



e-Alert – Action Required: New York State Paid Family Leave Effective January 1, 2018

As previously communicated in our [June 28](#) and [September 28](#) e-Alerts, employers of all sizes need to comply with the new Paid Family Leave (PFL) program in New York State, effective January 1, 2018. **All required actions must be taken prior to the first payroll of 2018.**

When the law is fully phased in over the next several years, employees will be eligible for 12 weeks of paid, job-protected leave to bond with a new child, care for a family member with a serious health condition, or assist with family obligations when a family member is called to active military service. During any period of family leave, employers are required to maintain any existing health benefits of eligible employees for the duration of the leave.

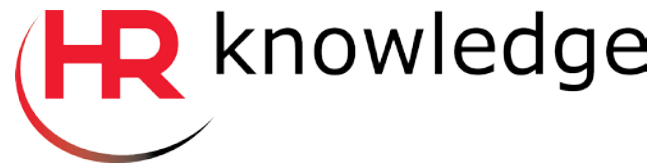
How will HR Knowledge and ADP assist?

For our current Integrated HR Services (Payroll, Benefits, and HR) clients, HR Knowledge and ADP will assist you with required actions as follows:

1. **Update Payroll:** ADP will activate the automated Family Leave Insurance (FLI) deduction on the first payroll run in 2018. All eligible employees who are currently coded with NYS Unemployment Insurance (SUI) codes 09, 19, or 78 will automatically have the Family Leave contribution withheld. If you believe that certain employees are ineligible to participate in the program, you must notify your Client Account Manager that you want those employees to be excluded, and HR Knowledge will exclude them manually in ADP. To determine whether an employee is ineligible, visit [/https://www.ny.gov/programs/new-york-state-paid-family-leave](https://www.ny.gov/programs/new-york-state-paid-family-leave).
2. **Update Benefits:** HR Knowledge will automatically add the New York Paid Family Leave rider to your Short-Term Disability Plan.
3. **Update Policies:** HR Knowledge will provide you with a template policy that you can add to your employee handbook and distribute to your employees.
4. **Update Employer Notice:** As soon as the all-in-one poster is released for those employers that have a physical location in New York, we will provide you with this updated poster that explains your employees' PFL rights.

Important Notes:

- ADP will calculate Family Leave deductions at .126% of taxable wages. If your company requires a different rate and/or weekly limit to the contribution, you must contact your Client Account Manager **prior** to the first payroll of 2018.
 - *Changes to eligibility after the first pay date in 2018 will require an employee transfer. For multi-jurisdiction clients, a new Tax Profile will be created.*
- Employers who opted to take deductions in the optional 2017 period will have special calculations inactivated automatically. If you have employees you deem ineligible for 2018, refer to the instructions in #1 in the previous section.
- Public employers who do not wish to deduct the contribution from employees will need to submit a form to HR Knowledge. Please contact your Client Account Manager prior to the first payroll of 2018.
- If, as an employer, you will take responsibility for the employee contributions to NYS FLI,



rather than having employee deductions, please contact HR Knowledge prior to the first payroll of 2018.

If you are not a current Integrated HR Services (Payroll, Benefits, and HR) client, the following are the key actions required for employers with New York employees:

1. **Update Payroll:** Work with your current payroll provider to activate the Family Leave Insurance (FLI) deduction on the first payroll run in 2018.
2. **Obtain Coverage:** Work with insurance carriers and payroll administrators to set up PFL benefits for eligible employees. If you are an HR Knowledge brokerage-only client, please [email us](#) for assistance in obtaining coverage.
3. **Post Employer Notice:** By January 1, 2018, you must post a notice explaining employees' rights under the PFL that is in full view of employees and applicants. The posted notice must be in a format that will be issued by the Workers' Compensation Board. New York State has released [Model Language for Employee Materials](#) (for employer use) and the [Statement of Rights for Paid Family Leave](#) (to be provided to employees). Additional forms for employees, employers, and insurance carriers may be found [here](#).
4. **Review and update current handbooks and leave policies:**
 - Review and revise current family and medical leave policies and practices to ensure full compliance with the new law.
 - If you have employees operating in New York State, you will need to update their employee handbooks to include written guidance on the PFL.
 - If your company does not maintain an employee handbook, you are still required to provide written PFL guidance to employees.

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