

State paid family and medical leave contributions and benefits

Law & Policy Group | GRIST

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Section 1

Introduction

A number of jurisdictions across the US — California, Colorado, Connecticut, Delaware, Hawaii, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New York, Oregon, Puerto Rico, Rhode Island, Washington and Washington, DC — mandate paid leave for an employee's own serious health condition or disability. Except for Hawaii and Puerto Rico, these jurisdictions also require paid family leave (PFL) to bond with a new child, care for a seriously ill or injured family member and handle certain other matters. Despite some common elements, differences in these laws make compliance and administration particularly challenging for multistate employers.

Two states — New Hampshire and Vermont — have voluntary paid family and medical leave (PFML) insurance programs. Eight states — Alabama, Arkansas, Florida, Kentucky, South Carolina, Tennessee, Texas and Virginia — permit life and disability insurers to write group family leave insurance (FLI) policies for employers.

This semiannual GRIST provides a high-level summary of these programs.

New programs

No additional states enacted new PFML programs in 2024 or 2025. Contributions in Delaware and Maine started on Jan. 1, and will start on Jan. 1, 2026, in Minnesota. Benefits will start in 2026 — in January for Delaware and Minnesota and in May for Maine. In Maryland, contributions will start on Jan. 1, 2027, and benefits will start no later than Jan. 3, 2028.

Historical perspective

PFML programs have progressed through three phases:

- **Phase 1 (1940s – 1960s) — State disability insurance (SDI) only.** Five states (California, Hawaii, New Jersey, New York and Rhode Island) and Puerto Rico began wage replacement programs for nonwork-related disability leave.
- **Phase 2 (2000s – 2010s) — PFL added.** Four of those states (California, New Jersey, New York and Rhode Island) added PFL.
- **Phase 3 (2020s) — Full PFML mandates.** Comprehensive PFML programs created in nine states (Colorado, Connecticut, Delaware, Maine, Maryland, Massachusetts, Minnesota, Oregon and Washington), plus Washington, DC.

As jurisdictions with older programs continue to make amendments to keep pace with the newer programs, legislatures in states without any disability or PFML program are likely to consider adopting a comprehensive PFML mandate (Phase 3) or simply allow for voluntary group PFL insurance.

Common elements

Common elements in nearly all of these programs include:

- Overseen and/or administered by a state/district agency (except in Hawaii)
- Funded at least partially by employees (except in Washington, DC)
- Provide at least partial wage replacement during leave (some low-wage employees may receive full wage replacement)
- Require mandated leave to run concurrently with leave under the federal Family and Medical Leave Act (FMLA) when both laws apply
- Determine covered individuals by work location, not residence
- Require employee documentation of the need for leave
- Limit total leave duration (generally eight to 16 weeks in a 12-month period)
- Annually adjust contribution rates and maximum weekly benefits (except for disability leave in New York and Puerto Rico)
- Permit intermittent leave (though some apply a separate duration maximum for intermittent leave)
- Require continuation of health benefits
- Allow employers to adopt a voluntary/private plan and opt out of participating in state program (except no opt-out is allowed in Rhode Island and Washington, DC, and for family leave benefits in New Jersey)

Compared with the FMLA, state programs typically have less stringent eligibility standards, longer leave durations and additional qualifying reasons for leave. But job protections tend to be less clear than FMLA requirements, and some states have a parallel law providing job protection. For a comprehensive overview of state PFML programs, see [*Paid Family and Medical Leave in the United States*](#) (Congressional Research Service, March 26, 2025).

Mandatory PFML program highlights

The contribution rates, taxable wage bases, maximum weekly benefit amounts and other program updates since January 2025 are highlighted below. New York's and Puerto Rico's statutory disability benefits do not change annually.

Colorado

A new law ([SB 25-144](#)) provides an additional 12 weeks of paid leave for claims occurring on or after Jan. 1, 2026, when a child is receiving in-patient services in a neonatal intensive care unit (often called NICU) services. This leave is in addition to pregnancy-related leave. The law also decreased the overall contribution rate from 0.90% (2025) to 0.88% (2026), subject to a 1.2% ceiling.

Updated final regulations address documentation, private plans and job protection:

- **Documentation (7 CCR 1107-3).** Acceptable proof of parental or *in loco parentis* status includes: birth certificates, birth certificate applications, healthcare provider documentation, other vital records or a written statement establishing *in loco parentis* status.

- **Private plans (7 CCR 1107-5).** Employers must provide a private plan notice within five days after either learning of a Family and Medical Leave Insurance (FAMLI)-triggering event or receiving a federal FMLA leave request, absent extenuating circumstances.
- **Job protection (7 CCR 1107-7).** Job protections do not apply until the 180th day of service. If leave begins before the 180th day, job protections don't apply even if the 180th day occurs during the leave.

Effective July 1, Colorado's state average weekly wage (SAWW) increased from \$1,471.34 to \$1,534.94, in turn increasing the weekly FAMLI benefit from \$1,324.21 to \$1,381.45 (90% of the new SAWW) for leaves starting on or after that date.

Delaware

A new law — 2025 Ch. 115 (HS 1 for HB 128) — addresses coordination of benefits, private plans and employee disclosures:

- **Coordination of benefits.** Employers cannot require employees to use accrued paid time off (PTO) before taking PFML benefits. An employer and employee can mutually agree to use accrued PTO to supplement PFML benefits. PFML benefit payments are primary, and other wage replacement benefits are coordinated according to the terms of the policy.
- **Private plans.** Effective July 30, employers with approved self-insured plans can start collecting employee contributions, as needed. Private plan applications are accepted on a rolling basis, with effective dates at the start of each quarter.
- **Employee disclosures.** When applying for PFML benefits, employees must disclose whether they have child support obligations, triggering notification to the applicable child support enforcement agency.

The Delaware Department of Labor (DDOL) modified its existing regulations, now in effect. Here are the highlights:

- **Covered individuals.** They consist of only those primarily working in Delaware, with wages subject to FICA withholding, including those covered by a collective bargaining agreement (CBA), teachers and other school employees.
- **Covered employers.** Professional employer organization (PEO) clients are employers for PFML purposes, not the PEO.
- **Family and medical leave benefits.** Qualified exigency is a permitted use, in addition to family caregiving, medical and parental leave.
- **Reporting.** Wage reports will now be on a quarterly (instead of a weekly) basis.
- **Waivers.** A temporary employee or part-timer expected to work fewer than 25 hours per week may waive PFML contributions. If the employer and employee both contribute to PFML coverage, both must sign a waiver. Employers picking up 100% of contributions need only sign the waiver. Employers using the public plan must submit waivers through the online administrative system. Employers with an approved private plan merely need to keep a copy. The same holds true for waiver removals.

- **Private plans.** Employers switching from a private plan to a public plan will owe back contributions plus 1.5% monthly interest. New employers with 10 or more employees or existing employers whose employee count crosses the 10- or 25-employee thresholds may apply for a private plan outside of the annual application period. The employee contribution percentage cannot exceed 50%, nor can the employee's share of the private plan cost exceed what the employee would contribute under the public plan.

Maine

Maine enacted a law amending the PFML program, for which benefits will start on May 1, 2026, and changed the SAWW, effective July 1, among other developments.

2025 Pub. Law 277 (LD 894). The law tweaked the intermittent PFML rules, allowing an employer and employee to agree to an increment of less than one work day but no less than one hour. The Maine Department of Labor (MDOL) can sue employers who are delinquent in remitting contributions. Lapses in private plan coverage are subject to a penalty of 1% of total payroll for the missed time period, plus payment of missed contributions. These changes will take effect on or about Sept. 24.

SAWW. The SAWW increased from \$1,144.67 to \$1,198.84 for the July 1, 2025 — June 30, 2026, period, affecting the calculation for benefits, which will start on May 1, 2026.

FAQs. Employer FAQs expanded and new employee FAQs were issued. The employer FAQs address employer notices, undue hardship and other benefits while on leave:

- **Employer notice.** Employers must provide notice upon hire. The notice must include information about benefits, job protections and claim filing. A workplace poster is also required.
- **Undue hardship.** Within 10 business days of notification of a claim, an employer opposed to a proposed leave schedule based on undue hardship must provide a written explanation to the employee and MDOL Administrator and include any proposed alternative leave schedule and documentation supporting undue hardship. Undue hardship is defined as “a significant impact on the operation of the business or significant expenses that cannot be overcome with the amount of notice given by the employee.” Employers’ financial resources, workforce size and industry type are relevant considerations.
- **Other benefits.** Taking PFML does not affect an employee’s right to accrue or receive other employment benefits. Specifically, employees continue to accrue applicable vacation time and sick time; earn bonuses, advancement, seniority or service credit; and maintain participation in benefit plans or programs.

Litigation. The Maine Supreme Judicial Court unanimously affirmed the MDOL's PFML regulations in *Maine State Chamber of Commerce et al. v. Department of Labor*. Plaintiffs had argued that the rules conflicted with the law and were a taking of private property for public use. The case centered on the requirement that all Maine employers (including those applying for a private plan) pay quarterly contributions to the PFML fund for the first quarter of 2025.

Claims administrator. Maine announced that Aflac will administer claims for the program.

Maryland

As a result of 2025 Ch. 363 (HB 102), PFML contributions will start on Jan. 1, 2027, for employers with 15 or more employees, and benefits will start no later than Jan. 3, 2028, the specific date to be determined by the Maryland Department of Labor. Other deadlines (e.g., future contribution rates, maximum benefits, rules for self-employed individuals) received similar extensions. The law took effect on June 1.

Minnesota

As the state prepares for its Jan. 1, 2026, launch date, there were two developments related to contributions, and regulations were finalized.

First, the Minnesota Department of Employment and Economic Development (MN DEED) changed the overall contribution rate for PFML to 0.88%. The original rate set by statute was 0.7% but it allowed MN DEED to adjust the rate before 2026 to a maximum of 1.2% of taxable wages paid to each employee. The updated rate covers the premium for medical leave (0.61%) and family leave (0.27%). Employers may require employees to pay for up to half of the contribution rate (i.e., 0.44%). Small employers pay a reduced rate (0.22%) while employees of small employers still pay 0.44%.

Second, 2025 Ch. 6 (SF 17) decreased the statutory contribution cap (relevant for years after 2026) from 1.2% to 1.1% of wages.

Finally, the permanent rules address these issues:

- **Covered individual notifications.** A new process requires the state Department of Employment and Economic Development to verify that an employee provided proper notice of PFML leave to their employer.
- **Certifications.** Certification requirements apply to healthcare providers, as well as employees requesting either caring or safety leave.
- **Private plans.** New standards apply for plan amendments and terminations, surety bonds, employer notices, employee access to claim information and annual reporting.
- **Benefits calculations.** The regulations address issues for continuous and intermittent leave.

New Jersey

New Jersey posted rate changes for 2026. Temporary disability insurance (TDI) and family leave insurance (FLI) together constitute PFML in the state. Employers will have to collect and remit contributions up to the \$171,100 taxable wage base for 2026, up from \$165,400 in 2025. The 2026 maximum TDI/FLI weekly benefit rate of \$1,199 reflects an increase from \$1,081 in 2025.

New York

New York's Department of Financial Services has posted rates for 2026 paid family leave (PFL) benefits.

Employee PFL contributions will increase from 0.388% (2025) to 0.432% (2026) of an employee's wages. The maximum annual employee contribution will be \$411.91 (2026), up

from \$354.53 (2025). Employers do not contribute to the PFL fund. New York also has a disability benefits law, where employee contributions are set by statute at 0.5% of wages up to a maximum of \$0.60 per week.

Oregon

Oregon enacted two laws (effective on or about Sept. 24) and announced benefit rate changes, now in effect.

2025 Ch. 85 (SB 69). Child care leave is available only if a child is under age 18 or has a substantially limiting physical or mental impairment. Employees need not provide 30 days advance notice for a school or child care provider closure due to a public health emergency, unless the announcement occurs at least 30 days before leave starts.

2025 Ch. 93 (SB 858). PFML benefits are unavailable for those receiving unemployment benefits.

Benefit rate changes. A SAWW increase (from \$1,307.17 to \$1,363.80) boosted the weekly PFML benefit minimum (from \$65.36 to \$68.19) and maximum (from \$1,568.60 to \$1,636.56) for benefit years starting on or after July 6.

Rhode Island

Recent developments include a new permitted use and rate changes.

Rhode Island's HB 6065/SB 829A allows employees participating as a living organ or bone marrow transplant donor to take temporary disability insurance benefits under the state's PFML program. Paid leave is available to cover time for procedures, medical tests and surgeries related to the donation. The duration limit is no more than 30 business days of recovery from a living organ transplant and five business days of recovery from a bone marrow transplant. The law will take effect on Jan. 1, 2026.

Effective July 1, a SAWW increase (from \$1,257.97 to \$1,297.06) raised the TDI and caregiver insurance (TCI) maximum weekly benefit from \$1,070 to \$1,103, with an increase to the dependent allowance (\$1,489 from \$1,444) for employees with five or more dependents.

Second, HB 6066/SB 974 increased the taxable wage base — which sets the maximum employee contribution for TDI and TCI— to \$100,000, effective Jan. 1, 2026. The cap is currently \$89,200. The law also increases the benefit rate, currently 4.62% of the highest quarterly earnings in the base period (subject to a weekly cap). In 2027, this rate will increase to 5.38%, and to 5.77% in 2028. The law also expanded TCI to cover an employee's siblings, retroactive to Jan. 1, 2025.

Washington

The state increased job protections and adjusted small business grants with 2025 Pub. Law 304 (HB 1213), finalized new regulations and announced the 2026 maximum weekly benefit.

Currently, an employee must work at least 12 months with at least 1,250 hours of service with the same employer for job protections to apply during a PFML period. As of Jan. 1, 2026, job protection applies after 180 calendar days of work with an employer with 25 or more employees in the state. Job protections will apply for employees of smaller employers according to this timetable:

- 15 or more employees, as of Jan. 1, 2027
- Eight or more employees, as of Jan. 1, 2028

Employers must maintain health coverage for any PFML period during which job protections apply.

The PFML program offers employers with 150 or fewer employees a \$3,000 grant for hiring a temporary replacement worker for at least seven days or a \$1,000 grant if the employer incurs significant additional wage-related costs due to an employee on PFML. As of Jan. 1, 2026, employers with fewer than 50 employees in the state continue to be exempt from PFML contributions but will be assessed PFML premiums for three years after receiving a grant.

An Employment Security Department (ESD) final rule, now in effect, makes these changes:

- Licensed naturopathic physicians are healthcare providers.
- ESD can allow designation of an authorized representative without written documentation.
- Backdating of timelines for good cause now aligns with timelines for all other backdating reasons.
- Employees must report hours worked in self-employment on a weekly basis to claim benefits.

The maximum weekly benefit will increase from \$1,542 to \$1,647, for new claims beginning on or after Jan. 1, 2026.

Washington, DC

Washington, DC, continued its extension of a Universal Paid Leave (UPL) law provision on short-term disability (STD) insurance. The UPL law is the District's PFML mandate. A provision prohibiting STD insurance issued in Washington, DC, from offsetting benefits based on an employee's estimated or actual UPL benefits does not apply to STD policies issued outside of Washington, DC. As a result, the DC Council and mayor periodically enact temporary legislation to apply the STD insurance offset prohibition to policies issued elsewhere. The latest law is 2025 Act A26-0068 (B-191), which extended the extraterritorial prohibition to Feb. 26, 2026.

Voluntary PFL program highlights

Ten states currently allow voluntary PFL group insurance, while Michigan and Tennessee offer tax incentives for employers offering certain paid leave.

Alabama

The Paid Family Leave Income Replacement Benefits Act enables insurers to offer group FLI policies or voluntarily purchased employee policies. The policies provide partial wage replacement for leave needed to care for a family member who has a serious health condition or was injured during military duty, bond with a new child, handle qualifying exigencies as defined in the federal FMLA and address other matters specified in the policy.

Arkansas

Under the law, insurers may offer FLI providing partial wage replacement during leave to bond with a new child, care for a family member with a serious health condition or handle qualifying exigencies. FLI is available as a separate group policy or an amendment to a group disability policy.

Florida

Under the law, insurers may offer FLI as a rider or an amendment to a disability policy or as a separate policy. These policies must cover leave to bond with a new child, care for a family member's serious health condition and handle qualifying exigencies.

Kentucky

Under the law, PFL may be offered as group insurance, either as a part of or a rider to a disability income policy or as a separate policy. The policy must provide income replacement for employees on leave to bond with a new child, to provide care for a family member with a serious health condition or to address a qualifying exigency or to care for a family member in the armed forces or a first responder. Paid leave under the policy must be available for a minimum of two weeks in a 52-week period.

Michigan

Under the law, employers have a tax incentive to offer paid leave for adoption. The tax credit equals 50% of an employee's wages, capped at \$4,000 per employee, for up to 12 weeks of leave to bond with an adopted child. The state Department of Treasury has confirmed that the tax credit is unavailable until funded by legislative appropriations, which has not happened yet.

New Hampshire

Under the Granite State PFL Act, New Hampshire — through MetLife, its insurance partner — requires PFL benefits for state employees. The program is voluntary for other public and all private employers. Individuals who do not have access through their employer can purchase PFL benefits, paid medical leave (PML) benefits or both. Employers may contract with other insurance companies or choose to self-insure equivalent benefit coverage.

Highlights include:

- Wage replacement benefits are 60%.
- The duration may be six or 12 weeks.
- Employers offering MetLife coverage are eligible for a 50% business enterprise tax credit for the first six weeks of leave.
- Covered reasons for leave are the employee's or family member's serious health condition, including childbirth; child bonding after birth, adoption or foster placement; qualifying need related to military deployment or service; and caring for a military service member.
- Contributions can be funded by the employer, employee or both.

- Leaves covered by an STD plan or workers' compensation are not eligible for PFML benefits.

Even if not providing these benefits, employers with 50 or more employees nationwide must, if an employee opts into the program, collect and remit premiums and provide job protection and group health plan coverage at active employee rates during leave.

South Carolina

Under the Paid Family Leave Insurance Act, employers may provide PFL insurance, either as an amendment/rider to a group disability or life insurance policy or as a separate policy. The PFL insurance must provide at least two weeks of partial wage replacement for leave related to new child bonding, caring for a family member with a serious health condition or a family member injured in the line of duty, and a military qualifying exigency. Here is the first annual report issued by the Department of Insurance.

Tennessee

The Paid Family Leave Insurance Act authorizes FLI as a separate group policy or as an amendment or a rider to a group disability or life insurance policy. The policies provide partial wage replacement for leave to bond with a new child, care for a family member with a serious health condition or manage a family member's impending call or order to active military duty.

The Tennessee Works Tax Act offers a franchise and excise tax credit for the 2024 and 2025 tax years to employers providing PFML benefits that comply with § 45S of the federal Internal Revenue Code. For details, see this Department of Revenue notice.

Texas

Under the law, employers can choose to purchase FLI as a separate policy or as an amendment or a rider to a disability policy. Group FLI policies provide partial wage replacement during leave to care for a family member with a serious health condition or a military injury, bond with a new child, handle qualifying exigencies and address other matters specified in the policy.

Vermont

Vermont and The Hartford announced the third and final phase of the voluntary VT-FMLI program, with benefits starting on Jan. 1, 2026, for employers with just one employee and individuals without a PFML benefit through an employer. This program is a result of the governor's initiative, not an actual law. VT-FMLI provides covered employees with 60% wage replacement, capped at the Social Security max, for six weeks in a 12-month period. Qualifying events are:

- Bond with a new child after birth, adoption or foster care placement and to care for a child within one year after birth
- Care for the serious health condition of a family member, including a spouse (domestic partner or civil union partner), child, parent or spouse's parent
- Care for the employee's own serious health condition
- Handle a qualifying exigency related to active military duty

- Care for a covered military service member with a serious illness or injury who is the employee's spouse, child, parent or next of kin

The program took effect in two prior phases:

- For state government employees (effective July 1, 2023)
- For private and non-state employers with two or more employees (effective July 1, 2024)

More information is available on [The Hartford website](#).

Virginia

Under the [law](#), insurers can offer family coverage as a class of insurance. Coverage must include these qualifying reasons:

- Bond with new child after birth, adoption or foster care placement
- Care for a family member with a serious health condition
- Handle circumstances related to a family member's active military duty or notice of an impending call or order to active duty

Coverage may be an amendment or a rider to a group disability income policy, a provision included in a group disability income policy, or a separate group insurance policy. The law does not dictate cost, benefit amount or duration.

Related federal issues

Tax treatment of PFML contributions and benefits

In January, IRS clarified the federal taxation of PFML contributions benefits in [Revenue Ruling 2025-4](#). Here are the highlights:

For contributions and benefit payments made on or after Jan. 1, 2025:

- **Required employer contributions.** Employers may deduct required PFML contribution amounts as state excise tax payments under [§ 164\(a\)](#). Employers do not include contributions as wages on Form W-2.
- **Required employee contributions.** Employee contributions are on an after-tax basis, subject to federal employment taxes. If an employee itemizes deductions, the amount is deductible as state income tax under [§ 164\(a\)\(3\)](#), subject to the state and local tax (known as SALT) deduction limitation.
- **Voluntary employer contributions.** Amounts employers voluntarily contribute — covering some or all of an employee's otherwise mandatory contribution and called "employer pick-up" in the revenue ruling — are taxable compensation, reported as W-2 wages. Similar to the employee's required contribution amount, this amount is deductible by the employee as state income tax under [§ 164\(a\)\(3\)](#), subject to the SALT cap. For the employer, this amount is not considered a state excise tax, but can be deducted as an ordinary and necessary business expense under [§ 162\(a\)](#).
- **Family leave benefit payments.** Total family leave benefit payments are included as gross income but are not wages for federal employment tax purposes. The state

administering the PFML program (or Washington, DC) must report family leave benefit payments of \$600 or more on [Form 1099](#) and furnish a copy to the employee.

- **Medical leave benefit payments.** Medical leave benefit payments attributable to the required employer contribution are gross income to the employee (and must be reported on Form 1099) and are W-2 wages for federal employment tax purposes. The state administering the PMFL program, however, is not required to withhold income tax from this portion of the benefit; employees may request withholding on a voluntary basis. Medical leave benefit payments attributable to employee contributions or employer pick-up are excluded from gross income (and thus not reported on Form 1099) and are not W-2 wages for federal employment tax purposes. If a state law does not specify how contributions are allocated between family and medical leave benefits, then the guidance permits an assumption that contributions are allocated equally to each benefit type. Otherwise, if the state law does specify, then this allocation controls for federal tax purposes. The [table in Section 2](#) addresses this issue in the Total contribution row for each state.
- **Transitional relief for 2025.** For the 2025 calendar year, employers can disregard withholding and reporting obligations related to medical leave benefit payment amounts attributable to required employer contributions, as well as wage reporting and federal tax obligations related to required employee contribution amounts voluntarily paid by employers.
- **Puerto Rico tax issues.** Because Puerto Rico has a different tax code, this guidance does not apply to paid leave benefits in the US territory.

For details on this guidance, see [IRS clarifies taxation of state and DC PFML contributions, benefits](#) (April 29, 2025).

PFML tax credit

The “[One Big Beautiful Bill Act](#),” enacted on July 4, made permanent a PFML tax credit under [§ 45S](#) of the Internal Revenue Code. The tax credit had been available since 2018 as a result of the [Tax Cuts and Jobs Act](#) and two extensions. It was scheduled to expire at the end of 2025.

Here is a summary of the tax credit available for employers with qualifying paid family and/or medical leave policies, both for tax years through 2025 and those starting on or after 2026:

Provision	Tax years through 2025	Tax years starting on or after 2026
Determination of tax credit amount	Based on wages paid to qualifying employees on leave	Adds employer option to determine credit based on premiums paid for an insured policy

Provision	Tax years through 2025	Tax years starting on or after 2026
Eligible employer	If treated as a single employer under IRC § 52(a) and (b), then treated as a single taxpayer	If treated as a single employer under IRC § 414(b) and (c), then treated as a single employer; new exception for a “substantial and legitimate business reason” for an entity within the controlled group not providing the benefit
State-mandated benefits	Not taken into account in determining if the employer policy provides at least 50% wage replacement	Taken into account to determine if employer policy provides at least 50% wage replacement, but not taken into account for determining the credit amount
Qualifying employee	Employed at least 1 year and earning less than 60% of the highly compensated employee threshold	Employed at least 1 year (but employer can reduce this to 6 months), earning less than 60% of the highly compensated employee threshold AND regularly employed at least 20 hours per week

For details on related provisions in the law, see [“One Big Beautiful Bill” includes employer-friendly provisions](#) (July 8, 2025).

Section 2

Table: Paid disability/medical and family leave programs

The tables below summarize the mandatory programs in [California](#), [Colorado](#), [Connecticut](#), [Delaware](#), [Hawaii](#), [Maine](#), [Maryland](#), [Massachusetts](#), [Minnesota](#), [New Jersey](#), [New York](#), [Oregon](#), [Puerto Rico](#), [Rhode Island](#), [Washington](#) and [Washington, DC](#). The tables include 2025 (and 2026 where noted) contribution and benefit rates, eligibility criteria, and other important program elements.

Paid disability/medical and family leave program summaries	
California	
Covered employer	<ul style="list-style-type: none"> Employers paying wages exceeding \$100 in a calendar quarter to 1 or more employees working in the state State and local government employers can opt in.
Eligible employee	Earned at least \$300 subject to SDI withholding during the base period
Leave duration	<ul style="list-style-type: none"> SDI (employee's own nonwork-related disability): 52 weeks per disability PFL (new child bonding, military exigency or family member's serious health condition): 8 weeks in a 12-month period Intermittent and reduced-schedule leave permitted
Family member	Employee's child, parent, parent-in-law, grandparent, grandchild, sibling, spouse or registered domestic partner
Public plan	Administered with unemployment insurance by the Employment Development Department (EDD)
Private plan	Permitted for self-insured SDI and PFL; insured not available
Total contribution	SDI and PFL combined: 1.2% of wages (no cap); allocation between SDI and PFL not specified
Employer contribution	None
Employee contribution	100% of total contribution
Benefit calculation	<ul style="list-style-type: none"> Workers earning less than \$63,000 per year receive 90% of wages. Workers earning \$63,000 or more per year receive 70% of wages.
Base period	First 4 of last 5 completed calendar quarters preceding leave
Maximum weekly benefit	\$1,681
Waiting period	7 days for SDI benefits; no waiting period for PFL

California

Top-off payments, other leave benefit coordination rules

- PFL: Employer can require an employee to supplement PFL with accrued vacation, paid sick leave or PTO up to 100% of wages. Employer cannot require use of accrued paid sick leave, vacation or other PTO before receiving PFL benefits.
- SDI: Employer cannot require use of vacation, PTO, or sick leave to top off SDI benefit, but can require use of paid sick leave during the waiting period.

Job protections

Job protections and continued health benefits under the [California Family Rights Act](#) and [Pregnancy Disability Law](#) and the [California Fair Employment and Housing Act](#)

Employer notice

Conspicuously display [notice](#); provide brochure on hire and when employees request time off for a nonwork-related illness, injury, pregnancy, or childbirth

Legal cites

[CA Unemp. Ins. Code §§ 2601–3308](#); [CA Code Regs. Tit. 22, §§ 2601 et seq.](#)

Website

[EDD](#); [FAQs](#)

Mercer resources

[Changes to California's paid leave programs coming in 2023](#) (Oct. 8, 2021)

Colorado	
Covered employer	State and local governmental employers, and other employers that meet either of these 2 requirements: <ul style="list-style-type: none"> • Employ at least 1 person for each workday during 20 or more calendar workweeks • Paid wages of at least \$1,500 during any calendar quarter in the prior calendar year Local government employers can opt out.
Eligible employee	Employee must have earned at least \$2,500 in the base period.
Leave duration	<ul style="list-style-type: none"> • PFML for new child bonding, employee's or family member's serious health condition, military exigency, domestic violence, sexual assault or stalking: 12 weeks in a 12-month period • Additional paid medical leave for pregnancy/childbirth complications: 4 weeks • Additional paid leave for a child in inpatient neonatal intensive care unit: 12 weeks (beginning Jan. 1, 2026) • Reduced-schedule and intermittent leave permitted (minimum increments of 1 hour or employer's typical measurement, whichever is shorter)
Family member	Employee's, spouse's or domestic partner's child, parent, stepparent, grandparent, grandchild, sibling, spouse, domestic partner, and any individual with a significant personal bond that is or is like a family relationship
Public plan	Administered by the FAMLI Division of the Department of Labor and Employment
Private plan	<ul style="list-style-type: none"> • Permitted through insurer or self-insured plan approved by state • Employer attestation required every November
Total contribution	0.9% of wages up to Social Security max (0.88% in 2026); allocation between medical leave and family leave not specified
Employer contribution	<ul style="list-style-type: none"> • 50% of total contribution (i.e., 0.45% of wages in 2025, 0.44% in 2026, up to max) • None for employers with fewer than 10 employees (nationwide)
Employee contribution	50% of total contribution (i.e., 0.45% of wages in 2025, 0.44% in 2026, up to max)
Benefit calculation	90% of employee's AWW in the base period up to 50% of state AWW, plus 50% of amounts above 50% of state AWW
Base period	First 4 of the last 5 consecutive completed calendar quarters immediately preceding the application for benefits
Maximum weekly benefit	\$1,381.45 through June 30, 2026
Waiting period	None
Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none"> • Upon agreement between employer and employee, accrued vacation, PTO or sick leave can be used to top off the PFML benefit, up to 100% of wages. • Employer can require employer-provided STD, LTD or paid family leave benefits to run concurrently with FAMLI benefits.
Job protections	Job protections and continued health benefits included in the PFML law for employees who have worked at least 180 days for the same employer

Colorado

Employer notice	Conspicuously display program notice and provide copy upon hire and within 5 days of learning of employee's need for leave; required pay stub ; optional break room poster and FAMLI employee handbook
Legal cite	CO Rev. Stat. §§ 8-13.3-501 et seq. ; CO current rules
Website	FAMLI Division
Mercer resources	Colorado moves forward on paid family and medical leave (Dec. 14, 2022) Colorado voters approve paid family and medical leave law (Nov. 10, 2020)

Connecticut	
Covered employer	Employers with 1 or more Connecticut employees, along with state and local governmental employers <ul style="list-style-type: none"> Private and secondary elementary schools and public employers subject to a CBA are excluded.
Eligible employee	Employed (or recently employed) in Connecticut and earned wages of at least \$2,325 in the highest-earning quarter of the base period
Leave duration	<ul style="list-style-type: none"> PFML for new child bonding, employee's/family member's serious health condition, organ/bone marrow donation, military exigency or military caregiving: 12 weeks (including 12 days for matters related to family violence or sexual assault) in a 12-month period Additional medical leave for serious health condition during pregnancy: 2 weeks Reduced-schedule and intermittent leave permitted, but job protections under <u>Connecticut's Family and Medical Leave Act (CT FMLA)</u> don't extend to intermittent leave for birth, adoption or foster care (child bonding must be taken consecutively for CT FMLA job protection)
Family member	Spouse, son, daughter, parent, sibling, grandparent and grandchild, including by blood, marriage, adoption, foster care or <i>in loco parentis</i> relationships; and anyone with whom the employee has family-equivalent relationship
Public plan	<u>Connecticut Paid Leave</u> administered by Aflac
Private plan	Permitted through insurer or self-insured plan approved by state
Total contribution	0.5% of wages up to Social Security max; allocation between medical leave and family leave not specified
Employer contribution	None
Employee contribution	100% of total contribution
Benefit calculation	95% of AWW up to \$654, plus 60% of AWW exceeding \$654
Base period	The first 4 of last 5 completed calendar quarters
Maximum weekly benefit	\$981
Waiting period	None
Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none"> Employer can require or permit use of accrued sick leave, vacation, PTO or other paid leave to top-off state PFML benefits up to 100% of wages, but employee must be able to retain at least 2 weeks of accrued PTO. Employer-provided STD, LTD and parental leave can run concurrently with state benefits, as long as employee doesn't receive more than 100% pay.
Job protections	Job protections under <u>CT FMLA</u> and <u>Discriminatory Employment Practices law</u>
Employer notice	Conspicuously display <u>notice of employee rights</u>
Legal cites	<u>CT Gen. Stat. §§ 31-49e to 30-49t, 31-51kk to 31-51rr</u>
Website	<u>Connecticut Paid Leave</u>

Delaware (contributions started Jan. 1, 2025; benefits available Jan. 1, 2026)

Covered employer	Employers with 10 or more Delaware employees, along with state and local government employers <ul style="list-style-type: none">• Employers with 10 to 24 Delaware employees only have to comply with the law's parental leave requirements.• Employers include companies using a PEO• State of incorporation is irrelevant
Eligible employee	Employed at least 12 months (not necessarily consecutive if break in service is < 7 years) and worked at least 1,250 hours in the previous 12 months (employees that work < 25 hours per week must sign a waiver to be excluded from PFML benefits and the duty to contribute) <ul style="list-style-type: none">• Part-time, casual and seasonal state and Department of Education employees are excluded.• Employees covered by a CBA are also excluded.
Leave duration	<ul style="list-style-type: none">• Parental leave for new child bonding: 12 weeks in a 12-month period• Employee's/family member's serious health condition or military exigency: 6 weeks in a 24-month period• Maximum combined leave in a 12-month period: 12 weeks• Reduced-schedule and intermittent leave permitted only when taking medical leave or caring for family member's serious health condition (minimum one-day increments)
Family member	Spouse, son, daughter and parent, including by blood, marriage, adoption, foster care or <i>in loco parentis</i> relationships, domestic partners
Public plan	Administered by the Delaware Department of Labor (DDOL)
Private plan	<ul style="list-style-type: none">• Permitted for some or all PFML components through insurer or self-insured plan approved by state• Considerable penalty for switching from private plan to public plan
Total contribution	0.8% of wages up to Social Security max, including 0.4% for medical leave, 0.32% for parental leave and 0.08% for family leave
Employer contribution	<ul style="list-style-type: none">• Employers with ≥ 25 Delaware employees: 50% of total contribution (i.e., 0.4% of wages up to max)• Employers with 10–24 Delaware employees: 50% of parental leave contribution only (i.e., 0.16% of wages up to max)• Employers with < 10 Delaware employees: none
Employee contribution	<ul style="list-style-type: none">• Generally, 50% of total contribution (i.e., 0.4% of wages up to max)• If employed by an employer with between 10 and 24 Delaware employees, 50% of parental leave contribution only (i.e., 0.16% of wages up to max)• If employed by an employer with fewer than 10 Delaware employees, none
Benefit calculation	80% of employee's AWW
Base period	52 weeks before claim submission
Maximum weekly benefit	<ul style="list-style-type: none">• Maximum weekly benefit for 2026 and 2027: \$900• Minimum weekly benefit: \$100
Waiting period	None

Delaware (contributions started Jan. 1, 2025; benefits available Jan. 1, 2026)

- Top-off payments, other leave benefit coordination rules**
- Employers cannot require use of accrued PTO before accessing PFML benefits.
 - Employer and employee can agree to supplement PFML benefits with accrued PTO, up to 100% of wages.
 - Employers can offset employer-provided STD, LTD, or other paid leave benefit with PFML benefits.

Job protections Job protections and continued health benefits included in PFML law

Employer notice Provide notice of employee rights at hire and on request for leave; conspicuously display poster (not yet available)

Legal cites [19 DE Code Ch. 37](#); [19 DE Admin. Code § 1401](#)

Website [Delaware Paid Leave](#)

Mercer resource [Delaware enacts paid family and medical leave law](#) (July 7, 2022)

Hawaii	
Covered employer	Employers (including state and local governments) with 1 or more employees working in Hawaii
Eligible employee	Currently employed (or separated for less than 2 weeks), worked at least 20 hours/week for 14 weeks, and earned at least \$400 in past 52 weeks
Leave duration	<ul style="list-style-type: none"> • TDI (employee's own nonwork-related injury or sickness, including pregnancy): 26 weeks in a 52-week period • Family leave: None
Family member	<ul style="list-style-type: none"> • Not applicable
Public plan	No public plan
Private plan	Permitted through <u>authorized insurer</u> or self-insured plan approved by state
Total contribution	Set by insurer
Employer contribution	Balance of plan costs after employee contribution; employer may pay entire cost of TDI or share cost with eligible employees
Employee contribution	One-half of the premium cost but not more than 0.5% of weekly wage base of \$1,441.72 (\$7.21 per week)
Benefit calculation	58% of employee's AWW in the base period
Base period	<ul style="list-style-type: none"> • Generally, 8 weeks preceding disability • For employees paid by commission or piecework: 52 weeks preceding disability
Maximum weekly benefit	\$837
Waiting period	7 consecutive days or until 1st day of hospital stay, whichever occurs sooner
Top-off payments, other leave benefit coordination rules	Not expressly prohibited; coordination with accrued paid leave and employer-provided leave is not otherwise addressed.
Job protections	None
Employer notice	Conspicuously display <u>notice</u>
Legal cites	<u>HI Rev. Stat. Chs. 392 and 398</u> ; <u>HI Admin. R. § 12-11</u>
Website	Department of Labor and Industrial Relations' Disability Compensation Division TDI <u>website</u> ; <u>FAQs</u>
Mercer resource	<u>Hawaii employee health and leave benefits may need special attention</u> (July 26, 2024)

Maine (contributions started Jan. 1, 2025; benefits available May 1, 2026)	
Covered employer	Employers with 1 or more Maine employees, along with state and local governmental employers
Eligible employee	Employee must have earned wages at least 6 times the state average weekly wage in the base period
Leave duration	<ul style="list-style-type: none"> Medical leave for employee's serious health condition: 12 weeks Family leave for family member's serious health condition, child bonding in first year, qualifying exigency, military caregiving, safety matters, organ donation, or military family member's death or serious health condition: 12 weeks Intermittent leave permitted (minimum 1-hour increments) Combined leave limit in a benefit year: 12 weeks
Family member	Spouse, domestic partner, child, parent, sibling, grandparent, grandchild, and designated individual who has significant personal bond with employee
Public plan	Administered by the Maine Department of Labor (MDOL)
Private plan	<ul style="list-style-type: none"> Permitted through insurer or self-insured plan approved by state Application start date: April 1
Total contribution	1.0% of wages up to Social Security max (same for 2026); allocation between medical leave and family leave not specified
Employer contribution	<ul style="list-style-type: none"> Employers with ≥ 15 employees: 50% of total contribution (i.e., 0.5% of wages up to max) Employers with < 15 employees: none
Employee contribution	50% of total contribution (i.e., 0.5% of wages up to max)
Benefit calculation	<ul style="list-style-type: none"> Employee's AWW is $\leq 50\%$ of state AWW: 90% of employee's AWW Employee's AWW is $> 50\%$ of state AWW: 90% of employee's AWW up to 50% of state AWW, plus 66% of employee's AWW exceeding 50% of state AWW
Base period	First 4 of the last 5 completed calendar quarters immediately before first day of benefit year
Maximum weekly benefit	100% of state AWW (\$1,198.84 through June 30, 2026) (Law does not allocate between family and medical leave benefits for federal tax purposes; see also Tax treatment of PFML contributions and benefits section)
Waiting period	None
Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none"> Employers cannot condition the right to PFML benefits on an employee's use or exhaustion of accrued vacation, sick leave, or other PTO before or during PFML. Employees can choose to use accrued paid leave benefits during first 7 days of medical leave. Law and proposed rules are silent on whether accrued paid leave can supplement PFML benefits, and whether employers can offset employer-provided STD, LTD or paid parental leave benefits with PFML benefits.
Job protections	Job protections and continued health benefits apply to employees who have worked at least 120 days for the same employer before taking PFML

Maine (contributions started Jan. 1, 2025; benefits available May 1, 2026)

Employer notice Workplace [poster](#); written notice within 30 days of hire

Legal cites [26 MRSA Ch. 7, Subch. 6-C](#); [12-702 CMR Ch. 1](#)

Website [MDOL](#); [Employer FAQs](#)

Mercer resources [Maine paid family and medical leave overview \(slide deck\)](#) (Dec. 13, 2024)
[Maine law requires paid family and medical leave](#) (Sept. 11, 2023)

Maryland (contributions start Jan. 1, 2027; benefits available no later than Jan. 3, 2028)

Covered employer	Employers with 1 or more Maryland employees, along with state and local government employers
Eligible employee	Employees who worked at least 680 hours in Maryland during the 12 months immediately before leave starts
Leave duration	<ul style="list-style-type: none">• PFML for employee's/family member's serious health condition, new child bonding, military caregiving or military exigency: 12 weeks• Additional leave for employee's serious health condition and new child bonding leave in the same rolling 12-month period: 12 weeks• Intermittent leave permitted (minimum 4-hour increments)
Family member	Spouse or domestic partner, child, parent, sibling, grandparent, and grandchild, including by blood, marriage, adoption, foster care, or <i>in loco parentis</i> relationships
Public plan	Administered by the Maryland Department of Labor (MDOL)
Private plan	Permitted through insurer or self-insured plan approved by state
Total contribution	0.9% of wages up to Social Security max (through June 30, 2026); allocation between medical leave and family leave not specified
Employer contribution	<ul style="list-style-type: none">• Employers with ≥ 15 employees: 50% of total contribution (i.e., 0.45% of wages up to max)• Employers with < 15 employees: none
Employee contribution	50% of total contribution (i.e., 0.45% of wages up to max)
Benefit calculation	<ul style="list-style-type: none">• Employee's AWW is $\leq 65\%$ of state AWW: 90% of employee's AWW• Employee's AWW is $> 65\%$ of state AWW: 90% of employee's AWW up to 65% of state AWW, plus 50% of employee's AWW exceeding 65% of state AWW
Base period	Last 680 hours for which employee was paid in the 4 most recently completed calendar quarters
Maximum weekly benefit	<ul style="list-style-type: none">• Maximum weekly benefit: \$1,000• Minimum weekly benefit: \$50• Minimum and maximum weekly benefits are subject to change.
Waiting period	None
Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none">• Employers cannot require employees to use or exhaust accrued paid vacation, sick leave or other PTO before or during FAMLI leave. Draft rules suggest employees can choose to use accrued paid sick leave before FAMLI leave.• Employers and employees can agree to use accrued paid vacation, sick leave or other PTO (including sick leave under the Healthy Working Families Act) to top off FAMLI benefits, up to 100% of wages.• Draft rules allow employers to require STD, LTD or employer-provided parental leave to run concurrently with (or in coordination with) FAMLI. When used concurrently, the STD, LTD or employer-provided parental leave can supplement the FAMLI benefit up to 100% of wages.

Maryland (contributions start Jan. 1, 2027; benefits available no later than Jan. 3, 2028)

Job protections	Job protections and continued health benefits required, unless denial of reinstatement is “necessary to prevent substantial and grievous economy injury to the operations of the employer”
Employer notice	Notice of employee rights (not yet available) provided at hire, annually and when leave is requested
Legal cites	<u>MD Code Ann. Lab. & Empl. Tit. 8.3</u>
Website	<u>MDOL</u>
Mercer resources	<u>Maryland paid family and medical leave overview</u> (slide deck) (May 9, 2024) <u>Maryland revises paid family and medical leave law</u> (May 3, 2024)

Massachusetts	
Covered employer	Employers with at least 1 employee in Massachusetts <ul style="list-style-type: none"> State and local government employers can opt in.
Eligible employee	Earned at least \$6,300 during the last 4 completed calendar quarters and at least 30 times more than weekly PFML benefits
Leave duration	<ul style="list-style-type: none"> Family leave for new child bonding, caring for family member's serious health condition or handling military exigency: 12 weeks Medical leave for employee's own serious health condition: 20 weeks Military caregiving leave for covered service member: 26 weeks Maximum combined leave in a 52-week period: 26 weeks Intermittent leave permitted
Family member	Employee's parent, spouse, domestic partner, child (including step-, foster, or adopted child or legal ward), grandchild, grandparent, and sibling; spouse's or domestic partner's child and parent; and anyone with whom employee has an <i>in loco parentis</i> relationship
Public plan	Administered by the DFML
Private plan	Permitted for medical and/or family leave benefits through insurer or self-insured plan approved by state
Total contribution	0.88% of wages up to Social Security max, including 0.70% for medical leave and 0.18% for family leave
Employer contribution	Employers with > 25 Massachusetts employees: <ul style="list-style-type: none"> Medical leave: 60% of contribution (i.e., 0.42% of wages up to max) Family leave: none Employers with ≤ 25 Massachusetts employees: none
Employee contribution	<ul style="list-style-type: none"> 100% of family leave contribution (i.e., 0.18% of wages up to max) 40% of medical leave contribution (i.e., 0.28% of wages up to max) Combined 52% of total contribution (i.e., 0.46% of wages up to max)
Benefit calculation	80% of employee's AWW up to 1/2 of state AWW (\$1,829.13), and 50% of employee's AWW over that amount
Base period	Last 4 completed calendar quarters within past 5 quarters before start of claim
Maximum weekly benefit	\$1,170.64
Waiting period	7 consecutive calendar days (except for bonding leave immediately following a medical leave)
Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none"> Employers cannot require employees to exhaust accrued sick, vacation or personal time before or during PFML. Employees can use accrued paid leave during the first 7 days of PFML and to top off PFML benefits up to 100% of wages. Employers can offset PFML benefits from STD, LTD or employer-provided parental leave.
Job protections	Job protections and continued health benefits included in the PFML law and the Massachusetts Parental Leave Act

Massachusetts

Employer notice	Workplace poster ; written notice (paper or electronic) within 30 days of hire with acknowledgement of receipt (or documentation of decline)
Legal cites	MA Gen. Laws Chs. 149, § 105D and 175M ; 458 MA Code Regs. 2.00
Website	DFML ; Employer FAQs ; Employer contributions calculator
Mercer resources	Massachusetts family/medical leave private plan renewal due soon (Sept. 8, 2020) Massachusetts readies for paid family and medical leave (Jan. 13, 2020)

Minnesota (contributions begin, benefits available January 2026)

Covered employer	Employers with 1 or more Minnesota employees, along with state and local governmental employers
Eligible employee	Earnings of at least 5.3% of state AWW in the base period for current employer, and employees separated from employment for less than 26 weeks <ul style="list-style-type: none"> Seasonal hospitality employees are excluded.
Leave duration	<ul style="list-style-type: none"> Medical leave for employee's own serious health condition: 12 weeks Family leave for a family member's serious health condition, child bonding, qualifying exigency, and matters related to domestic abuse, sexual assault, or stalking of employee/family member: 12 weeks Maximum combined leave in a benefit year: 20 weeks Employer option to cap intermittent leave at 480 hours per 12-month period (any remaining leave time must be taken continuously).
Family member	Employee's parent, spouse or domestic partner, child, grandchild, grandparent and sibling; spouse's parent and grandparent; individual with whom "a relationship ... creates an expectation and reliance that the applicant care for the individual, whether or not the applicant and the individual reside together"
Public plan	Administered by the <u>Family and Medical Benefit Insurance (FMBI) Division</u> of the Department of Employment and Economic Development
Private plan	Permitted through insurer or self-insured plan approved by state
Total contribution	0.88% of wages up to Social Security max, including 0.61% for medical leave and 0.27% for family leave
Employer contribution	<ul style="list-style-type: none"> 50% of total contribution (i.e., 0.44% of wages up to max) Employers with < 30 employees: reduced contribution rate of 0.22% of wages if employee's AWW is 150% or less than state AWW
Employee contribution	<ul style="list-style-type: none"> 50% of medical leave contribution (i.e., 0.305% of wages up to max) 50% of family leave contribution (i.e., 0.135% of wages up to max) Combined 50% of total contribution (i.e., 0.44% wages up to max)
Benefit calculation	<ul style="list-style-type: none"> Employee's AWW is \leq 50% of state AWW: 90% of employee's AWW Employee's AWW is $>$ 50% of state AWW and \leq 100% of state AWW: 90% of employee's AWW up to 50% of state AWW, plus 66% of employee's AWW exceeding 50% of state AWW Employee's AWW is $>$ 100% of state AWW: 90% of employee's AWW up to 50% of state AWW, plus 66% of employee's AWW up to remaining 50% of state AWW, plus 55% up to the maximum weekly benefit
Base period	Most recently completed 4 calendar quarters
Maximum weekly benefit	State AWW (\$1,423 through Sept. 30, 2026)
Waiting period	None

Minnesota (contributions begin, benefits available January 2026)

Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none">• Employers cannot require employees to use or exhaust accrued paid vacation, sick leave, or other PTO before or during PFML.• Employers can designate salary continuation, vacation, accrued sick leave or other PTO as supplemental benefits that employees can use to top off PFML, up to 100% of wages.• Employees can choose to use accrued vacation, sick leave, PTO or STD or LTD in lieu of PFML benefits, in which case employment protections provided by the law apply.• Employers can offset STD, LTD and employer-provided parental leave with PFML benefits.
Job protections	Job protections and continued health benefits included in the PFML law
Employer notice	<u>Workplace poster</u> , written notice (sample is forthcoming) within 30 days of hire or premium collection (whichever is later), payroll earnings statement information, and ineligibility notice to applicable seasonal hospital employees by Dec. 1, 2025
Legal cites	<u>MN Stat. Ch. 268B</u>
Website	<u>FMBI Division</u> ; <u>Employer FAQs</u>
Mercer resources	<u>Minnesota paid family and medical leave overview</u> (slide deck) (July 25, 2023) <u>Minnesota passes paid family and medical leave law</u> (July 10, 2023)

New Jersey	
Covered employer	Employers with at least 1 NJ employee and annual payroll of \$1,000 or more State and local governmental employers exempt from TDI but required to participate in FLI
Eligible employee	Worked at least 20 weeks earning at least \$303 weekly or earned a combined total of \$15,200 in the base period
Leave duration	<ul style="list-style-type: none"> • TDI (employee's own nonwork-related disability/serious health condition, including organ and bone marrow donation): 26 weeks or 8 weeks on a reduced schedule (with a potential extension to 12 weeks) • FLI (new child bonding; family member's serious health condition; state of emergency, isolation or quarantine required by healthcare provider or public health authority; or safe leave related to domestic or sexual violence): 12 weeks • Maximum combined leave in a 52-week period: 38 weeks • Intermittent FLI leave permitted, but limited to 56 days
Family member	<ul style="list-style-type: none"> • Employee's spouse or domestic partner, child (of any age), parent or person standing <i>in loco parentis</i>, parent-in-law, sibling, grandparent, grandchild, any blood relative, and anyone with a family-equivalent relationship
Public plan	Administered by <u>Division of Temporary Disability and Family Leave Insurance</u>
Private plan	<ul style="list-style-type: none"> • Permitted for TDI (self-insured, insured or through a union welfare fund) • No private plans approved for FLI
Total contributions	<ul style="list-style-type: none"> • TDI: 0.23% of the first \$165,400 earned (\$171,100 in 2026) • FLI: 0.33% of the first \$165,400 earned (\$171,100 in 2026)
Employer contribution	<ul style="list-style-type: none"> • TDI: balance of plan costs after any required employee contribution • FLI: none
Employee contribution	<ul style="list-style-type: none"> • TDI: 100% of total contribution • FLI: 100% of total contribution
Benefit calculation	<ul style="list-style-type: none"> • 85% of employee's AWW
Base period	First 4 of last 5 completed calendar quarters preceding leave
Maximum weekly benefit	\$1,081 (\$1,199 in 2026)
Waiting period	<ul style="list-style-type: none"> • TDI: 7 consecutive days (unless TDI taken for organ or bone marrow donation); benefit payments are paid retroactively to the start of disability after 3 additional weeks • FLI: no waiting period
Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none"> • TDI: Employers can require or permit employees to use accrued vacation or other PTO before accessing TDI benefits. Employers can't require employees to use accrued sick leave mandated under the NJ Earned Sick Leave Law. • FLI: Employees can choose to use accrued vacation, sick leave or other PTO before receiving FLI benefits, but employer can't require it. Use of accrued sick or vacation leave doesn't reduce the FLI benefit duration. • Employers can offset STD/LTD with TDI or FLI.

New Jersey

Job protections	No, but the Family Leave Act provides job and health benefit protections for family leave, and the Security and Financial Empowerment Act (SAFE Act) provides job protections for up to 20 days of safe leave.
Employer notice	Conspicuously display posters for TDI and FLI
Legal cites	NJ Stat. Ann. §§ 43:21-25 to 43:21-56 ; NJ Admin. Code tit. 12, Chs. 18 and 21
Website	Division of Temporary Disability and Family Leave Insurance
Mercer resource	New Jersey updates, expands family and disability benefits (March 26, 2019)

New York

Covered employer	Employers with 1 or more New York employees for 30 days in the year <ul style="list-style-type: none"> State and local governmental employers can opt in.
Eligible employee	DBL: Full-time employees are eligible after 4 consecutive work weeks; part-time employees (less than 20 hours per week) are eligible after 24 workdays. PFL: Full-time employees are eligible after 26 consecutive work weeks; part-time employees are eligible after 175 workdays.
Leave duration	<ul style="list-style-type: none"> DBL (nonwork-related disability): 26 weeks (for pregnant employees, 4 weeks before birth and 6 weeks — 8 weeks for Cesarean section — after birth) PFL (new child, family member's health condition or qualifying military exigency): 12 weeks Maximum combined leave in a 52-week period: 26 weeks Intermittent PFL permitted, but limited to the average number of days worked per week multiplied by 12 (e.g., workers averaging 3 days per week can take 36 days of intermittent leave); increments may not be less than one day
Family member	Employee's spouse or domestic partner, child (under 18 or substantially limiting physical or mental impairment), stepchild, parent, stepparent, parent-in-law, sibling, grandparent, and grandchild
Public plan	Available through NY State Insurance Fund
Private plan	Permitted for either or both DBL and PFL (insured or self-insured)
Total contribution	<ul style="list-style-type: none"> DBL: 0.5% of wages up to maximum contribution of \$0.60/week plus balance of plan costs PFL: 0.388% of wages up to maximum contribution of \$354.53 (in 2026, 0.432% up to \$411.91 max)
Employer contribution	<ul style="list-style-type: none"> DBL: Balance of plan costs after employee contribution PFL: None
Employee contribution	<ul style="list-style-type: none"> DBL: 0.5% of wages up to max PFL: 100% of total contribution
Benefit calculation	<ul style="list-style-type: none"> DBL: 50% of employee's AWW PFL: 67% of employee's AWW
Base period	8 weeks of covered employment preceding leave
Maximum weekly benefit	<ul style="list-style-type: none"> DBL: \$170 PFL: \$1,177.32
Waiting period	<ul style="list-style-type: none"> DBL: 7 consecutive days PFL: No waiting period
Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none"> DBL: Employees can choose to supplement DBL with accrued paid vacation or sick leave up to 100% of wages. Employer can offset STD with DBL benefit. PFL: Employers cannot require use of accrued paid vacation or PTO but may allow employees to choose to supplement PFL with accrued paid leave up to 100% of wages. Employers can require use of employer-provided paid parental leave concurrently with PFL and offset the employer benefit.

New York

Job protections	<ul style="list-style-type: none">• Job protections and continued health benefits included in the PFL law; none for DBL• <u>State labor law</u> generally prohibits adverse actions against employees for taking legally protected absences.
Employer notice	<ul style="list-style-type: none">• DBL: Conspicuously display notice of coverage• PFL: Conspicuously display notice of compliance; use or customize <u>model language</u> for written materials (e.g., employee handbook)
Legal cite	<u>NY Workers' Comp. Law §§ 200–242; NY Comp. Codes R. & Regs. tit. 12, §§ 355.1 et seq.</u>
Websites	<u>Paid Family Leave</u> <u>Disability benefits information for employers</u>

Oregon	
Covered employer	Employers with 1 or more Oregon employees, along with state and local governmental employers
Eligible employee	Earned at least \$1,000 in the base period
Leave duration	<ul style="list-style-type: none"> • PFML for employee's/family member's serious health condition, new child bonding, safe leave, death of a family member, or to care for a child due to public health emergency school or childcare closure: 12 weeks • Additional paid medical leave for pregnancy- or childbirth-related disability or medical condition: 2 weeks • Additional unpaid family, child-bonding or medical leave for employees who have worked 180 days and at least 25 hours/week: 4 weeks • Intermittent leave permitted (minimum one-day increments)
Family member	Child, spouse, parent, grandparent, grandchild, sibling, domestic partner, and any individual related by blood or affinity
Public plan	Administered by PLO
Private plan	Permitted through insurer or self-insured plan approved by state
Total contribution	1% of wages up to Social Security max; allocation between medical leave and family leave not specified
Employer contribution	<ul style="list-style-type: none"> • Employers with ≥ 25 employees: 40% of total contribution (i.e., 0.4% of wages up to max) • Employers with < 25 employees: none
Employee contribution	<ul style="list-style-type: none"> • 60% of total contribution (i.e., 0.60% of wages up to max)
Benefit calculation	<ul style="list-style-type: none"> • Employees earning $\leq 65\%$ of state AWW: 100% of employee's AWW • Employees earning $> 65\%$ of state AWW: 65% of state AWW, plus 50% of employee's AWW over that amount (up to 120% of SAWW)
Base period	<ul style="list-style-type: none"> • First 4 of the last 5 completed calendar quarters • Alternatively, the last 4 completed calendar quarters
Maximum weekly benefit	<ul style="list-style-type: none"> • Maximum weekly benefit: \$1,636.56 (through June 30, 2026) • Minimum weekly benefit: \$68.19 (through June 30, 2026)
Waiting period	None
Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none"> • Employees can (but employers cannot require) use accrued paid sick leave, vacation or other PTO before PFML benefits or to top off PFML benefits, up to 100% of wages. Employers can — but are not required to — allow a top-off amount that results in benefits exceeding full wages. • Employers can offset STD, LTD and employer-provided parental or family leave with PFML.
Job protections	Job protections and continued health benefits apply under PFML law for employees who have worked at least 90 days for the same employer with at least 25 employees. Rights also apply under state Family Leave Act and Military Family Leave Act for workers of employers with at least 25 employees.
Employer notice	Conspicuously display model notice (poster) at each worksite and distribute a copy electronically or by mail to remote workers; provide at hire and on learning of employee's need for leave

Oregon	
Legal cite	OR Rev. Stat. Ch. 657B (PFMLI), § 659A.272 (safe leave) and § 659A.150 (family leave)
Website	PLO ; Employer guidebook
Mercer resource	Oregon's paid family and medical leave contributions delayed to 2023 (Aug. 5, 2021)

Puerto Rico	
Covered employer	Employers with 1 or more employees in Puerto Rico during any day of current or previous calendar year
Eligible employee	<u>SINOT</u> : Earned at least \$150 through covered employment during base period <u>Working Mothers Protection Act (WMPA)</u> : any woman employed in any capacity
Leave duration	<ul style="list-style-type: none"> • SINOT disability leave for nonwork-related disability, including pregnancy: 26 weeks in a 52-week period • WMPA paid maternity leave for female employees: 8 weeks (4 weeks prenatal and 4 weeks postnatal or one week prenatal and 7 weeks postnatal with medical certification showing ability to work close to due date), with possible extension for late births • WMPA additional unpaid maternity leave: up to 12 weeks for postnatal complications • WMPA paid adoption leave for female employees: 8 weeks for a child age 5 or younger and not in school; 5 weeks for a child age 6 or older
Family member	<ul style="list-style-type: none"> • Not applicable
Public plan	<u>SINOT</u> (English version)
Private plan	<ul style="list-style-type: none"> • SINOT: Permitted through insurer or self-insured plan approved by Puerto Rico • WMPA: No
Total contribution	<ul style="list-style-type: none"> • SINOT: 0.6% of wages up to a wage max of \$9,000, plus administrative expenses as determined by secretary of Labor • WMPA: 100% wage replacement
Employer contribution	<ul style="list-style-type: none"> • SINOT: 50% of total contribution (i.e., 0.3% of wages up to max) plus administrative expenses • WMPA: 100% (i.e., total wage replacement)
Employee contribution	<ul style="list-style-type: none"> • SINOT: 50% (i.e., 0.3% of wages of up to max) • WMPA: None
Benefit calculation	<ul style="list-style-type: none"> • SINOT: 65% of employee's AWW in base period • WMPA: 100% of average wages earned in base period
Base period	<ul style="list-style-type: none"> • SINOT: First 4 of last 5 consecutive calendar quarters immediately preceding application for benefits • WMPA: 6 months before leave
Maximum weekly benefit	<p>SINOT</p> <ul style="list-style-type: none"> • Maximum weekly benefit: \$113 (\$55 for agricultural workers) • Minimum weekly benefit: \$12 <p>WMPA: Not applicable</p>
Waiting period	<ul style="list-style-type: none"> • SINOT: 7-day waiting period or until 1st day of hospital stay, whichever occurs sooner • WMPA: none
Top-off payments, other leave benefit coordination rules	Not expressly prohibited; coordination with other leaves is not otherwise addressed.

Puerto Rico	
Job protections	Job protections under WMPA; none for SINOT
Employer notice	Not applicable
Legal cite	PR Laws Ann. tit. 11, §§ 201–212 ; PR Laws Ann. Tit. 29 §§ 467 et seq.
Website	SINOT
Mercer resource	Puerto Rico's benefit and leave laws sometimes differ from others (Aug. 12, 2024)

Rhode Island	
Covered employer	Employers with 1 or more employees in Rhode Island <ul style="list-style-type: none"> State and local governmental employers can opt in.
Eligible employee	<ul style="list-style-type: none"> TCI: Earned \$18,000 in base-period wages; alternative earnings test available if needed TDI: medically certified disability
Leave duration	<ul style="list-style-type: none"> TDI (employee's own nonwork-related disability, including organ and bone marrow donation beginning Jan. 1, 2026): 30 weeks TCI (new child bonding or caring for seriously ill family member): 7 weeks (8 weeks as of Jan. 1, 2026) Maximum combined leave in a 52-week period: 30 weeks Intermittent leave permitted for TDI, but not permitted for TCI
Family member	Employee's child, parent, parent-in-law, grandparent, spouse or domestic partner, siblings, step-siblings, foster siblings and adopted siblings.
Public plan	Administered by the DLT
Private plan	None permitted
Total contribution	TDI and TCI together: 1.3% of wages up to \$89,200 (up to \$100,000 in 2026); allocation between TDI and TCI not specified
Employer contribution	None
Employee contribution	100%
Benefit calculation	4.62% of highest quarterly earnings in base period (~60% of employee's AWW)
Base period	First 4 of last 5 completed calendar quarters before start of claim
Maximum weekly benefit	\$1,070 (through June 30, 2026)
Waiting period	None (but benefit eligibility requires at least 7 days of unemployment due to nonjob-related illness)
Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none"> Employees can supplement TDI and TCI with accrued paid sick, vacation and other PTO. Employers can offset TDI and TCI from STD, LTD and employer-provided parental leave.
Job protections	Job protections and continued health benefits include the TCI law and the Rhode Island Parental and Family Medical Leave Act ; none for TDI
Employer notice	Conspicuously display poster
Legal cite	RI Gen. Laws §§ 28-39 to 28-41
Website	DLT

Washington	
Covered employer	Employers with 1 or more Washington employees, along with state and local governmental employers
Eligible employee	Worked ≥ 820 hours in the base period
Leave duration	<ul style="list-style-type: none"> Family leave to care for a family member's serious health condition, bond with new child or handle military exigency: 12 weeks (including bereavement leave during the 7 calendar days after a miscarriage or the death of a child for whom the employee could have taken bonding leave) Medical leave for employee's serious health condition: 12 weeks Additional paid pregnancy-related disability leave: 2 weeks Maximum combined leave in a 52-week period: 16 weeks (18 weeks if a pregnancy-related disability occurs in addition to other allowed uses) Intermittent leave permitted (one-hour minimum increment) Beginning Jan. 1, 2026, minimum PFML claim duration reduces from 8 to 4 consecutive hours of leave
Family member	Employee's child, son-in-law, daughter-in-law, parent or person standing <i>in loco parentis</i> , spouse or domestic partner, sibling, grandchild, grandparent, and someone who expects to rely on the employee for care (regardless of whether that person lives with the employee)
Public plan	Administered by the <u>Employment Security Department</u>
Private plan	Permitted through state-approved self-insured plan for family leave, medical leave or both
Total contribution	0.92% of wages up to Social Security max; allocation between medical leave and family leave not specified
Employer contribution	<p>Employers with ≥ 50 Washington employees:</p> <ul style="list-style-type: none"> Medical leave: 55% of contribution (i.e., 0.26202% of wages up to max) Family leave: none <p>Employers with < 50 Washington employees: none</p>
Employee contribution	<ul style="list-style-type: none"> Medical leave: 45% of contribution Family leave: 100% of contribution Combined 71.52% of total premium (i.e., 0.65798% of wages up to max)
Benefit calculation	90% of employee's AWW up to 50% of the state AWW, plus 50% of employee's AWW over that amount
Base period	First 4 of last 5 completed calendar quarters before start of claim
Maximum weekly benefit	\$1,542 (\$1,647 in 2026)
Waiting period	7 consecutive days, but none for bonding leave
Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none"> Employers can designate employer-provided paid leave (accrued or banked) as supplemental leave used to top off the state benefit. Employers cannot require the use of supplemental leave. Employer-provided paid leave that is not a supplemental benefit will reduce the state benefit if used concurrently. Employer cannot require employee to use WA PFML concurrently with federal FMLA leave but may count FMLA leave time against WA PFML entitlement with timely written notice.

Washington

Job protections	<ul style="list-style-type: none">• Job protections and continued health benefits included in the PFML law for employees with at least 12 months and 1,250 hours of service with same employer that has at least 50 employees; continued health benefits required if at least one day of PFML overlaps with federal FMLA leave• As of Jan. 1, 2026, job protections and continued health benefits apply after 180 calendar days of work with an employer with 25 or more employees in the state (15 or more employees, as of Jan. 1, 2027; 8 or more employees, as of Jan. 1, 2028).
Employer notice	Conspicuously display <u>poster</u> ; give <u>notice</u> to PFML-eligible employees absent more than 7 consecutive days; use optional paystub insert; updated models with new content requirements expected for 2026
Legal cite	<u>WA Rev. Code tit. 50A</u> ; <u>WA Admin. Code Ch. 192-500</u> .
Website	<u>Washington Paid Family & Medical Leave</u> ; <u>Employer's toolkit</u>
Mercer resource	<u>Washington enacts numerous benefit, insurance and related laws</u> (April 14, 2022)

Washington, DC	
Covered employer	Employers with 1 or more employees working in the district <ul style="list-style-type: none"> Local government employers are exempt
Eligible employee	Worked in the city some or all of the 52 calendar weeks immediately before leave
Leave duration	<ul style="list-style-type: none"> PFML for employee's/family member's serious health condition, new child bonding or safe leave: 12 weeks Additional paid leave for prenatal care: 2 weeks Maximum combined leave in a 52-week period: 12 weeks (14 weeks if taking both child bonding and prenatal leave) Intermittent leave permitted All leaves (including intermittent leave) must have minimum increments of 1 day
Family member	Employee's spouse or domestic partner, child, parent or person standing <i>in loco parentis</i> , sibling, grandchild, grandparent; spouse's or domestic partner's child and parent
Public plan	Administered by the Department of Employment Services
Private plan	None allowed
Total contribution	0.75% of Washington, DC, payroll (through June 30, 2026); no cap
Employer contribution	100%
Employee contribution	None
Benefit calculation	90% of AWW up to 1.5 times the city's minimum wage, plus 50% of employee's AWW over that amount
Base period	4 of the last 5 completed calendar quarters
Maximum weekly benefit	\$1,153 (typically adjusted each Oct. 1)
Waiting period	None
Top-off payments, other leave benefit coordination rules	<ul style="list-style-type: none"> Employer can require use of accrued paid leave or employer-provided parental or family leave to top off DC UPL benefits. STD cannot be offset by DC UPL benefits.
Job protections	Job protections and continued health benefits under the DC FMLA
Employer notice	Conspicuously display poster and provide notice of rights at hire, annually and on notice of need for leave
Legal cites	DC §§ 32-541.01 et seq. ; 7 DC Mun. Regs tit. 7, §§ 34 and 35
Website	DC Office of Paid Family Leave
Mercer resources	Washington, DC, amends and extends paid family and medical leave (Nov. 2, 2021) Washington, DC's paid leave program starts July 1 (June 10, 2020) Employers need to prepare now for Washington, DC's universal paid leave (June 11, 2019)



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