximum benefit of \$170;</p>	<p>multiplied by 40, the weekly benefit rate is 90 percent of the worker's average weekly wage (AWW) rate.</p> <p>For workers paid more than 150 percent of the D.C. minimum wage multiplied by 40, the weekly benefit rate is 90 percent of 150 percent of the D.C. minimum wage multiplied by 40 plus 50 percent of the amount by which the worker's AWW exceeds 150 percent of the D.C. minimum wage multiplied by 40, up to a maximum of \$1,000 per</p>	<p>the weekly benefit rate is 90 percent of the worker's AWW.</p> <p>For workers paid more than 50 percent of the statewide AWW, the weekly benefit rate is 90 percent of the employee's AWW up to 50 percent of the statewide AWW, plus 50 percent of the employee's AWW that is more than 50 percent of the statewide AWW.</p> <p>The maximum weekly benefit is \$1,000 in the program's first year, and will be adjusted annually to an</p>	<p>the weekly benefit rate is 80 percent of the worker's AWW.</p> <p>For workers paid more than 50 percent of the statewide AWW, the weekly benefit rate is 80 percent of the employee's AWW up to 50 percent of the statewide AWW, plus 50 percent of the employee's AWW that is more than 50 percent of the statewide AWW.</p> <p>The maximum weekly benefit is \$850 in the program's first year, and will be adjusted annually to an</p>	<p>40, the weekly benefit rate is 95 percent of the worker's average weekly wage (AWW) rate.</p> <p>For workers paid more than the Connecticut minimum wage multiplied by 40, the weekly benefit rate is 95 percent of the Connecticut minimum wage multiplied by 40 plus 60 percent of the amount by which the worker's AWW exceeds the Connecticut minimum wage multiplied by 40, up to a maximum of 60 times the Connecticut minimum wage</p>	<p>the weekly benefit rate is 100 percent of the worker's AWW.</p> <p>For workers paid more than 65 percent of the statewide AWW, the weekly benefit rate is 65 percent of the statewide AWW plus 50 percent of the employee's wages above that amount.</p> <p>The maximum weekly benefit is 120 percent of the statewide AWW, and the minimum weekly benefit is 5 percent of the statewide AWW.</p> <p>(H.B. 2005 § 7, 80th Leg.</p>	<p>that are at or below 50 percent of the statewide AWW, plus 50 percent of the individual's AWW that are above 50 percent of the statewide AWW.</p> <p>The maximum weekly benefit is \$1,100 in the program's first year, and will be adjusted annually to an amount equaling 90 percent of the state AWW.</p> <p>(Colo. Rev. Stat. § 8-13.3.506)</p>

	California	New Jersey	Rhode Island	New York	District of Columbia	Washington	Massachusetts	Connecticut	Oregon	Colorado
	<p>least 1/3 of the state average quarterly wage, the weekly benefit rate will be 23.3 percent of the state average weekly wage OR 60 percent of the worker's weekly wage, whichever is greater.</p> <p>B) The maximum weekly benefit is \$1,252 in 2019</p>	<p>(A. 3975, 218th Leg., Reg. Sess. (N.J. 2019))</p> <p>The average weekly benefit in 2017 was \$538 for family care and \$465 for own disability</p> <p>(<a href="https://myleavebenefits.nj.gov/labor/myleavebenefits/assets/pdfs/ANNUAL_FLI-TDI_REPORT_FOR_2017.pdf">https://myleavebenefits.nj.gov/labor/myleavebenefits/assets/pdfs/ANNUAL_FLI-TDI_REPORT_FOR_2017.pdf</a>)</p>	<p>(<a href="http://www.dlt.ri.gov/lmi/uiad_min.htm">http://www.dlt.ri.gov/lmi/uiad_min.htm</a>)</p>	<p>however, if the employee earns less than \$20 per week, the benefit will be their full AWW</p> <p>(N.Y. Workers' Comp. Law §§ 204(2)(A), (B) (as amended by S. 6406C))</p>	<p>week (beginning in 2021, maximum will be increased annually to account for inflation)</p> <p>(D.C. Law 21-264 § 104(g) (D.C. 2016))</p>	<p>amount equaling 90 percent of the state AWW.</p> <p>(S.B. 5975, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))</p>	<p>amount equaling 64 percent of the state AWW.</p> <p>(H. 4640 § 29(3(b)), 30, 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted))</p>	<p>(S.B. 1 § 3(c)(2), 2019 Leg., Reg. Sess. (Conn. 2019) (enacted))</p>	<p>Assembly, Reg. Sess. (Or. 2019) (enacted))</p>	

	California	New Jersey	Rhode Island	New York	District of Columbia	Washington	Massachusetts	Connecticut	Oregon	Colorado
	<p>(maximum adjusted annually based on statewide average weekly wage).</p> <p>Workers with quarterly earnings less than \$929 will receive a weekly benefit of \$50.</p> <p><a href="https://www.edd.ca.gov/Disability/Calculating_PFL_Benefit_Payment_Amounts.htm">https://www.edd.ca.gov/Disability/Calculating_PFL_Benefit_Payment_Amounts.htm</a>; A.B. 908, 2015-2016 Leg., Reg. Sess. (Cal. 2016) (enacted))</p> <p>Note: The San Francisco Board of Supervisors</p>									

	<b>California</b>	<b>New Jersey</b>	<b>Rhode Island</b>	<b>New York</b>	<b>District of Columbia</b>	<b>Washington</b>	<b>Massachusetts</b>	<b>Connecticut</b>	<b>Oregon</b>	<b>Colorado</b>
	<p>passed an ordinance requiring covered employers to provide supplemental compensation to covered employees taking leave to care for a new child for up to six weeks such that the combined weekly benefit equals 100 percent of the employee's weekly wage. This requirement applies to employers with 20 or more.</p> <p>(San Francisco, Cal. Ordinance 160065)</p> <p>As of June 2019, the average weekly</p>									

	California	New Jersey	Rhode Island	New York	District of Columbia	Washington	Massachusetts	Connecticut	Oregon	Colorado
	benefit in the state for family care was \$687 and the average for own disability was \$622  ( <a href="http://www.edd.ca.gov/about_edd/Quick_Statistics.htm">http://www.edd.ca.gov/about_edd/Quick_Statistics.htm</a> )									
<b>Job protection while on leave</b>	Leave for family care and own disability is protected, but not more than FMLA and CFRA  Leave for parental leave is protected for individuals at employers with 20 or more employees  Leave for pregnancy disability is protected for individuals at employers with	Not more than FMLA and NJ FLA  Beginning on June 30, 2019, NJ FLA is expanded to apply to employers with 30 or more employees  (A. 3975, 218th Leg., Reg. Sess. (N.J. 2019))	Leave for family care is job-protected but leave for own disability is no more protected than under FMLA or RI PFMLA  (R.I. Gen. Laws § 28-41-35(f))	Leave for family care is job-protected but leave for own disability is no more protected than under FMLA or NY PFMLA  (N.Y. Workers' Comp. Law § 203-b (as amended by S. 6406C))	Not more than FMLA and D.C. FMLA (D.C. FMLA covers individuals at employers with 20 or more employees)	Not more than FMLA and WA FMLA (S.B. 5975, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))  Leave for pregnancy disability is protected for six weeks for individuals at employers with eight or more employees	Yes  (H. 4640 §§ 29(2(e)), 30, 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted))	Yes, if employee has been employed for at least three months immediately preceding request for leave  (S.B. 1 § 17, 2019 Leg., Reg. Sess. (Conn. 2019) (enacted))	Yes  (H.B. 2005 § 10, 80th Leg. Assembly, Reg. Sess. (Or. 2019) (enacted))	Yes, if employee has worked for their employer for at least 180 days prior to the commencement of leave.  (Colo. Rev. Stat. § 8-13.3-509)



	California	New Jersey	Rhode Island	New York	District of Columbia	Washington	Massachusetts	Connecticut	Oregon	Colorado
	five or more employees									
<b>Waiting period</b>	<p>For family care, beginning on January 1, 2018, none</p> <p>For own disability, seven days</p> <p>(Cal. Unemp. Ins. Code §§ 2627(b), 3303 (as amended by A.B. 908))</p>	<p>Seven days, but if disability lasts three weeks, the worker gets paid for those seven days; must be consecutive</p> <p>Beginning on July 1, 2019, none</p> <p>(N.J. Stat. Ann. § 43:21-38; A. 3975, 218th Leg., Reg. Sess. (N.J. 2019))</p>	<p>Due to a legislative approved change, claims filed effective July 1, 2012, or later no longer need to serve a non-paid waiting period</p> <p>Caregiver/bonding and own disability claims must be out of work for seven consecutive days as one of the eligibility requirements</p> <p>(11-000-002 R.I. Code R. §§ 16(G), 37(D))</p>	<p>For family care, none</p> <p>For own disability, seven days</p> <p>(N.Y. Workers' Comp. Law § 204(1) (as amended by S. 6406C))</p>	<p>One week without pay from the insurance system; only one waiting period per year regardless of the number of qualifying events for which a worker takes leave</p> <p>(D.C. Law 21-264 § 104(b) (D.C. 2016))</p>	<p>For family care and own serious health condition, seven calendar days</p> <p>For bonding leave, none</p> <p>(S.B. 5975, 65th Leg., 3rd Special Sess. (Wash. 2017) (enacted))</p>	<p>Seven calendar days; waiting period is not required for family leave taken immediately after a period of medical leave for pregnancy or childbirth recovery</p> <p>(H. 4640 §§ 29(3(a)), 30, 190th Gen. Court, Reg. Sess. (Mass. 2018) (enacted))</p>	None	None	<p>None. Benefits are not payable until an employee has taken at least eight hours of leave.</p> <p>(Colo. Rev. Stat. § 8-13.3-505(3))</p>

The National Partnership for Women & Families is a nonprofit, nonpartisan advocacy group dedicated to promoting fairness in the workplace, reproductive health and rights, access to quality, affordable health care and policies that help all people meet the dual demands of work and family. More information is available at [NationalPartnership.org](http://NationalPartnership.org).

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