

## **Paid Family Leave Policy**

The New York Paid Family Leave Law (“NYPFL”) provides partial wage replacement, health insurance continuation and job protection to eligible employees who take a leave of absence to:

- Bond with a newly born, adopted or fostered child, within one year from the date of the child’s birth, adoption or fostering;
- Care for a close family member (spouse, domestic partner, child/stepchild, parent/stepparent, parent-in-law, grandparent or grandchild) with a serious health condition, as defined in the NYPFL;
- Care for a minor dependent child subject to an order of quarantine or isolation due to COVID-19; or
- Assist family members when a spouse, domestic partner, parent or child is deployed abroad on active military duty.

Employees will be eligible for NYPFL benefits in accordance with law. In 2022, employees are eligible for up to 12 weeks of NYPFL within a given 52-week period, with a benefit of 67% of the employee’s average weekly wage, capped at 67% of the State average weekly wage.

In accordance with the NYPFL law, the Library deducts from employees’ paychecks 0.126% of their average weekly wage, capped at the annualized State average weekly wage. The only exception to this rule is for employees who are eligible to complete, and have completed and submitted, a waiver form as described in more detail below.

Employees are eligible for NYPFL benefits if they satisfy one of the leave reasons listed above, and regularly work for the Library:

- 20 or more hours per week, after 26 consecutive weeks of employment; or
- Less than 20 hours per week, after 175 days worked.

Employees who meet the above eligibility criteria may receive NYPFL benefits regardless of their citizenship and/or immigration status.

Employees who do not meet the above eligibility criteria, or who are temporary employees, may opt out of NYPFL. Please speak with the Assistant Director to obtain a waiver form, which must be completed and returned to the Assistant Director as soon as possible.

While on NYPFL, employees are generally guaranteed job protection for the same or a comparable job and continued health insurance. Employees must continue to pay their portion of the health insurance premium, if any, while on NYPFL in order to receive continued health insurance. Employees are also protected from discrimination and retaliation on the basis of their requesting or taking family leave.

NYPFL must be taken in full-day increments. While on NYPFL, employees may use full or partial days of accrued, unused leave time in order to receive full pay for that day. In that event, the Library may receive a reimbursement from the insurance carrier. In addition, employees will

continue to accrue paid time off and seniority credit (consistent with the WLSA CBA for bargaining unit members, or, for non-bargaining unit members, their employment agreement, if any) while on NYPFL. Spouses working for the Library will be permitted to take NYPFL at the same time for the same qualifying event, but will still be limited to a maximum of 12 weeks per 52-week period.

Where possible, employees must provide the Library with at least 30 days' advance notice of the need for a leave of absence, including the type of leave requested (*e.g.*, to care for a family member with a serious health condition) and the anticipated timing and duration of the leave. Where 30 days' advance notice is not possible, employees must notify the Library of the need for a leave as soon as is practicable.

In order to request a leave, employees must complete and submit a claim form along with all required supporting documentation to the Assistant Director. The insurance carrier's information can be obtained from the Assistant Director and is available on the Notice of Compliance for Paid Family Leave, which is posted in the staff hallway. Claim forms are available online at [www.ny.gov/paidfamilyleave](http://www.ny.gov/paidfamilyleave) or from the Assistant Director. Please note that the Library is required to complete part of your application prior to its submission to the insurance carrier. The Library's insurance carrier is responsible for paying or denying all claims. If your request for NYPFL is denied, the insurance carrier will provide you with information about how to dispute the denial and request arbitration.

NYPFL will run concurrently with designated FMLA leave when the reason for a requested leave qualifies for both NYPFL and FMLA. In this instance, eligible employees must separately apply for both leaves. Generally, employees may not receive short-term disability and NYPFL benefits at the same time, and may not take more than 26 combined weeks of short-term disability and NYPFL in a 52-week period. In addition, employees who are eligible for Workers' Compensation benefits and are unable to work are not eligible to receive NYPFL benefits while receiving Workers' Compensation benefits, but may be eligible to receive NYPFL benefits if working and receiving reduced earnings from Workers' Compensation. If you have questions about what leave options may be available to you, please contact the Assistant Director.

Adopted by the Board of Trustees: May 2022