

Nov. 15, 2017

Public entities must opt in/out of paid-family leave by Dec. 1, 2017

As they may with New York state's disability coverage, public entities may choose to provide paid-family leave coverage to their employees by submitting an application to the New York State Workers' Compensation Board. They also must provide notice to employees at least 90 days before collecting contributions from them. **Public-entity employers that currently provide DBL benefits must email the section to opt in (or not) to the WCB on or before Dec. 1, 2017.** Below are the application procedures, as outlined on the New York State [Paid Family Leave website](#):

For employers that currently provide disability benefits:

If opting in for paid-family leave:

- Email the Workers' Compensation Board at PAU@wcb.ny.gov stating that you plan to provide paid-family leave to employees in 2018 **on or before Dec. 1, 2017.**
- Notify your disability benefits insurance carrier (if you do not self-insure) of your decision.
- Notify your employees. If you have employees who are represented by a union, their participation is subject to negotiation. If you elect to provide paid-family leave to unionized employees, you should engage their union(s) to negotiate the terms of their participation.

If opting out (**NOT** participating in) paid-family leave:

- Email the Workers' Compensation Board at PAU@wcb.ny.gov stating that you do not plan to provide paid-family leave to employees in 2018 **on or before Dec. 1, 2017.**
- Notify your disability benefits insurance carrier (if you do not self-insure) of your decision.
- Notify your employees, or if they are represented by a union, advise any union(s) representing your employees of this decision.
- Even if you choose not to opt in by Dec.1, you may choose to do so at a later date.

For employers that do not currently provide disability benefits:

If opting in to paid-family leave:

- Complete the opt-in application available [here](#). You may do so at any time.
- Completed applications should be submitted to the Plans Acceptance Unit by email at PAU@wcb.ny.gov.
- If you have employees who are represented by a union, their participation is subject to negotiation.

If opting out (**NOT** participating in) paid-family leave:

- No action is required.
- You can apply to provide voluntary paid-family leave coverage at any time.

Obtain insurance coverage

If, and when, you decide to opt in, paid-family leave insurance coverage may be secured by:

- providing PFL benefits through an existing disability benefits policy;
- obtaining a stand-alone PFL insurance policy; or
- self-insuring for PFL.

Public employers that offer disability benefits through an insurance policy may not self-insure for PFL.

Coverage must be maintained for at least **one year** and may only be canceled after providing **12 months'** notice to all affected unrepresented employees and to the Workers' Compensation Board.

Learn more during Thursday's Webinar; don't miss out

For more information on these new rules, register for PIA's upcoming Webinar—**NYS Paid Family Leave: What you need to know about the regulation**—which takes place on **Nov. 16, from 10-11 a.m.** This program will review the new PFL regulation and assist attendees in preparing for its implementation on Jan. 1, 2018. To register, [click here](#). Don't forget to email your clients with the sample verbiage attached and invite them to participate in the program as well.

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Think PIA first

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N.Y.'s Paid Family Leave regulation: Get the information you need to comply

The New York State Workers' Compensation Board released the final version of the new paid family leave regulation July 19, 2017, and it will take effect **Jan. 1, 2018**. The duration of benefits will be phased in until 2021, when it will require almost every private employer to provide 12 weeks of paid leave. As your professional insurance agent, we want you to know about an upcoming Webinar that will discuss this new regulation and what your business needs to do to comply. Because your insurance agent is a member of the Professional Insurance Agents, this Webinar is available to you for \$50.

Learn more during PIA's upcoming Webinar

For more information on these new rules, [register](#)* today for PIA's upcoming Webinar—**NYS Paid Family Leave: What you need to know about the regulation**—which takes place on Nov. 16, from 10-11 a.m. This program will review the new PFL regulation and assist attendees in preparing for its implementation on Jan. 1, 2018. After the presentation, there will be a question-and-answer session.

Some of the questions PIA will answer during the Webinar include:

- Does PFL run concurrently with FMLA and DBL leaves?
- Does an employer have to continue providing health insurance to an employee receiving PFL benefits?
- Which employees are eligible for benefits?
- Are employees eligible if they live outside New York?
- Who pays the PFL premium?
- What is the employee contribution?

***Special note:** On this page, you will select the "Register" button and at the bottom of the next screen you will see under the "Proceed to Checkout" section, the selection for "I am a new customer." It will then prompt you to complete a short online form and then select "Create Account." The license numbers that it references are for insurance license numbers **ONLY**. Simply leave those blanks if you do not hold an insurance license. The next screen will be for your payment information. After that is complete, simply select the "Place My Order" button. The continuing-education credit information noted is **ONLY** applicable to insurance licenses.

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