

What is New York State Paid Family Leave?

New York State's Paid Family Leave (NYS PFL) provides job-protected time away from work with partial pay for eligible employees for qualifying reasons. Effective January 1, 2021 New York State has increased the time and monetary benefit for all eligible employees.

Who is Eligible for NYS PFL?

All RIT employees, including adjuncts and student employees, who work in New York State are eligible, provided they meet certain criteria as defined by New York State:

- Employees scheduled to work 20 or more hours per week – eligible after 26 consecutive weeks of RIT service.
- Employees scheduled to work less than 20 hours per week – eligible after 175 days of RIT work.

What are the Qualifying Reasons for NYS PFL?

There are several reasons for NYS PFL

1. Bonding time for a parent within 12 months of the birth, adoption, or fostering a child.
2. Caring for a close relative with a serious health condition or who is an organ donor. A close relative is defined as
 - Spouse/Domestic Partner
 - Child
 - Parent/Parent-in-law
 - Grandparent
 - Grandchild
3. Time to concentrate on the needs related to a family member's call to active military service to a foreign country. A family member is defined as
 - Spouse/Domestic Partner
 - Child
 - Parent

What is the 2021 Benefit?

For leaves that begin in 2021, the NYS PFL benefit is 67% of pay, with a maximum weekly benefit of \$971.61, which is 67% of the New York State Average Weekly Wage (NYAWW). The maximum duration of NYS PFL is 12 weeks; the time must be taken in full-day increments and can be taken in a block of time or intermittently. Prudential is the insurance company for RIT's NYS PFL benefit and they administer claims and pay the NYS PFL benefits directly to the employee; Prudential will report the employee's NYS PFL income on a Form W-2.

Please note that your benefit amount and duration is based upon the NYS PFL provisions in effect on the first day of your NYS PFL covered absence. Therefore, if you were first absent in 2020, then your benefit will be at the 2020 benefit. Refer to the [2020 NYS PFL Fact Sheet](#) found on the HR website.

If an employee uses NYS PFL intermittently such that three months or more elapse between requested dates, Prudential may consider the next requested date to be a new claim. If this occurs, your benefit will be reassessed, and you may need to recertify your need for leave with Prudential.

If an employee is on a continuous NYS PFL leave during a University designated holiday or early release closure date, the pay will be considered NYS PFL pay and not holiday pay/early release closure pay. The unused holiday time and early release closure time is not available in the future. Employees using NYS PFL on an intermittent basis are eligible for holiday/early release closure pay, unless they report those days as NYS PFL through Prudential.

Can I Supplement the NYS PFL Benefit?

Yes, NYS PFL may be supplemented if the employee is eligible and has available time. NYS PFL may be supplemented with Sick Leave, vacation, grandfather sick bank (regular employees with a remaining bank from June 2005), and RIT New Parent Leave, if applicable. RIT will pay the supplement with the next available payroll run after Prudential has approved NYS PFL and the RIT-paid income will be reported on the employee's RIT Form W-2.

Who Pays for the Benefit?

New York State allows employers to deduct the cost of this benefit directly from employee paychecks. However, RIT has made the decision not to take deductions from employees' pay in 2021. This position will be evaluated annually and RIT reserves the right to introduce this payroll deduction in the future.

Where Can I Learn More About NYS PFL?

For additional details and information on how to apply for the benefit, refer to the HR website (www.rit.edu/benefits) in the [Protecting Your Income Section](#). We have also provided helpful information for expecting parents on the HR website.

How Does FMLA Work With NYS PFL?

In some situations, employees may be eligible for *both* FMLA and NYS PFL. When you open your claim, Prudential will assess your eligibility and approve you for the leave type(s) you are eligible for. If approved for both leaves, FMLA will run concurrently with all NYS PFL taken. The following chart is designed to help you understand how the benefits work together. This chart is an example which assumes a typical, uncomplicated case: that you have used no FMLA, STD or NYS PFL during the past 12 months. It also assumes that you wish to take your leave in a block of time, and that your first day of PFL is after January 1, 2021, so you are eligible for the 2021 NYS PFL benefit. If any of those assumptions are not accurate for your situation, the following information will not apply and you should discuss your particulars with a benefits specialist in Human Resources.

FMLA and NYS PFL Approved Together

Weeks	Type of Benefit	Pay Replacement
Weeks 1-12	New York State Paid Family Leave	NYS PFL: 67% of pay, up to NYAWW* (<i>paid by Prudential</i>) RIT Supplemental Pay: Can use currently available Sick Leave, Vacation, or Grandfathered Sick Time to supplement to full amount of base pay (<i>paid by RIT</i>).
	<i>plus</i> FMLA	N/A

*New York Average Weekly Wage: for 2021, the amount is \$1,450.17, so the maximum weekly benefit is \$971.61.