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Overview of Paid Family & Medical Leave Laws in the United States

Eight U.S. states and the District of Columbia have paid family and medical leave laws on the books.* This document provides an overview of these laws.

	RI ¹	CA ²	NJ ³	NY ⁴	D.C. ⁵	WA ⁶	MA ⁷	CT ⁸	OR ⁹
What purposes can leave be used for?	<p>Temporary disability insurance (TDI) can be used for a worker’s own serious off-the-job illness or injury.</p> <p>Temporary caregiver insurance (TCI) can be used to (1) bond with a child within one year of the child’s birth or placement for foster care or adoption; or (2) care for a family member with a serious health condition.</p>	<p>Disability insurance (DI) can be used for a worker’s own serious off-the-job illness or injury.</p> <p>Paid family leave (PFL) can be used to (1) bond with a child within one year of the child’s birth or placement for foster care or adoption; or (2) care for a family member with a serious health condition.</p> <p><i>Beginning on January 1, 2021, PFL can also be used to address certain military family needs.</i></p>	<p>Temporary disability insurance (TDI) can be used for a worker’s own serious off-the-job illness or injury.</p> <p>Family leave insurance (FLI) can be used to (1) bond with a child within one year of the child’s birth or placement for foster care or adoption; (2) care for a family member with a serious health condition; or (3) address non-medical needs arising from domestic or sexual violence, also known as “safe time.”</p>	<p>Temporary disability insurance (TDI) can be used for a worker’s own serious off-the-job illness or injury.</p> <p>Paid family leave (PFL) can be used to (1) bond with a child within one year of the child’s birth or placement for foster care or adoption; (2) care for a family member with a serious health condition; or (3) address certain military family needs.</p>	<p>Universal paid leave (UPL) can be used (1) for a worker’s own serious health condition; (2) to bond with a child within one year of the child’s birth or placement for foster care or adoption; or (3) to care for a family member with a serious health condition.</p> <p><i>Benefits begin on</i></p>	<p>Medical leave can be used for a worker’s own serious health condition.</p> <p>Family leave can be used to (1) bond with a child within one year of the child’s birth or placement; (2) care for a family member with a serious health condition; or (3) address certain military family needs.</p> <p><i>Benefits begin on January 1, 2020.</i></p>	<p>Medical leave can be used for a worker’s own serious health condition.</p> <p>Family leave can be used to (1) bond with a child within one year of the child’s birth or placement for foster care or adoption; (2) care for a family member with a serious health condition; or (3) address certain military family needs.</p> <p><i>Benefits begin on January 1, 2021, except for benefits for family caregiving, which will begin on July 1, 2021.</i></p>	<p>Medical leave can be used for a worker’s own serious health condition or to serve as an organ or bone marrow donor.</p> <p>Family leave can be used to (1) bond with a child within one year of the child’s birth or placement for foster care or adoption; (2) care for a family member with a serious health condition; or (3) address certain military family needs.</p> <p><i>Benefits begin between January 1 and February 1, 2022.</i></p>	<p>Medical leave can be used for a worker’s own serious health condition.</p> <p>Family leave can be used to (1) bond with a child within one year of the child’s birth or placement for foster care or adoption; or (2) care for a family member with a serious health condition.</p> <p>Safe leave can be taken to address certain medical and nonmedical needs when a worker or a worker’s minor child or dependent has experienced domestic violence, harassment, sexual assault or stalking.</p>

*Hawaii has a temporary disability insurance law which provides benefits to covered workers to address their own serious off-the-job illnesses or injuries. For more information, see page 10.



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					July 1, 2020.				Benefits begin January 1, 2023.
Who is covered? ¹⁰	Employees covered by the state unemployment insurance law, except for public employees, are covered.	Employees covered by the state unemployment insurance law, except for most public employees, are covered.	Employees covered by the state unemployment insurance law are covered, with some exceptions for public sector employees.	Most private sector employees are covered. ¹¹	Most private sector employees are covered.	All employees are covered.	Employees covered by the state unemployment insurance law, except for some public employees, are covered.	All private sector and many public sector employees are covered.	Almost all workers are covered.
Are public sector workers automatically covered? ¹²	No. Public employers can opt in to coverage, as can some unions covering public workers through the collective bargaining process.	No, with a few exceptions. Many public employers can opt in to coverage, but may need to do so through a negotiated agreement with an authorized bargaining unit.	Own health: No, with a few exceptions. Public employers can opt in to coverage. Paid family leave: Yes.	No. Public employers can opt in to coverage and unions covering public sector workers can opt in to paid family leave through the collective bargaining process.	No.	Yes.	State employees are automatically covered. Local government employees are not automatically covered. Public sector employers not covered by the law can opt in to coverage.	State employees are covered if their collective bargaining unit has negotiated coverage or if they are not in a collective bargaining unit. Municipal employees and employees of a local or regional board of education are covered if their collective bargaining unit has negotiated coverage or if they are not in a collective bargaining unit and their employer has negotiated coverage for members of any collective bargaining unit.	Yes, except employees of federal and tribal governments. Tribal governments may elect coverage for their employees.



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Are domestic workers covered?	Yes, subject to a low minimum payment requirement.	Yes, subject to a low minimum payment requirement.	Yes, subject to a low minimum payment requirement.	Full-time domestic workers (those who work at least 40 hours per week for a single employer) are covered.	Yes, subject to a low minimum payment requirement.	Yes.	Yes.	Yes	Yes, including “home care” workers as defined under state law. ¹³
Can self-employed workers opt in to coverage?	No	Yes.	No.	Yes.	Yes.	Yes.	Yes. <i>Certain self-employed workers may be covered automatically.</i>	Yes.	Yes.
What are the requirements to qualify for benefits?	Workers must have earned wages in one quarter of the “base period” of at least 200 times the minimum wage (currently, \$2,100), must have earned income across the base period of at least 1.5 times the worker’s highest earning quarter, and must have earned at least 400 times the minimum wage (currently, \$4,200) over the entire base period. This can combine	Workers must have earned at least \$300 during the “base period.” This can combine income from more than one employer. The “base period” is the 12-month period ranging from the 5 to 18 months prior to the start of leave.	Workers must have either earned at least 20 times the minimum wage (currently, \$172) in at least 20 weeks during the year prior to the start leave <i>or</i> earned at least 1,000 times the minimum wage (currently, \$8,600) during the year prior to taking leave. This can combine income from more than one employer.	Own health: Workers generally must have been employed for at least four consecutive weeks by a single employer; ¹⁴ previously qualified workers qualify immediately upon the start of employment with a new covered employer. Paid family leave: Workers generally must have been employed by their current employer for at least 26 consecutive weeks;	While there are no formal eligibility requirements specified in the statute, workers who have worked for a covered D.C. employer for less than one year may receive a prorated benefit amount. <i>Regulations</i>	Workers must have worked 820 hours in a 52-week “qualifying period.” This is equivalent to an average of just under 16 hours per week over the course of the qualifying period. The “qualifying period” means the first 4 of the 5 most recently completed quarters or the 4 most recent quarters.	Workers must have earned a minimum amount (currently, \$4,700) during the “base period” and must meet an earnings requirement tied to the worker’s average earnings that, in effect, means the worker must have worked at least 15 weeks. The “base period” is generally the last 4 completed calendar quarters immediately preceding the first day of benefits.	Workers must have earned at least \$2,325 during the highest earning quarter within the “base period” and must be currently employed or employed within the past 12 weeks. The “base period” means the first 4 of the 5 most recently completed quarters.	Workers must have earned at least \$1,000 during either the first four of the last five completed calendar quarters or the last four completed calendar quarters.



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	income from more than one employer. The “base period” means the first 4 of the 5 most recently completed quarters <i>or</i> the 4 most recent quarters.			those who work less than 20 hours per week must have worked at least 175 days for their current employer.	<i>will provide additional guidance on specific eligibility requirements</i>				
What family members are covered?	A family member includes a worker’s child, parent, parent-in-law, grandparent, spouse, or registered domestic partner.	A family member includes a worker’s child, parent, grandparent, grandchild, sibling, spouse, registered domestic partner, or the parent of a worker’s spouse or registered domestic partner. ¹⁵	A family member includes a worker’s child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, registered domestic partner, civil union partner, any other person related to the worker by blood, and any other person that the worker shows to have a close association with the worker which is the equivalent of a family relationship.	A family member includes a worker’s child, parent, parent-in-law, spouse, grandchild, grandparent, or domestic partner. ¹⁶ The law’s definition of domestic partner is flexible and does not require registration. ¹⁷	A family member includes a worker’s child, parent, parent-in-law, spouse, grandparent, sibling, or registered domestic partner.	A family member includes a worker’s child, grandchild, grandparent, parent, parent-in-law, sibling, spouse, or registered domestic partner.	A family member includes a worker’s spouse, domestic partner, child, parent, parent of a spouse or domestic partner, grandchild, grandparent, or sibling. The law’s definition of domestic partner is flexible and does not require registration. ¹⁸	A family member includes a worker’s spouse, sibling, son or daughter, grandparent, grandchild parent, parent-in-law, or an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships.	A family member includes a worker’s spouse or domestic partner, sibling, child, child in-law, grandparent, grandchild, parent, parent-in-law, or any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.

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How is the program funded?	Workers cover the full cost of both TDI and TCI. Both programs are funded by a single payroll deduction, currently set at 1.1% of wages. This deduction does not apply to wages above \$71,000/year.	Workers cover the full cost of both DI and PFL. Both programs are funded by a single payroll deduction, currently set at 1.0% of wages. This deduction does not apply to wages above \$118,371/year.	Workers and employers share the cost of TDI. Workers contribute 0.17% of their wages. Employers contribute a percentage of workers' wages ranging from 0.10% to 0.75%. These percentage contributions, for both employees and employers, do not apply to a worker's wages above \$34,400/year. Workers cover the full cost of FLI. The program is funded by a payroll deduction, currently set at 0.08% of wages. This deduction does not apply to wages above \$34,400/year. ¹⁹	Workers and employers share the cost of TDI. Employers can withhold 0.5% of workers' wages to pay for coverage, up to \$0.60/week; employers cover the remaining cost. Workers cover the full cost of PFL. The program is funded by a payroll deduction, currently set at 0.153% of wages. This deduction does not apply to wages above an average of \$1,357.11/ week.	Employers cover the full cost of UPL. Employers contribute 0.62% of the wages of covered employees.	Workers and employers share the cost of medical leave. Employers can withhold up to 45% of the premium from workers' wages; employers cover the remaining cost. Employers with fewer than 50 employees in Washington State are not required to pay the employer portion. Initially, the <i>total</i> premium for medical leave will be about 0.27% of wages, up to a cap. Workers cover the full cost of family leave. Initially, the premium will be about 0.13% of wages, up to a cap. ²⁰ Employers with 50-150 employees who must pay all of the premiums or employers with fewer than 50 employees who choose to cover the employee portion of the premium may apply to receive certain grants from the state.	Workers and employers share the cost of medical leave. Employers can withhold up to 40% of the premium from workers' wages; employers cover the remaining cost. Employers with fewer than 25 employees in Massachusetts are not required to pay the employer portion. ²¹ Workers cover the full cost of family leave. Initially, the <i>total</i> premium for family and medical leave will be 0.75% of wages, up to a cap.	Workers cover the full cost of medical and family leave. Employers can withhold the cost of providing coverage from workers' wages to pay for coverage, at a rate to be determined by the state (not to exceed 0.5% of the U.S. Social Security contribution and benefit base). <i>Contributions begin between January 1 and February 1, 2021.</i>	Workers and employers share the costs of both family and medical leave. Employers contribute 40% of the premiums, and all employers can withhold 60% of the premium from workers' wages. Employers with fewer than 25 employees are not required to pay the employer contribution, but these employers may apply to receive certain grants if they elect to pay the employer contribution. The total premium for family and medical leave will be no more than 1% of employee wages, up to a maximum of \$132,900 in wages. <i>Contributions begin January 1, 2022</i>



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What percentage of wages do workers receive?	About 60% of a worker's average weekly wage (formally, 4.62% of a worker's wages in the highest earning quarter of the base year) ²²	Between 60% and 70% of a worker's average weekly wage, depending on their income ²³	2/3 of a worker's average weekly wage <i>Starting July 1, 2020, workers will receive 85% of their average weekly wage.</i>	Own health: 50% of a worker's average weekly wage Family leave: 55% of a worker's average weekly wage <i>When the program is fully phased in in 2021, workers will receive 67% of their average weekly wage for family leave.</i>	90% of a worker's average weekly wage up to an amount equal to 40 times 150% of the D.C. minimum wage and 50% of a worker's average weekly wage above an amount equal to 40 times 150% of the D.C. minimum wage ²⁴	90% of a worker's average weekly wage up to an amount equal to 50% of the statewide average weekly wage and 50% of a worker's average weekly wage above an amount equal to 50% of the statewide average weekly wage	80% of a worker's average weekly wage up to an amount equal to 50% of the statewide average weekly wage and 50% of a worker's average weekly wage above an amount equal to 50% of the statewide average weekly wage	95% of a worker's "base earnings" up to an amount equal to 40 times the state minimum wage, and 60% of that worker's base weekly earnings above the amount equal to 40 times the state minimum wage	Workers earning an amount equal to or less than 65% of the state average weekly wage ("SAWW") will receive 100% of the worker's average weekly wage. Workers earning more than 65% of the SAWW will receive 65% of the SAWW, plus 50% of the worker's average weekly wage that is greater than 65% of the SAWW.



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What is the maximum weekly benefit?	85% of the statewide average weekly wage <i>Current: \$852/week</i>	About 100% of the statewide average weekly wage <i>Current: \$1,252/week</i>	53% of the statewide average weekly wage <i>Current: \$650/week</i> <i>Starting July 1, 2020, the cap will be 70% of the statewide average weekly wage.</i>	Own health: \$170/week Family leave: 55% of the statewide average weekly wage <i>Current: \$746.41/week</i> <i>When the program is fully phased in in 2021, the cap for family leave will be 67% of the statewide average weekly wage.</i>	\$1,000 per week, adjusted annually based on inflation	\$1,000 per week initially, adjusted annually after the first year to 90% of the statewide average weekly wage	\$850 per week initially, adjusted annually after the first year to 64% of the statewide average weekly wage	Sixty times the state minimum wage <i>Initially \$780 when benefits begin in 2022.</i>	120% of the SAWW. There is also a minimum benefit of 5% of the SAWW.



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For how long can a worker receive benefits?	<p>Own health: Up to 30 weeks in a 52-week period.²⁵</p> <p>Family leave: Up to 4 weeks in a 52-week period.²⁶</p>	<p>Own health: Up to 52 weeks for any period of disability.²⁷</p> <p>Family leave: Up to 6 weeks in a 12-month period.</p> <p><i>Starting July 1, 2020, workers will be able to take up to 8 weeks of family leave.</i></p>	<p>Own health: Up to 26 weeks for any period of disability.²⁸</p> <p>Family leave: Up to 6 weeks in a 12-month period.</p> <p><i>Starting July 1, 2020, workers will be able to take up to 12 weeks of family leave.</i></p>	<p>Own health: Up to 26 weeks for any period of disability or in any 52-week period.</p> <p>Family leave: Up to 10 weeks in a 52-week period.</p> <p><i>When the program is fully phased in in 2021, workers will be able to take up to 12 weeks of family leave.²⁹</i></p>	<p>Own health: Up to 2 weeks in a 52-week period.</p> <p>Caring for a seriously ill relative: Up to 6 weeks in a 52-week period.</p> <p>Bonding with a new child: Up to 8 weeks in a 52-week period.³⁰</p>	<p>Own health: Up to 12 weeks in a 52-week period.³¹</p> <p>Family leave: Up to 12 weeks in a 52-week period.³²</p>	<p>Own health: Up to 20 weeks in any benefit year.</p> <p>Family leave: Up to 12 weeks in any benefit year.³³</p> <p><i>Military caregivers can receive up to 26 weeks of family leave in any benefit year.</i></p>	<p>Own health: 12 weeks within a 12-month period, as well as 2 additional weeks for a worker's own serious health condition resulting in incapacitation that occurs during a pregnancy.</p> <p>Family leave: 12 weeks within a 12-month period.</p>	<p>In a 12-month period, workers can take up to 12 weeks, plus an additional 2 weeks related to pregnancy, childbirth, or a related medical condition including but not limited to lactation. Workers can also take up to an additional four weeks of <i>unpaid</i> leave under the separate Oregon Family Leave Act (OFLA)³⁴, for a total of up to 16 weeks of paid and unpaid leave (or up to 18 weeks if two of the weeks are related to pregnancy, childbirth, and related medical conditions).</p>

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Is there an unpaid waiting period?	No.	Own health: Yes—there is a 7 day unpaid waiting period. Family leave: No.	Own health: Yes—there is a 7 day unpaid waiting period. However, if a worker is eligible for benefits during each of three consecutive weeks after the waiting period, that worker can also be paid benefits for the waiting period. Family leave: No.	Own health: Yes—there is a 7 day unpaid waiting period. Family leave: No.	Yes—there is a one week unpaid waiting period.	Own health and family leave other than bonding leave: Yes—there is a 7 day unpaid waiting period. Bonding leave: No.	Yes—there is a 7 day unpaid waiting period.	No.	No.
Are workers entitled to have their jobs back when they return?	Own health: No. Family leave: Yes. ³⁵ <i>Workers may have protections under other laws, such as the FMLA or the Rhode Island Parental and Family Medical Leave Act.</i>	No. <i>Workers may have protections under other laws, such as the FMLA or the California Family Rights Act.</i>	<i>The law was recently amended to add additional anti-retaliation provisions, which may be clarified by regulation.</i> <i>Workers may have protections under other laws, such as the FMLA or the New Jersey Family Leave Act.</i>	Own health: No. Family leave: Yes. ³⁶ <i>Workers may have protections under other laws, such as the FMLA.</i>	No. <i>Workers may have protections under other laws, such as the FMLA or the D.C. Family & Medical Leave Act.</i>	Yes, but only for workers who meet specific eligibility criteria similar to those for the FMLA. ³⁷ <i>Workers may have protections under other laws, such as the FMLA.</i>	Yes. ³⁸ <i>Workers may have protections under other laws, such as the FMLA or the Massachusetts Parental Leave Act.</i>	Yes, if they have been employed for three months or longer before taking leave. <i>Workers may also have protections under other laws, such as the FMLA.</i>	Yes, if they have been employed with the employer for at least 90 days before taking leave. Workers may also have protections under other laws, such as OFLA or the FMLA.

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How is the insurance provided?	All covered workers are covered through the state fund.	By default, workers are covered through the state fund. Employers can apply for approval of a voluntary plan, which must provide benefits greater than those available through the state.	By default, workers are covered through the state fund. Employers can apply for approval of a private plan, which must provide at least as much coverage as the state plan.	Employers can provide coverage by purchasing insurance (either from the state fund or a private insurer) or by becoming an approved self-insurer.	All covered workers are covered through the district fund.	By default, workers are covered by the state fund. Employers can apply for approval of a voluntary plan, which must provide benefits at least equivalent to those available through the state.	By default, workers are covered by the state fund. Employers can apply for approval of a private plan, which must provide benefits at least equivalent to those available through the state.	By default, workers are covered by the state fund. Employers can apply for approval of a private plan, which must provide benefits at least equivalent to those available through the state.	By default, workers are covered by the state fund. Employers may apply to Director of the Employment Department for approval of a private plan, which among other requirements must provide weekly benefits and an amount of leave equal to or greater than those available under the state fund.

Hawaii also has a temporary disability insurance (TDI) program, which provides benefits to most workers for up to 26 weeks for any period of serious off-the-job illness or injury (although an employer’s insurance policy may require an unpaid waiting period of up to 7 days). Employers can provide coverage by purchasing insurance, becoming an approved self-insurer, or through a collective bargaining agreement that provides benefits at least as favorable as those required by law. To be eligible for benefits, workers must have been employed for at least 14 weeks, during each of which the worker worked at least 20 hours and earned at least \$400 in wages, during the 52 weeks immediately prior to the start of disability. This can combine income from more than one employer. Workers and employers share the cost of TDI. Under the program, a worker receives 58% of a worker’s average weekly wage up to a cap of about 70% of the statewide average weekly wage. Hawaii does not provide paid family leave.³⁹ Although the law does not entitle workers to have their jobs back when they return, workers may have protections under other laws, such as the Family and Medical Leave Act (FMLA).

¹ R.I. Gen. Laws § 28-39-1 *et seq.*

² Cal. Unemp. Ins. Code § 2601 *et seq.* San Francisco has enacted a municipal law that grants additional benefits for parental leave for many workers.

³ N.J. Stat. Ann. § 43:21-25 *et seq.*

⁴ N.Y. Workers’ Comp. Law § 200 *et seq.* For more information on New York’s paid family leave law, visit FamilyLeaveWorks.org.

⁵ D.C. Code Ann. § 32-541.01 *et seq.*

⁶ Wash. Rev. Code *et seq.* 50A.04.005.

⁷ The law is only partially codified. For the full text of the law, see <https://malegislature.gov/Laws/SessionLaws/Acts/2018/Chapter121>.

⁸ Conn. Legis. Serv. P.A. 19-25 (S.B. 1). The law is only partially codified. For the full text of the law, see <https://www.cga.ct.gov/2019/lcoamd/pdf/2019LCO09302-R00-AMD.pdf>.

⁹ See Or. Enrolled House Bill 2005 (HB 2005-B). The law is only partially codified. For the full text of the law, see <https://olis.leg.state.or.us/liz/2019R1/Downloads/MeasureDocument/HB2005/Enrolled>.

¹⁰ California, New Jersey, and Rhode Island also provide some coverage for previously covered workers who have a qualifying need for family or medical leave while they are unemployed, while New York and Hawaii also provide some coverage for previously covered workers who have a qualifying need related to the worker's own health. Details vary by state. Massachusetts, Washington State, and Washington, D.C. will also likely provide some coverage for previously covered workers during unemployment, though final regulations will be needed to specify details.

¹¹ For a list of exceptions, visit http://www.wcb.ny.gov/content/main/offthejob/WhoCovered_DB.jsp.

¹² Note that no state law covers federal employees.

¹³ See Or. Rev. Stat. § 410.600.

¹⁴ Employees who are regularly in the employment of a single employer on a work schedule that is less than the employer's normal work week become eligible for disability leave benefits on the 25th day of such employment.

¹⁵ This list covers family members for whom a worker can take leave to care for when they are seriously ill. Starting January 1, 2021, paid family leave can also be used to address certain needs arising from the active duty military service of a worker's spouse, domestic partner, child, or parent.

¹⁶ This list covers family members for whom a worker can take leave to care for when they are seriously ill. Paid family leave can also be used to address certain needs arising from the active duty military service of a worker's spouse, domestic partner, child, or parent.

¹⁷ The definition of domestic partner includes any person who is at least 18 years old and "is dependent upon the employee for support as shown by either unilateral dependence or mutual interdependence, as evidenced by a nexus of factors including, but not limited to, common ownership of real or personal property, common householding, children in common, signs of intent to marry, shared budgeting, and the length of the personal relationship with the employee"

¹⁸ The definition of domestic partner includes any person who is at least 18 years old and "is dependent upon the covered individual for support as shown by either unilateral dependence or mutual interdependence that is evidenced by a nexus of factors including, but not limited to: (A) common ownership of real or personal property; (B) common householding; (C) children in common; (D) signs of intent to marry; (E) shared budgeting; and (F) the length of the personal relationship with the covered individual"

¹⁹ These percentages are based on participation in the state plan. If an employer chooses a private plan, employees can only be required to contribute as much as they would have contributed to the state plan; these employees can only be required to contribute if a majority of employees agree to the private plan before it goes into effect. See http://lwd.dol.state.nj.us/labor/tdi/worker/private/pp_cost.html.

²⁰ The initial total premium for both family and medical leave will be set at 0.4% of employees' wages, one third of which shall be associated with family leave and two thirds of which shall be associated with medical leave. The state will set the premium in subsequent years based on a formula set by statute. In addition, the state will set the maximum wages subject to premium contributions based on the maximum wages subject to social security taxation. Employers may choose to cover all or part of employees' share of the premium for family and/or medical leave.

²¹ For purposes of determining the number of employees, self-employed people who are part of the employer's workforce are considered employees if self-employed people make up more than fifty percent of the employer's workforce.

²² In addition, workers may also be entitled to a dependency allowance for minor children or adult children who are incapacitated due to physical or mental illness.

²³ Very low-wage workers receive a fixed benefit amount set by statute, which may result in higher wage replacement rates.

²⁴ Workers with less than a year of total covered employment will receive a smaller benefit, pro-rated based on the numbers of weeks the worker has worked in covered employment.

²⁵ While technically there is no time limit on receiving benefits, workers cannot receive benefits worth more than 30 times their weekly benefit rate in a year, in effect limiting workers to 30 weeks per year.

²⁶ Workers may take up to a cumulative total of 30 weeks of TDI and TCI in a 52-week period.

²⁷ While technically there is no time limit on receiving benefits, workers cannot receive benefits worth more than 52 times their weekly benefit rate for any continuous period of disability, in effect limiting workers to 52 weeks per continuous period of disability.

²⁸ In addition, no worker can receive benefits worth more than 26 times their weekly benefit amount in a year.

²⁹ Workers may take up to a cumulative total of 26 weeks of TDI and PFL in a 52-week period.

³⁰ Workers may take up to a cumulative total of 8 weeks of UPL in a 52-week period.

³¹ Technically, workers are entitled to medical leave for up to twelve times their typical workweek hours. Medical leave may be extended by an additional two weeks (two times a worker's typical workweek hours) if the worker experiences a serious health condition with a pregnancy that results in incapacity.

³² Technically, workers are entitled to family leave for up to twelve times their typical workweek hours. A worker may take up to a cumulative sixteen weeks (sixteen times the worker’s typical workweek hours) of family and medical leave in a 52-week period or up to a cumulative eighteen weeks (eighteen times the worker’s typical workweek hours) of family and medical leave in a 52-week period if the worker experiences a serious health condition with a pregnancy that results in incapacity.

³³ Workers may take a cumulative total of 26 weeks of family and medical leave in a benefit year.

³⁴ Or. Rev. Stat. § 659A.159.

³⁵ A worker returning from TCI leave must be restored to his or her prior position or “a position with equivalent seniority, status, employment benefits, pay, and other terms and conditions of employment including fringe benefits and service credits that the employee had been entitled to at the commencement of leave.” Workers who receive health insurance through their employers are entitled to continuation of those benefits while on TCI.

³⁶ A worker returning from PFL must be restored to his or her prior position or “a comparable position with comparable employment benefits, pay and other terms and conditions of employment.” Workers who receive health insurance through their employers are entitled to continuation of those benefits while on PFL.

³⁷ Workers are entitled to job protection under the state paid family and medical leave law only if they work for an employer with at least 50 employees, have been employed by that employer for at least twelve months, *and* have worked for that employer for at least 1,250 hours during the twelve month period immediately preceding leave. A worker entitled to job protection under the law must be restored to his or her prior position or “an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment.” Some highly paid employees may be subject to a very narrow exception. Workers who receive health insurance through their employers are entitled to continuation of those benefits while on leave *if* their employers would be required to continue benefits under the Family and Medical Leave Act.

³⁸ A worker returning from paid family or medical leave must be restored to his or her prior position or “an equivalent position, with the same status, pay, employment benefits, length of service credit and seniority as of the date of leave.” Workers who receive health insurance through their employers are entitled to continuation of those benefits while on paid family and medical leave.

³⁹ See Haw. Rev. Stat. § 392-1 *et seq.* For more information, visit <https://labor.hawaii.gov/dcd/home/about-tdi/>. For a list of exceptions to covered workers, visit http://www.capitol.hawaii.gov/hrscurrent/Vol07_Ch0346-0398/HRS0392/HRS_0392-0005.htm.