

Notice to Employees



Paid Family Leave

New York Paid Family Leave provides job-protected, paid time off so you can:

- ◁ Bond with a newly born, adopted, or fostered child,
- ◁ Care for a close relative with a serious health condition, or
- ◁ Assist with family situations when a family member is deployed abroad on active military service.

Benefits -- Time

Eligible employees may take up to 12 weeks of leave. This leave can be taken either all at once or intermittently, but must be taken in full-day increments. You may take the maximum time-off benefit in any given 52-week period.

Benefits -- Pay

Paid Family Leave benefits provide 67% of your average weekly wage, capped at the same percentage of the New York State Average Weekly Wage.

Visit [PaidFamilyLeave.ny.gov](https://www.paidfamilyleave.ny.gov) for information on this year's maximum weekly benefit, as well as a calculator to estimate your own benefits.

EXAMPLE: An employee who earns \$1,000 a week would receive a benefit of \$670 a week.

Eligibility

All eligible employees are entitled to participate in Paid Family Leave.

- ◁ **Full-time employees:** Employees who work a regular schedule of 20 or more hours per week are eligible after 26 consecutive weeks of employment.
- ◁ **Part-time employees:** Employees who work a regular schedule of less than 20 hours per week are eligible after working 175 days, which do not need to be consecutive.

Employees are eligible regardless of citizenship and/or immigration status.

Funding

Paid Family Leave is funded through employee payroll contributions that are set each year to match the cost of coverage. The rate of employee contributions is reviewed annually and is subject to change by the New York State Department of Financial Services. Visit [PaidFamilyLeave.ny.gov](https://www.paidfamilyleave.ny.gov) for information on this year's employee contribution rate, as well as a calculator to estimate your own payroll contributions.

Qualifying Events

New Child: You can take Paid Family Leave during the first 12 months following the birth, adoption, or fostering of a child. Expectant mothers cannot take Paid Family Leave for their own pregnancy.

Paid Family Leave for the birth of a child begins after the birth. It is not available for prenatal conditions.

Serious Illness: You can take Paid Family leave to care for a family member with a serious health condition. These relatives can live outside of New York State and even outside the country. You cannot take Paid Family Leave for your own health condition.

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves:

- (Inpatient care in a hospital, hospice, or residential health care facility, or
- (Continuing treatment or continuing supervision by a health care provider.

A family member includes spouse, domestic partner, child and stepchild, parent and stepparent, parent-in-law, grandparent, grandchild, sibling (biological, adopted, half, and step)

Military Active Service Deployment: You can take Paid Family Leave to assist with family situations arising when your spouse, domestic partner, child, or parent is deployed abroad on active military service or has been notified of an impending military deployment abroad. You cannot use Paid Family Leave for your own qualifying military event.

Your Rights and Protections

- (You have job protection, ensuring you can return to the same job (or a comparable one) when you return from Paid Family Leave.
- (You can keep your health insurance while on leave. If you contribute to the cost of your health insurance, you must continue to pay your portion of the premium cost while on leave.
- (Your employer is prohibited from discriminating or retaliating against you for requesting or taking Paid Family Leave.

Taking Paid Family Leave

1. **Notify your employer.** When you want to take Paid Family Leave, you must notify your employer at least 30 days before your leave will start if it's foreseeable. Otherwise, notify your employer as soon as possible.
2. **Obtain required forms.** Contact your employer, employer's insurance carrier, or visit [PaidFamilyLeave.ny.gov](https://www.PaidFamilyLeave.ny.gov) to obtain the required forms.
3. **Complete and attach:** The ***Request for Paid Family Leave (Form PFL-1)*** has sections that need to be completed by you and by your employer. Fill out your section, make a copy and give the form to your employer to fill out ***Part B***. Your employer is required to return ***Form PFL-1*** to you within three business days. If there is a delay, you do not have to wait to proceed. Send the ***Form PFL-1*** that you have filled out, along with the rest of your request package, directly to your employer's insurance carrier.
4. **Obtain and attach supporting documentation.** The specific documentation or additional forms required for each type of leave are described on the request for Paid Family Leave and at [PaidFamilyLeave.ny.gov/Apply](https://www.PaidFamilyLeave.ny.gov/Apply).

5. **Submit your request forms and supporting documentation.** You must submit your completed request package to your employer's insurance carrier within 30 days after the start of your leave to avoid losing benefits. In most cases, the insurance carrier must pay or deny benefits within 18 calendar days of receiving your completed request or your first day of leave, whichever is later.

Paid Family Leave Process and Contacts

At Northern Nurseries, Inc requests for Paid Family Leave forms and forms submissions should be directed to: Human Resources. The insurance carrier is:

Shelter Point Life Insurance Company
1225 Franklin Ave, Suite 475
Garden City, NY 11530
800-365-4999
Policy: DBL572148

Disputes

If your Paid Family Leave claim is denied, the insurance carrier or employer, if self-insured, will provide you with information about how to request arbitration. A neutral arbitrator will decide claim-related disputes.

Contact:

Insurance carrier: See information above

Discrimination Complaints

Employees are protected from discrimination and retaliation for requesting or taking Paid Family Leave.

If your employer terminates your employment, reduces your pay and/or benefits, or disciplines you in any way as a result of you requesting or taking Paid Family Leave, send your employer's designated Paid Family Leave contact a formal request for job reinstatement using the *Formal Request For Reinstatement Regarding Paid Family Leave (Form PFL-DC-119)*, which can be found in the forms section of [PaidFamilyLeave.ny.gov](https://www.PaidFamilyLeave.ny.gov). **File the completed form** with your employer and send a copy to:

Paid Family Leave, P. O. Box 9030, Endicott, NY 13761-9030

If your employer fails to comply with the request for reinstatement within 30 days, you may file a Paid Family Leave discrimination complaint with the Workers' Compensation Board using *Paid Family Leave Discrimination Complaint (Form PFL-DC-120)*, which is also available on the Paid Family Leave website. Once your complaint is received, the Board will assemble your case and schedule a preliminary hearing in front of a Workers' Compensation Law Judge.

For more information on Paid Family Leave,
Please visit [PaidFamilyLeave.ny.gov](https://www.PaidFamilyLeave.ny.gov) or contact Human Resources.



Appendix: Model language by topic

1. Relationship with other types of leave:

Paid Family Leave can be taken by employees who are eligible for time off under the provisions of the FMLA. PFL will run concurrently with designated FMLA leave when the reason for leave qualifies under both PFL and FMLA. Eligible employees must then apply for both PFL and FMLA.

If you are unable to work and qualify for workers' compensation benefits, you may not use Paid Family Leave benefits at the same time as you are receiving workers' compensation benefits.

2. Accruing time for PFL eligibility:

An employer who makes payroll deductions for Paid Family Leave should continue to collect employee contribution during periods of paid time off.

Time spent on paid vacation, sick or personal days can be counted toward an employee's eligibility determination.

3. Supplementing PFL with accrued time:

Employees may supplement PFL with accrued time in order to receive full pay during their absence.

4. Accrual of leave time while on PFL:

While on PFL, employees will not continue to accrue sick or vacation time.