

# Statutory Update



*December 20, 2023*

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**Accrued Paid Leave Updates**

**California Paid Sick Leave – Updated Resources**

In our [November 21 Update](#) we summarized amendments made to California’s statewide [paid sick leave law](#) via [SB616](#). The Department of Industrial Relations has released updated guidance and resources reflecting the changes effective [January 1, 2024](#):

- [FAQ](#);
- [Worksite Poster](#)\* to be displayed in an area frequented by employees where it may be easily read during the workday;
- [Individual Notice](#)\* to be provided to each employee at time of hire.

\* Translated versions will be [available](#) soon.

**Chicago, IL Paid Leave and Paid Sick and Safe Leave – Effective Date Change and Amendment**

Our [November 21 Update](#) included a summary of amended and new requirements for accrued paid leave under Chicago’s [Paid Leave and Paid Sick and Safe Leave](#) ordinance, originally slated to become effective December 31, 2023. On [December 13](#) the Chicago City Council voted to [delay the law’s effective date until July 1, 2024](#), as well as implement a few other changes. The current [Paid Sick Leave](#) law ([Chicago Mun. Code Ch. 6-105-045](#)) will remain in effect through June 30, 2024.

The table below identifies the [amendments](#) made to the [November 9 ordinance](#). As a reminder, Illinois’ statewide accrued leave law, the Paid Leave for All Workers Act (PLAWA), becomes effective January 1, 2024, but does not apply to employees covered by local ordinances in Chicago or Cook County (see our [November 21 Update](#) for our latest coverage of the statewide law).

*Note: The table below is only an outline of amended portions of the ordinance. Please see the summary in our [November 21 Update](#) for details otherwise unchanged.*

Chicago Paid Leave and Paid Sick and Safe Leave (will be Chapter 6-130 of Title 6 of the Chicago Municipal Code)		
	Original Passed 11/9/23	Amendment Passed 12/13/23
<b>Effective Date</b>	December 31, 2023  July 1, 2024 for Chicago Public Schools	July 1, 2024  July 1, 2024 for Chicago Public Schools
<b>Covered Employees</b>	All employees who, in any particular two-week period, perform at least <b>two hours</b> of work for an employer while physically present within the geographic boundaries of the City.	All employees who work at least <b>80 hours</b> for an employer <b>within any 120-day period</b> while physically present within the geographic boundaries of the City.  <b>Once the threshold is reached, the employee will remain a Covered Employee for the remainder of the time that the employee works for the employer.</b>
<b>Collective Bargaining Agreements</b>	The law does not affect the validity or change the terms of bona fide collective bargaining agreements (CBA) in effect on <b>January 1, 2024</b> . After that date, the law’s requirements may be waived in a CBA, but only if the waiver is set forth explicitly in clear and unambiguous terms.	The law does not affect the validity or change the terms of bona fide collective bargaining agreements (CBA) in effect on <b>July 1, 2024</b> . After that date, the law’s requirements may be waived in a CBA, but only if the waiver is set forth explicitly in clear and unambiguous terms.

<b>Chicago Paid Leave and Paid Sick and Safe Leave</b> (will be Chapter 6-130 of <u>Title 6</u> of the Chicago Municipal Code)		
	<b>Original</b> Passed 11/9/23	<b>Amendment</b> Passed 12/13/23
<b>Accrual</b>	<ul style="list-style-type: none"> <li>If an employee accrued Paid Sick Leave prior to <b>January 1, 2024</b> (under the current law), and the employer’s existing paid time off policy does not comply with the requirements of this law, on <b>January 1, 2024</b>, any Paid Sick Leave that employee is entitled to carry over to the next year must be transferred to Paid Sick Leave under this law.</li> <li>Beginning the later of <b>January 1, 2024</b> or the first calendar day of employment, employees accrue a minimum of 1 hour of Paid Leave and 1 hour of Paid Sick Leave for every 35 hours worked.</li> </ul>	<ul style="list-style-type: none"> <li>If an employee accrued Paid Sick Leave prior to <b>July 1, 2024</b> (under the current law), and the employer’s existing paid time off policy does not comply with the requirements of this law, on <b>July 1, 2024</b>, any Paid Sick Leave that employee is entitled to carry over to the next year must be transferred to Paid Sick Leave under this law.</li> <li>Beginning the later of <b>July 1, 2024</b> or the first calendar day of employment, <b>whichever is later</b>, employees accrue a minimum of 1 hour of Paid Leave and 1 hour of Paid Sick Leave for every 35 hours worked.</li> </ul>
<b>Payout at Termination</b>	<ul style="list-style-type: none"> <li><b>Paid Sick Leave:</b> Unless an applicable collective bargaining agreement provides otherwise, upon an employee’s termination, resignation, retirement, or other separation from employment, the employer is not required to provide financial or other reimbursement for unused Paid Sick Leave.</li> <li><b>Paid Leave:</b> Unless otherwise provided in a collective bargaining agreement, upon an employee’s termination, resignation, retirement, or other separation from employment, or whenever an employee ceases to meet the definition of a Covered Employee as a result of a transfer out of the geographic boundaries of the City, the <b>employer must pay the monetary equivalent of all unused, accrued Paid Leave as part of the employee’s final compensation at their final rate of pay.</b> No employment contract or employment policy may provide for forfeiture of earned Paid Leave upon separation from employment. <b>However:</b> <ul style="list-style-type: none"> <li>A <b>Small Employer</b> is not required to pay out unused Paid Leave upon termination, resignation, retirement, or other separation from employment, or whenever an employee ceases to meet the definition of a Covered Employee as</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li><b>Paid Sick Leave:</b> Unless an applicable collective bargaining agreement provides otherwise, upon an employee’s termination, resignation, retirement, or other separation from employment, the employer is not required to provide financial or other reimbursement for unused Paid Sick Leave.</li> <li><b>Paid Leave:</b> Unless otherwise provided in a collective bargaining agreement, upon an employee’s termination, resignation, retirement, or other separation from employment, or whenever an employee ceases to meet the definition of a Covered Employee as a result of a transfer out of the geographic boundaries of the City, the <b>employer must pay the monetary equivalent of all unused, accrued Paid Leave as part of the employee’s final compensation at their final rate of pay.</b> No employment contract or employment policy may provide for forfeiture of earned Paid Leave upon separation from employment. <b>However:</b> <ul style="list-style-type: none"> <li>A <b>Small Employer</b> is not required to pay out unused Paid Leave upon termination, resignation, retirement, or other separation from employment, or whenever an employee ceases to meet the definition of a Covered Employee as</li> </ul> </li> </ul>

<b>Chicago Paid Leave and Paid Sick and Safe Leave</b> (will be Chapter 6-130 of <u>Title 6</u> of the Chicago Municipal Code)		
	<b>Original</b> Passed 11/9/23	<b>Amendment</b> Passed 12/13/23
	<p>a result of a transfer out of the geographic boundaries of the City.</p> <ul style="list-style-type: none"> <li>For <b>Medium Employers</b>, the payout of unused Paid Leave will be limited to a maximum of <b>16 hours</b> of Paid Leave until <b>December 31, 2024</b>, unless the employer sets a higher limit. On and after <b>January 1, 2025</b>, Medium Employers will be required to pay the monetary equivalent of <b>all</b> unused, accrued Paid Leave as part of the employee's final compensation at their final rate of pay.</li> </ul> <p><i>* For the purpose of counting Covered Employees, numbers of Covered Employees will be aggregated if they are employed by members of a single unitary business group as defined for Illinois income tax purposes. A <b>Small Employer</b> is defined as one with 50 or fewer Covered Employees; a <b>Medium Employer</b> is one with 51 to 100 Covered Employees. (Employers with &gt;100 Covered Employees must pay out all unused Paid Leave.)</i></p>	<p>as a result of a transfer out of the geographic boundaries of the City.</p> <ul style="list-style-type: none"> <li>For <b>Medium Employers</b>, the payout of unused Paid Leave will be limited to a maximum of <b>16 hours</b> of Paid Leave until <b>July 1, 2025</b>, unless the employer sets a higher limit. On and after <b>July 1, 2025</b>, Medium Employers will be required to pay the monetary equivalent of <b>all</b> unused, accrued Paid Leave as part of the employee's final compensation at their final rate of pay.</li> </ul> <p><i>* For the purpose of counting Covered Employees, numbers of Covered Employees will be aggregated if they are employed by members of a single unitary business group as defined for Illinois income tax purposes. A <b>Small Employer</b> is defined as one with 50 or fewer Covered Employees; a <b>Medium Employer</b> is one with 51 to 100 Covered Employees. (Employers with &gt;100 Covered Employees must pay out all unused Paid Leave.)</i></p>
<p><b>Notice to Employees</b></p>	<ul style="list-style-type: none"> <li>Employers must provide employees with written notice of the employer's paid time off policy, including notification requirements, at the commencement of employment and within five calendar days before any change policy requirements.</li> <li>Employers must provide employees with a 14-day written notice of changes to the employer's paid time off policies that affect an employee's right to final compensation for such leave.</li> <li>Whenever an employee has not been offered a work assignment for 60 days, the employer must notify the employee in writing that they may request payout of their accrued, unused Paid Leave time.</li> </ul>	<ul style="list-style-type: none"> <li>Employers must provide employees with written notice of the employer's paid time off policy, including notification requirements, at the commencement of employment and within five calendar days before any change policy requirements.</li> <li>Employers must provide employees with a 14-day written notice of changes to the employer's paid time off policies that affect an employee's right to final compensation for such leave.</li> <li>Whenever an employee has not been offered a work assignment for 60 days, the employer must notify the employee in writing that they may request payout of their accrued, unused Paid Leave time.</li> <li><b>An employer must provide its written paid time off policy to each employee in their primary language.</b></li> </ul>

<b>Chicago Paid Leave and Paid Sick and Safe Leave</b> <i>(will be Chapter 6-130 of Title 6 of the Chicago Municipal Code)</i>		
	<b>Original</b> <i>Passed 11/9/23</i>	<b>Amendment</b> <i>Passed 12/13/23</i>
<b>Recordkeeping</b>	<p>Each employer must maintain for at least five years, or for the duration of any claim, civil action, or investigation pending pursuant to this chapter, whichever is longer, a record of each employee’s name and addresses, hours worked, pay rate, wage agreement, number of paid time off hours earned for each year and the dates on which paid time off hours were taken and paid, and records necessary to demonstrate compliance with this law.</p> <p>Failure to maintain these records will create a presumption, rebuttable by clear and convincing evidence, that the employer violated the law for the periods for which records were not retained for each employee. Upon an employee’s request, an employer must provide a copy of the employee’s records.</p>	<p>Each employer must maintain for at least five years, or for the duration of any claim, civil action, or investigation pending pursuant to this chapter, whichever is longer, a record of each employee’s name and addresses, hours worked, pay rate, wage agreement, number of paid time off hours earned for each year and the dates on which paid time off hours were taken and paid, and records necessary to demonstrate compliance with this law.</p> <p><i>Each employer who has an employee whose regular work duties take place within the geographical boundaries of Chicago must maintain this same information. (This applies to all employees, not only those eligible for accrued leave under the ordinance – i.e., Covered Employees.)</i></p> <p>Failure to maintain these records will create a presumption, rebuttable by clear and convincing evidence, that the employer violated the law for the periods for which records were not retained for each employee. Upon an employee’s request, an employer must provide a copy of the employee’s records.</p>
<b>Private Cause of Action</b>	<p>If any employee is not allowed a benefit to which the employee is entitled under this law, the employee may recover in a civil action damages equal to three times the full amount of any leave denied or lost by reason of the violation, and the interest on that amount calculated at the prevailing rate; together with costs and such reasonable attorney’s fees as the court allows.</p> <ul style="list-style-type: none"> <li>• For <b>Paid Sick Leave</b>, such right to private cause of action will be available on <b>December 31, 2023</b>.</li> <li>• For <b>Paid Leave</b>, such right to a private cause of action will not be available until <b>January 1, 2025</b>.</li> </ul>	<p>If any employee is not allowed a benefit to which the employee is entitled under this law, the employee may recover in a civil action damages equal to three times the full amount of any leave denied or lost by reason of the violation, and the interest on that amount calculated at the prevailing rate; together with costs and such reasonable attorney’s fees as the court allows.</p> <ul style="list-style-type: none"> <li>• For <b>Paid Sick Leave</b>, such right to private cause of action will be available on <b>July 1, 2024</b>.</li> <li>• For <b>Paid Leave</b>, such right to a private cause of action will not be available until <b>July 1, 2025</b>.                         <ul style="list-style-type: none"> <li>• <i>An employee may initiate a civil action pursuant to this chapter only after: (A) an alleged violation occurs; and (B) the payday for the next regular payroll period or 16 days after the alleged violation</i></li> </ul> </li> </ul>

Chicago Paid Leave and Paid Sick and Safe Leave <i>(will be Chapter 6-130 of Title 6 of the Chicago Municipal Code)</i>	
Original <i>Passed 11/9/23</i>	Amendment <i>Passed 12/13/23</i>
	occurred passes, whichever is the shorter period. <ul style="list-style-type: none"> <li>This provision will sunset on July 1, 2026.</li> </ul>

**Cook County, IL Paid Leave – Amendment**

On [December 14](#) the Cook County Board of Commissioners approved the [Cook County Paid Leave Ordinance \(Ord. No. 24-0583\)](#), replacing the current Earned Sick Leave law effective [December 31, 2023](#).

Cook County’s existing law allows employees to accrue up to 40 hours of paid time off per year, with specified reasons for permitted use. The new law retains the accrual rate and maximum, but provides that [accrued leave may be used for any reason](#). In these respects, and in many others, Cook County’s accrued leave requirements now very closely resemble those of the statewide Paid Leave for All Workers Act (PLAWA) becoming effective January 1, 2024 (*see our [November 21 Update](#) for our latest coverage of the statewide law*).

Below is a comparison of the current and amended Cook County laws. Resources such as the required notice and FAQ will be available prior to January 1; employers are encouraged to check the County’s Commission on Human Rights’ dedicated [webpage](#) for updates. Regulations clarifying various aspects of the law are expected in the coming weeks.

Cook County, IL		
	Earned Sick Leave <i>Current</i>	Paid Leave <i>Effective 12/31/23</i>
<b>Covered Employers</b>	Any individual, partnership, association, corporation, limited liability company, business trust, or any person or group of persons that gainfully <a href="#">employs at least one Covered Employee with a place of business within Cook County</a> .  <b>Excludes:</b> <ul style="list-style-type: none"> <li>The government of the United States or a corporation wholly owned by the government of the United States;</li> <li>An Indian tribe or a corporation wholly owned by an Indian tribe;</li> <li>The government of the State or any agency or department thereof; or</li> <li>Units of local government.</li> </ul> <b>Note:</b> <ul style="list-style-type: none"> <li>If an employer and an employee are both located in a <a href="#">suburban municipality that has lawfully opted-out of the Ordinance</a>, the employer has no earned sick leave obligations to its employee under the Cook County</li> </ul>	Any individual, partnership, association, corporation, limited liability company, business trust, employment and labor placement agencies where wage payments are made directly or indirectly by the agency or business for work undertaken by employees under hire to a third party pursuant to a contract between the business or agency with the third party, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee, for which <a href="#">one or more persons</a> is gainfully employed. Includes units of local government and school districts.  <b>Excludes:</b> <ul style="list-style-type: none"> <li>The government of the United States or a corporation wholly owned by the government of the United States;</li> <li>An Indian tribe or a corporation wholly owned by an Indian tribe; or</li> <li>The government of the State or any agency or department thereof.</li> </ul> <b>Note:</b> The new ordinance does not address the ability for municipalities to opt out of



**Cook County, IL**

	<b>Earned Sick Leave</b> <i>Current</i>	<b>Paid Leave</b> <i>Effective 12/31/23</i>
	<p>Earned Sick Leave Ordinance (<a href="#">August 31, 2023 municipality participation list</a>).</p> <ul style="list-style-type: none"> <li>If an employer and an employee are both located in the <a href="#">City of Chicago</a>, enforcement of earned sick leave obligations lies with the City of Chicago’s Department of Business Affairs and Consumer Protection (“BACP”) under the City of Chicago’s Paid Sick Leave Ordinance.</li> </ul>	<p>the County’s accrued paid leave requirements. Regulations and/or other County resources may clarify. (<i>This may be a moot point given the implementation of the statewide law.</i>)</p> <p><i>The ordinance directs to the definition of “employer” in Sections 1 and 2 of the <a href="#">Illinois Wage Payment and Collection Act</a>. The information above reflects this definition and incorporates exceptions specified in the paid leave ordinance.</i></p>
<b>Covered Employees</b>	<p>A Covered Employee is any employee who, in any particular two-week period, performs at least two hours of work* for an Employer while physically present within the geographic boundaries of Cook County.</p> <p>Covered Employees who work at least <b>80 hours</b> for an employer <b>within any 120-day period</b> (<i>regardless of location</i>) are eligible to use Earned Sick Leave.</p> <p><b>Excludes:</b></p> <ul style="list-style-type: none"> <li>employees as defined in the federal <a href="#">Railroad Unemployment Insurance Act</a>;</li> <li>any Covered Employee working in the Construction Industry (<i>as defined</i>) who is covered by a bona fide collective bargaining agreement.</li> </ul> <p><i>* For purposes of this definition, time spent traveling in Cook County that is compensated time, including, but not limited to, deliveries, sales calls, and travel related to other business activity taking place within Cook County, constitutes work while physically present within the geographic boundaries of Cook County; however, time spent traveling in Cook County that is uncompensated commuting time does not.</i></p>	<p><b>All employees who work in Cook County</b>, including domestic workers*.</p> <p><b>Excludes:</b></p> <ul style="list-style-type: none"> <li>employees as defined in the federal <a href="#">Railroad Unemployment Insurance Act</a>;</li> <li>employees of the State or federal governments;</li> <li>employees working in the Construction Industry (<i>as defined in the ordinance</i>) who are covered by a bona fide collective bargaining agreement;</li> <li>a student enrolled in and regularly attending classes in a college or university that is also the student’s employer, and who is employed on a temporary basis at less than full time at the college or university;</li> <li>a short-term employee who is employed by an institution of higher education for less than two consecutive calendar quarters during a calendar year and who does not have a reasonable expectation that they will be rehired by the same employer of the same service in a subsequent calendar year.</li> </ul> <p><i>* The ordinance directs to the definition of “employee” in Sections 1 and 2 of the <a href="#">Illinois Wage Payment and Collection Act</a> (see the Act for the full definition). The information above incorporates the inclusion of domestic workers (as defined in <a href="#">§42-2</a>; see also <a href="#">§42-6(e)</a>) and exceptions specified in the paid leave ordinance.</i></p>
<b>Collective Bargaining Agreements</b>	<p>The law’s requirements may be waived in a bona fide collective bargaining agreement entered into after July 1, 2017, but only if the waiver is set forth explicitly in such agreement in clear and unambiguous terms.</p>	<ul style="list-style-type: none"> <li>The law does not affect the validity or change the terms of bona fide collective bargaining agreements (CBA) in effect on <b>January 1, 2024</b>. After that date, the law’s requirements may be waived in a CBA,</li> </ul>

Cook County, IL		
	Earned Sick Leave <i>Current</i>	Paid Leave <i>Effective 12/31/23</i>
	Excludes any Covered Employee working in the Construction Industry ( <i>as defined</i> ) who is covered by a bona fide collective bargaining agreement.	<p>but only if the waiver is set forth explicitly in clear and unambiguous terms.</p> <ul style="list-style-type: none"> <li>Excludes employees working in the Construction Industry (<i>as defined in the ordinance</i>) who are covered by a bona fide collective bargaining agreement</li> </ul>
<b>Interplay with Company Policies</b>	If an employer has a policy that grants Covered Employees paid time off in an amount and a manner that meets the requirements for Earned Sick Leave, the employer is not required to provide additional paid leave.	<ul style="list-style-type: none"> <li>Employers are not required to modify an existing leave policy if that policy:                             <ol style="list-style-type: none"> <li>satisfies the minimum amount of leave required under this law, and</li> <li>offers an employee the option, at the employee's discretion, to take paid leave for any reason.</li> </ol> </li> </ul> <p>Nothing in this law should be construed to discourage an employer from adopting a more generous paid leave policy.</p> <ul style="list-style-type: none"> <li>An employee may choose whether to use paid leave provided under this law prior to using any other leave provided by the employer or state law.</li> </ul>
<b>Leave Entitlement</b>	<ul style="list-style-type: none"> <li>Upon commencement of employment, employees accrue <b>1 hour for every 40 hours worked within the county</b>, up to <b>40 hours</b> in a 12-month period. The 12-month period for a Covered Employee is calculated from the date he or she begins to accrue Earned Sick Leave.</li> <li>Earned Sick Leave shall accrue only in hourly increments; there shall be no fractional accruals.</li> <li>Employers may choose to “frontload” time rather than follow the accrual method. Per Section 600.300 of the <a href="#">regulations</a>:                             <ul style="list-style-type: none"> <li><b>Employers who are not subject to FMLA</b> may comply by awarding its Covered Employees <b>60 hours</b> of Earned Sick Leave (i.e., 40 hours maximum annual accrual plus 20 hours maximum annual carryover).</li> <li><b>Employers subject to FMLA</b> may comply by awarding its Covered Employees <b>60 hours</b> of Ordinance-Restricted Earned Sick Leave and <b>40 hours</b> of FMLA-Restricted Earned Sick Leave.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Employees accrue a minimum of <b>1 hour</b> of paid leave for every <b>40 hours</b> worked, beginning the later of <b>December 31, 2023</b> or commencement of employment.                             <ul style="list-style-type: none"> <li>For purposes of accrual, employees exempt from overtime requirements under the Fair Labor Standards Act (FLSA) (<a href="#">29 USC 213(a)(1)</a>) are assumed to work 40 hours in each workweek unless their regular workweek is less than 40 hours, in which case paid leave accrues based on that regular workweek.</li> </ul> </li> <li>Employees may accrue up to <b>40 hours</b> of paid leave in a 12-month period, unless the employer provides a higher amount.                             <ul style="list-style-type: none"> <li>The <b>12-month period</b> may be any consecutive 12-month period designated by the employer in writing at time of hire.</li> <li>Changes to the 12-month period may be made if notice is given to employees in writing prior to the change and the change does not reduce the eligible accrual rate and paid leave available to the employee. If the employer changes the</li> </ul> </li> </ul>



**Cook County, IL**

	<b>Earned Sick Leave</b> <i>Current</i>	<b>Paid Leave</b> <i>Effective 12/31/23</i>
	<p>In both cases, the employer is no longer obligated to either track employees' accrual of Earned Sick Leave during the year or to allow carryover of unused accrued Earned Sick Leave from one accrual period to the next.</p>	<p>designated 12-month period, the employer must provide employees with documentation of the balance of hours worked, paid leave accrued and taken, and the remaining paid leave balance.</p> <ul style="list-style-type: none"> <li>• <b>Frontloading:</b> <ul style="list-style-type: none"> <li>• As an alternative to accrual, an employer may make available the minimum number of hours of paid leave (40) to an employee on the first day of employment or the first day of the designated 12-month period.</li> <li>• Employers that provide the minimum number of hours of paid leave to an employee on the first day of employment or the first day of the 12-month period are not required to carryover paid leave from one 12-month period to the next and may require employees to use all paid leave prior to the end of the benefit period or forfeit the unused paid leave</li> <li>• Under no circumstances may an employee be credited with an amount of leave that is less than what the employee would accrue based on their typical workweek.</li> </ul> </li> </ul>
<b>Reasons for Use</b>	<p>Earned Sick Leave may be used when:</p> <ul style="list-style-type: none"> <li>• The <b>employee is ill or injured</b>, or for the purpose of receiving medical care, treatment, diagnosis or preventive medical care;</li> <li>• A member of the employee's <b>family is ill or injured</b>, or to care for a family member receiving medical care, treatment, diagnosis or preventive medical care;</li> <li>• The employee or a member of the employee's family is the victim of <b>domestic violence</b> (as defined in Section 103 of the <u><a href="#">Illinois Domestic Violence Act of 1986</a></u>), or is the victim of <b>sexual violence or stalking</b> (as defined in Articles 11, 12-7.3, 12-7.4, and 12-7.5 of the <u><a href="#">Illinois Criminal Code of 2012</a></u>); or</li> </ul>	<p>Paid leave may be taken <b>for any reason</b> of the employee's choosing.</p>

**Cook County, IL**

	<b>Earned Sick Leave</b> <i>Current</i>	<b>Paid Leave</b> <i>Effective 12/31/23</i>
	<ul style="list-style-type: none"> <li>The employee's <b>place of business is closed</b> by order of a public official due to a public health emergency, or he or she needs to care for a child whose <b>school or place of care has been closed</b> by order of a public official due to a public health emergency. For the purposes of this section, "public health emergency" is an event that is defined as such by a Federal, State or Local government, including a school district.</li> </ul>	
<b>Use</b>	<ul style="list-style-type: none"> <li>Accrued time may be used beginning on the <b>180<sup>th</sup> day</b> following commencement of employment.</li> <li>A Covered Employee is entitled to use no more than <b>40 hours</b> of Earned Sick Leave per 12-month period, unless his or her employer sets a higher limit. The 12-month period for a Covered Employee is calculated from the date he or she began to accrue Earned Sick Leave.</li> <li>If a Covered Employee carries over 40 hours of <b>Family and Medical Leave Act</b> leave (<i>described in the Carryover section below</i>) and uses that leave, he or she is entitled to use no more than an <b>additional 20 hours</b> of accrued Earned Sick Leave in the same 12-month period, unless the Employer sets a higher limit.</li> <li>A Covered Employee must be allowed to determine how much accrued Earned Sick Leave he or she needs to use, provided that his or her employer may set a reasonable <b>minimum increment</b> requirement not to exceed <b>four hours</b> per day.</li> <li>If a Covered Employee's need for Earned Sick Leave is reasonably <b>foreseeable</b>, an employer may require up to <b>seven days' notice</b> before leave is taken. If the need for Earned Sick Leave is <b>not reasonably foreseeable</b>, an employer may require the Covered Employee to provide notice <b>as soon as is practicable</b> on the day the employee intends to take Earned Sick Leave by</li> </ul>	<ul style="list-style-type: none"> <li>Employees may use accrued paid leave beginning <b>March 30, 2024</b> or <b>90 days</b> after commencement of employment, whichever is later.</li> <li>Employees may use up to <b>40 hours</b> of accrued leave per 12-month period.</li> <li>Employees may determine how much paid leave they need to use; however, employers may set a reasonable <b>minimum increment</b> for the use of paid leave not to exceed <b>2 hours</b> per day. If an employee's scheduled workday is less than 2 hours day, the employee's scheduled workday shall be used to determine the amount of paid leave.</li> <li>An employee is not required to provide an employer a reason for the leave and may <b>not be required to provide documentation or certification</b> as proof or in support of the leave.</li> <li>Paid leave must be provided upon the <b>verbal or written request</b> of an employee in accordance with the employer's reasonable paid leave policy notification requirements which may include the following: <ul style="list-style-type: none"> <li>If the need for paid leave is <b>foreseeable</b>, the employer may require the employee to provide <b>seven calendar days' notice</b> before the date the leave is to begin.</li> <li>If the need for paid leave is <b>not foreseeable</b>, the employee must provide such notice <b>as soon as is practicable</b> after the employee is aware of the necessity of the leave.</li> </ul> </li> </ul>

**Cook County, IL**

	<b>Earned Sick Leave</b> <i>Current</i>	<b>Paid Leave</b> <i>Effective 12/31/23</i>
	<p>notifying the employer via phone, e-mail, or text message.</p> <ul style="list-style-type: none"> <li>Where a Covered Employee is absent for more than <b>three consecutive work days</b>, his or her Employer may require certification that the use of Earned Sick Leave was for a qualifying purpose.</li> <li>An employer may not require, as a condition of a Covered Employee taking Earned Sick Leave that he or she search for or find a replacement worker to cover the hours during which he or she is on Earned Sick Leave.</li> </ul>	<ul style="list-style-type: none"> <li>An employer that requires notice of paid leave when the leave is not foreseeable shall provide a <b>written policy</b> that contains procedures for the employee to provide notice.</li> <li>Within 5 calendar days of any change to the employer's reasonable paid leave policy notification requirements, the employer must provide employees with written notice of the revised requirements in accordance with the notice and posting requirements above.</li> <li>Employees must be paid their <b>hourly rate of pay</b> for paid leave. However, employees engaged in an occupation in which gratuities or commissions have customarily and usually constituted and have been recognized as part of the remuneration for hire purposes must be paid at least the full <b>minimum wage</b> in the jurisdiction in which they are employed when paid leave is taken. This wage will be treated as the employee's regular rate of pay for purposes of paid leave.</li> <li>During any period an employee takes accrued leave the employer must maintain coverage for the employee and any family member under any <b>group health plan</b> for the duration of leave at no less than the level and conditions of coverage that would have been provided if the employee had not taken the leave. The employer must notify the employee that the employee is still responsible for paying the employee's share of the cost of the health care coverage, if any.</li> <li>An employer may not require that an employee search for or find a replacement worker to cover the hours during which the employee takes paid leave.</li> <li>Employers are prohibited from interfering with, denying, or changing an employee's work days or hours to avoid providing eligible paid leave time.</li> </ul>
<b>Carryover</b>	<ul style="list-style-type: none"> <li>At the end of a Covered Employee's 12-month accrual period, he or she must be allowed to carry over to the following 12-month period <b>half of his or her unused</b></li> </ul>	<ul style="list-style-type: none"> <li>Unused paid leave <b>carries over</b> from one 12-month period to the next.</li> <li>Carryover is <b>not required if time is frontloaded</b>. Employers that provide the</li> </ul>

**Cook County, IL**

	<b>Earned Sick Leave</b> <i>Current</i>	<b>Paid Leave</b> <i>Effective 12/31/23</i>
	<p>accrued <b>Earned Sick Leave</b>, up to a maximum of <b>20 hours</b>.</p> <ul style="list-style-type: none"> <li>If an employer is subject to the <b>Family and Medical Leave Act (FMLA)</b>, each of the employer's Covered Employees must be allowed, at the end of his or her 12-month accrual period, to carry over up to an <b>additional 40 hours</b> of his or her unused accrued Earned Sick Leave, to use exclusively for FMLA-eligible purposes.</li> <li>Carryover is not required if time is <b>frontloaded</b> as described in the Leave Entitlement section above.</li> </ul>	<p>minimum number of hours of paid leave to an employee on the first day of employment or the first day of the 12-month period are not required to carryover paid leave from one 12-month period to the next and may require employees to use all paid leave prior to the end of the benefit period or forfeit the unused paid leave.</p>
<b>Termination, Transfer and Rehire</b>	<ul style="list-style-type: none"> <li>Unless an applicable collective bargaining agreement provides otherwise, upon a Covered Employee's termination, resignation, retirement or other separating from employment, his or her employer is <b>not required</b> to provide financial or other reimbursement for unused Earned Sick Leave</li> <li>A Covered Employee who is <b>rehired</b> by the same employer within <b>120 days</b> since his or her separation from service will be considered to have continued his or her employment with that employer for purposes of eligibility to accrue use Earned Sick Leave, and the number of days passed in any applicable Use Waiting Period.</li> </ul>	<ul style="list-style-type: none"> <li>Employers are <b>not required</b> to provide financial or other payment to an employee for accrued but unused leave upon the employee's termination, resignation, retirement, or other separation from employment, at the end of the benefit year, or at any other time. <i>However</i>, if the paid leave under this law is credited to an employee's <b>paid time off bank</b> or <b>employee vacation account</b>, then any unused paid leave must be paid to the employee upon the employee's termination, resignation, retirement, or other separation to the same extent as vacation time or paid time off under the <b>Illinois Wage Payment and Collection Act</b> and its <b>rules</b>. Employers must provide employees with written notice of changes to the employer's vacation time, paid time off, or other paid leave policies that affect an employee's right to final compensation for such leave.</li> <li>If an employee is <b>transferred</b> to a separate division, entity, or location, but remains employed by the same employer, the employee is entitled to use all paid leave accrued at the prior division, entity, or location.</li> <li>If there is a separation from employment and the employee is <b>rehired</b> within <b>12 months</b> of separation by the same employer, previously accrued paid leave that had not been used by the employee must be reinstated. The employee is entitled to use accrued paid leave at the</li> </ul>

Cook County, IL		
	Earned Sick Leave <i>Current</i>	Paid Leave <i>Effective 12/31/23</i>
<b>Notice to Employees</b>	<p>Notice of rights under the ordinance must be:</p> <ol style="list-style-type: none"> <li>1) <a href="#">posted in a conspicuous place</a> at each place of business where any Covered Employee works within the geographic boundaries of Cook County;</li> <li>2) provided to Covered Employees                             <ul style="list-style-type: none"> <li>• at <a href="#">commencement of employment</a>, and</li> <li>• at least <a href="#">once per calendar year</a>.</li> </ul> </li> </ol>	<p>commencement of employment following a separation from employment of 12 months or less.</p> <ul style="list-style-type: none"> <li>• Employers must notify their employees of their rights and responsibilities under the law, as well as how to file a complaint. The notice must be:                             <ol style="list-style-type: none"> <li>1) <a href="#">posted</a> in a conspicuous place, in English and any language spoken by a significant portion of employees; and</li> <li>2) <a href="#">provided to each employee</a> by the later of <a href="#">March 30, 2024</a> or an individual's <a href="#">commencement of employment</a>. This notice may be standalone or incorporated into any written policy that the employer maintains, such as an employee handbook.</li> </ol> <p>The Cook County Commission on Human Rights will publish a model notice in several languages for employers to utilize for this purpose.</p> </li> <li>• <a href="#">Upon an employee's request</a>, an employer that provides paid leave on an accrual basis must provide notice of the amount of paid leave accrued or used by the employee in accordance with the employer's reasonable paid leave policy notification provisions.</li> <li>• Additional notification requirements:                             <ul style="list-style-type: none"> <li>• If an employer changes the 12-month period designated for accrual and use, the employer must notify employees in writing prior to the change, and provide documentation of the balance of hours worked, paid leave accrued and taken, and the remaining paid leave balance.</li> <li>• An employer that requires notice of paid leave when the leave is not foreseeable must provide a written policy that contains procedures for the employee to provide notice.</li> <li>• Within 5 calendar days of any change to the employer's reasonable paid leave policy notification requirements, the employer must</li> </ul> </li> </ul>

**Cook County, IL**

	<b>Earned Sick Leave</b> <i>Current</i>	<b>Paid Leave</b> <i>Effective 12/31/23</i>
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		<p>provide employees with written notice of the revised requirements in accordance with the notice and posting requirements above.</p> <ul style="list-style-type: none"> <li>Employers must provide employees with written notice of changes to the employer's vacation time, paid time off, or other paid leave policies that affect an employee's right to final compensation for such leave.</li> </ul>
<b>Recordkeeping</b>	<p>Covered Employers are not required to retain any records prior to being named as respondents to a claim filed under the Ordinance with the Commission. The Commission, however, anticipates that moderately sophisticated Covered Employers who are complying with the Ordinance will have personnel and payroll records that are sufficient to demonstrate over the course of the <b>three most recent years</b>:</p> <ul style="list-style-type: none"> <li>each Covered Employee's name;</li> <li>each Covered Employee's Contact Information, including mailing address, telephone number and/or email address;</li> <li>each Covered Employee's occupation or job title;</li> <li>each Covered Employee's hire date;</li> <li>the number of hours that each Covered Employee worked each workweek or pay period;</li> <li>the number of hours of Earned Sick Leave each Covered Employee was awarded;</li> <li>the number of hours of Earned Sick Leave each Covered Employee used; and</li> <li>the date upon which each Covered Employee used Earned Sick Leave.</li> </ul>	<p>Records documenting hours worked, paid leave accrued and taken, and remaining paid leave balance for each employee must be maintained for a period of not less than <b>three years</b>. Employers must allow the Cook County Commission on Human Rights access to such records, at reasonable times during business hours, to monitor compliance with the law's requirements. In addition, the records must be preserved for the duration of any claim of violation.</p>
<b>Anti-Retaliation</b>	<p>It shall be unlawful for any employer to discriminate in any manner or take any adverse action against any Covered Employee in retaliation for exercising, or attempting in good faith to exercise, any right under this law, including, but not limited to, disclosing, reporting, or testifying</p>	<p>It is unlawful for any employer to threaten to take or to take any adverse action against an employee because the employee (1) exercises rights or attempts to exercise rights under this law, (2) opposes practices which the employee believes to be in violation of this law, or (3) supports the exercise of rights of another under this law.</p>



Cook County, IL	
Earned Sick Leave <i>Current</i>	Paid Leave <i>Effective 12/31/23</i>
<p>about any violation of this Division or regulations promulgated thereunder.</p> <p>Prohibited adverse actions include, but are not limited to, unjustified termination, unjustified denial of promotion, unjustified negative evaluations, punitive schedule changes, punitive decreases in the desirability of work assignments, and other acts of harassment shown to be linked to such exercise of rights.</p> <p>An employer shall not use its absence-control policy to count Earned Sick Leave as an absence that triggers discipline, discharge, demotion, suspension, or any other adverse activity.</p>	<p>It is unlawful for any employer to consider the use of paid leave by an employee as a negative factor in any employment action that involves evaluating, promoting, disciplining, or counting paid leave under a no-fault attendance policy.</p> <p>Such retaliation shall subject an employer to civil penalties pursuant to this law. An employee who has been unlawfully retaliated against may also be entitled to recover through a claim filed with the Cook County Commission on Human Rights, all legal and equitable relief as may be appropriate.</p>

**2024 Paid Family and Medical Leave (PFML) Benefits, Rates and Required Notices**

Updates since our [November 21 release](#) are highlighted blue.

<b>California</b> State Disability Insurance (CA SDI) and Paid Family Leave (CA PFL)		
	<b>2023</b>	<b>2024</b>
Maximum Duration	SDI: 52 weeks PFL: 8 weeks per 12-month period	No Change
Waiting Period	SDI: 7 days PFL: None	
Benefit Percentage	<ul style="list-style-type: none"> <li>If High Quarter earnings &lt; 1/3 of the State's Average Quarterly Wage (SAQW): 70%</li> <li>If High Quarter earnings =&gt; 1/3 of the SAQW: 60% (SAQW = 13x SAWW)</li> </ul>	No Change <i>SB951</i> extended current benefit levels through 2024.
State Average Weekly Wage (SAWW)	\$1,651	\$1,642
Maximum Weekly Benefit	\$1,620	\$1,620
Contribution Rate <i>Employee-Paid</i>	.9%	1.1%
Taxable Wage Ceiling	\$153,164	None <i>Eliminated effective 1/1/2024 via SB951.</i>
Maximum Employee Contribution	\$1,378.48 per year	No maximum
Required Notice	Worksite poster (Notice to Employees / DE 1857A), plus individual notices (DE 2515 and DE 2511) provided at hire and the time of need for leave (These documents may be found <a href="#">here</a> , and are not necessarily updated each year. Note that <a href="#">Voluntary Plans</a> have additional notice requirements.)	

<b>Colorado</b> Family and Medical Leave Insurance (CO FMLI)		
	<b>2023</b>	<b>2024</b>
Maximum Duration	<i>Benefits entitlement begins January 1, 2024</i>	12 weeks per 12-month period; +4 weeks for serious health condition related to pregnancy or childbirth
Waiting Period		No waiting period
Benefit Formula		1) 90% of the EAWW* that is equal to or less than 50% of the SAWW, <i>plus</i> 2) 50% of the EAWW that is greater than 50% of the SAWW * Employee's Average Weekly Wage, as defined
State Average Weekly Wage (SAWW)		\$1,421.16 eff. 7/1/23
Maximum Weekly Benefit (90% of SAWW beginning in 2025)		\$1,100 90% of SAWW beginning in 2025

Contribution Rate <i>Employee- and Employer-Paid</i>	.9% "Small businesses" with <10 employees are not required to pay the employer contribution; employee contribution remains the same.	.9% "Small businesses" with <10 employees are not required to pay the employer contribution; employee contribution remains the same.
Maximum Employee Contribution Rate	.45%	.45%
Taxable Wage Base ( <a href="#">SSA</a> )	\$160,200	\$168,600
Maximum Contribution	\$1,441.80 (\$720.90 Employee) per year	\$1,517.40 (\$758.70 Employee) per year
Base Period Earnings Threshold (see <a href="#">Employee Handbook</a> )	N/A	\$2,500
Required Notice	Notice posted and provided at hire and at the time of need for leave. (The CO FAMILI Division has confirmed that the <b>2023 Required Program Notice will not be updated for 2024</b> ; the Notice may be found <a href="#">here</a> .)	

<b>Connecticut Paid Leave (CT PL)</b>		
	2023	2024
Maximum Duration	12 weeks per 12-month period; +2 weeks for employee's pregnancy incapacity Family Violence: 12 days	No Change
Waiting Period	No waiting period	No Change
Benefit Percentage	<ol style="list-style-type: none"> <li>1) 95% of the employee's Base Weekly Earnings equal to or less than 40x the Minimum Fair Wage, <i>plus</i></li> <li>2) 60% of the employee's Base Weekly Earnings above 40x the Minimum Fair Wage</li> </ol>	No Change
Minimum Fair Wage (MFW)	\$15/hour (increased from \$14/hour eff. 6/1/23)	\$15.69/hour (increased from \$15/hour eff. 1/1/24)
Maximum Weekly Benefit (60x MFW)	\$900 (increased from \$840 eff. 6/1/23)	\$941.40 (increased from \$900 eff. 1/1/24)
Contribution Rate <i>Employee-Paid</i>	.5%	.5%
Taxable Wage Base ( <a href="#">SSA</a> )	\$160,200	\$168,600
Maximum Employee Contribution	\$801 per year	\$843 per year
<a href="#">Base Period Earnings Threshold</a>	\$2,325 in the highest-earning quarter of the first 4 of the last 5 completed quarters	No Change
Required Notice	Notice posted and provided at hire, annually and at the time of need for leave. (The <a href="#">Employer's Written Notice of Employee's Rights under CTFMLA and CTPL</a> template is posted on the CT DOL's <a href="#">website</a> . This document is not necessarily updated each year).	

**Delaware  
Paid Family and Medical Leave (DE PFML)**

*Contributions begin January 1, 2025; benefits entitlement begins January 1, 2026.*

**District of Columbia  
Paid Family Leave (DC PFL)**

	2023	2024
Maximum Duration	<ul style="list-style-type: none"> <li>• Own Illness: 12 weeks</li> <li>• Family Care: 12 weeks</li> <li>• Bonding: 12 weeks</li> <li>• Pre-natal Medical Leave: 2 weeks</li> <li>• Combined maximum: 12 weeks in a 52-week period (potential for 14 weeks Pre-natal and Parental combined)</li> </ul>	No Change
Waiting Period	None	No Change
Benefit Formula	<ul style="list-style-type: none"> <li>• If EAWW* ≤ 150% of DC min. wage x 40: 90%</li> <li>• If EAWW &gt; 150% of DC min. wage x 40:                             <ol style="list-style-type: none"> <li>1) 90% of 150% of DC min. wage x 40 <i>plus</i></li> <li>2) 50% of the amount EAWW exceeds 150% of the DC min. wage x 40</li> </ol> </li> </ul> <p><small>* Employee's Average Weekly Wage, as defined</small></p>	No Change
DC Minimum Wage	<p><b>\$17.00/hour</b> (increased from \$16.10/hour eff. 7/1/23)</p>	
Maximum Weekly Benefit	<p><b>\$1,118</b> (increased from \$1,049 eff. 10/1/23; corrected from 7/1/23 based on confirmation received from DOES in January 2024)</p>	
Contribution Rate <i>Employer-Paid</i>	.26%	No Change for 1/1/24
Maximum Contribution	No maximum	
Required Notice	<p>Notice posted and provided at hire, annually and at the time of need for leave. (The '2024 Notice to Employees' is available for download <a href="#">here</a>.)</p>	

<b>Hawaii Temporary Disability Insurance (HI TDI)</b>		
	<b>2023</b>	<b>2024</b>
Maximum Duration	26 weeks	No Change
Waiting Period	7 days	
Benefit Percentage	58%	
Maximum Weekly Benefit	\$765	<b>\$798</b>
Employee Contribution Rate <i>Employee- and Employer-Paid; Employer pays any balance required</i>	Up to ½ of plan costs, max .5%	No Change
Maximum Weekly Wage Base	\$1,318.48	<b>\$1,374.78</b>
Maximum Employee Contribution	\$6.59 per week	<b>\$6.87 per week</b>
<u>Base Period Earnings Threshold</u>	\$400	No Change
Required Notice	Worksite poster (This document may be found <a href="#">here</a> , and is not necessarily updated each year.)	

**Maine  
Paid Family and Medical Leave (ME PFML)**

*Contributions begin January 1, 2025; benefits entitlement begins May 1, 2026.*

**Maryland  
Family and Medical Leave Insurance (MD FMLI)**

	<b>2023</b>	<b>2024</b>
Maximum Duration		<i>Benefits entitlement begins January 1, 2026</i>
Waiting Period		
Benefit Percentage		
State Average Weekly Wage (SAWW)		
Maximum Weekly Benefit		
Contribution Rate <i>Employee- and Employer-Paid</i>	<i>Contributions begin October 1, 2024</i>	<b>.9%</b> <i>Employers with &lt;15 employees are not required to pay the employer contribution; employee contribution remains the same.</i>
Maximum Employee Contribution Rate		<b>.45%</b>
Taxable Wage Base ( <a href="#">SSA</a> )		<b>\$168,600</b>

Maximum Contribution		\$1,517.40 (\$758.70 Employee) per year
Required Notice	Notice provided at hire, annually, and at the time of need for leave. (The model notice is not yet available.)	

**Massachusetts  
Paid Family and Medical Leave (MA PFML)**

	2023	2024
Maximum Duration	<ul style="list-style-type: none"> <li>Own Illness: 20 weeks</li> <li>Family Care, Bonding, or Qualifying Exigency: 12 weeks</li> <li>Injured Servicemember: 26 weeks</li> <li>Combined maximum: 26 weeks in a 52-week period</li> </ul>	No Change
Waiting Period	7 days, except for bonding leave immediately following pregnancy disability	
Benefit Formula	<ul style="list-style-type: none"> <li>80% of EAWW* =&lt; 50% of SAWW, <i>plus</i></li> <li>50% of EAWW &gt; 50% of SAWW</li> </ul> <i>* Employee's Average Weekly Wage, as defined</i>	
State Average Weekly Wage (SAWW)	\$1,765.34	\$1,796.72
Maximum Weekly Benefit	\$1,129.82	\$1,149.90
Contribution Rate <i>Employee- and Employer-Paid</i>	.63% Total Contribution .52% Medical, .11% Family Care  <i>Employers with &lt;25 employees in MA are not required to pay the employer contribution; employee contribution remains the same.</i>	.88% Total Contribution .70% Medical, .18% Family Care  <i>Employers with &lt;25 employees in MA are not required to pay the employer contribution; employee contribution remains the same.</i>
Maximum Employee Contribution Rate	.318% (.208% Medical, .11% Family Care)	.46% (.28% Medical, .18% Family Care)
Taxable Wage Base (SSA)	\$160,200	\$168,600
Maximum Contribution	\$1,009.26 (~\$509.44 Employee) per year	\$1,483.68 (~\$775.56 Employee) per year
Base Period Earnings Threshold	\$6,000	\$6,300
Required Notice	Workplace poster, plus individual notice to be provided within 30 days of hire (employee acknowledgment is required for the individual notice) (The 2024 versions are available <a href="#">here.</a> ) Employers are required to give notice to employees 30 days in advance of a rate change. (i.e., by December 2).	

**Minnesota  
Paid Family and Medical Leave (MN PFML)**

*Contributions and benefits entitlement begin January 1, 2026.*



<b>New Hampshire Paid Family and Medical Leave Insurance (NH PFML)</b>		
<i>Voluntary for Private Employers and Individuals. Benefit amounts below reflect those under insured plans available through MetLife beginning January 1, 2023. Visit the <a href="#">NH PFML</a> and <a href="#">MetLife</a> websites for more information.</i>		
Reasons for Leave	Own Illness (when STD does not apply), Family Care, Bonding, Qualifying Exigency, Military Caregiver	
Maximum Duration	Group Plans: 6- or 12-week options Individual: 6 weeks	
Waiting Period	7 days	
Benefit Percentage	60%	
	<b>2023</b>	<b>2024</b>
Taxable Wage Base ( <a href="#">SSA</a> )	\$160,200	\$168,600
Maximum Weekly Benefit (60% of SSA Taxable Wage Base (weekly))	\$1,848.46	\$1,945.38

<b>New Jersey Temporary Disability Insurance (NJ TDI) and Family Leave Insurance (NJ FLI)</b>		
	<b>2023</b>	<b>2024</b>
Maximum Duration	TDI: 26 weeks FLI: 12 weeks	No Change
Waiting Period	TDI: 7 days* FLI: None <i>* Except for bone/organ donation and during state of emergency; payment is retroactive if disability lasts longer than 21 days</i>	
Benefit Percentage	85%	
Maximum Weekly Benefit	\$1,025	\$1,055
State Average Weekly Wage ( <a href="#">SAWW</a> )	\$1,465.18	\$1,507.76
Employee Contribution Rate <i>NJ TDI is Employee- and Employer-Paid; Employer contribution rate varies. NJ FLI is Employee-Paid</i>	TDI: .0% FLI: .06%	TDI: .0% FLI: .09%
Employee Taxable Wage Base	\$156,800	\$161,400
Maximum Employee Contribution	TDI: N/A FLI: \$94.08 per year	TDI: N/A FLI: \$145.26 per year
Employer Taxable Wage Base	\$41,100	\$42,300
Eligibility - Base Week Amount	\$260 for 20 weeks	\$283 for 20 weeks

Alternative Earnings Test	\$13,000 in the first 4 of the last 5 completed quarters preceding claim	\$14,200 in the first 4 of the last 5 completed quarters preceding claim
Required Notice	<p>Notice posted in the workplace and provided at hire and at the time of need for leave. (These documents may be found <a href="#">here</a>, and are not necessarily updated each year.)</p> <p>Employers with self-funded private plans must also post an "Annual Notice to Employees". This notice must be updated annually and a copy sent to the Private Plan Compliance Section. A sample is included in the <a href="#">Self-Insured Private Plan Guide</a>.</p>	

New York Disability Benefits Law (NY DBL)		
	2023	2024
Maximum Duration	26 weeks Max. 26 weeks in a 52-week period combined with NY PFL	No Change
Waiting Period	DBL: 7 days	
Benefit Percentage	50%	
Maximum Weekly Benefit	\$170	
Employee Contribution Rate <i>Employee- and Employer- Paid; Employer pays any balance required.</i>	.5%	
Maximum Employee Contribution	\$31.20 per year	
Required Notice	<p>Posted Notice of Compliance (DBL-120 for insured plans) or Certificate of Participation in Group Disability Self-Insurance (DB-120.2 for self-funded plans), plus individual Statement of Rights (DB-271S) provided at the time of need for leave. (The DB-271S may be found <a href="#">here</a>, and is not necessarily updated each year.)</p>	

New York Paid Family Leave (NY PFL)		
	2023	2024
Maximum Duration	12 weeks Max. 26 weeks in a 52-week period combined with NY DBL	No Change
Waiting Period	None	
Benefit Percentage	67%	
State Average Weekly Wage (SAWW)	\$1,688.19	\$1,718.15
Maximum Weekly Benefit (67% of SAWW)	\$1,131.08	\$1,151.16
Contribution Rate <i>Employee-Paid</i>	.455%	.373%
Maximum Employee Contribution	\$399.43 per year	\$333.25 per year

Required Notice	<p>Posted Notice of Compliance (<a href="#">PFL-120</a> for insured plans, employers with self-funded plans may <a href="#">request</a> from NY WCB), plus individual Statement of Rights (PFL-271S) provided at the time of need for leave.</p> <p><i>(The PFL-271S may be found <a href="#">here</a>, and is not necessarily updated each year.)</i></p>
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**Oregon  
Paid Family and Medical Leave (OR PFML)**

	2023	2024
Maximum Duration	<p>12 weeks per 12-month period, with an additional 2 weeks for pregnancy limitations. <i>An employee may be eligible for up to 16 weeks (18 weeks with pregnancy limitations) of paid OR PFML and unpaid OR Family Leave Act (OFLA) leave in a Benefit Year.</i></p>	
Waiting Period	None	No Change
Benefit Percentage	<ul style="list-style-type: none"> <li>• If EAWW* =&lt; 65% of SAWW: 100% of EAWW</li> <li>• If EAWW &gt; 65% of SAWW: 65% of SAWW <i>plus</i> 50% of EAWW that is greater than 65% of SAWW</li> </ul> <p><i>* Employee's Average Weekly Wage, as defined</i></p>	
State Average Weekly Wage (SAWW)	<p><b>\$1,269.69</b> <i>(7/1/23 - 6/30/24)</i></p>	
Maximum Weekly Benefit (120% of SAWW)	<p><b>\$1,523.63</b> <i>(9/3/23 - 6/30/24)</i></p>	
Contribution Rate <i>Employee- and Employer-Paid</i>	<p>1.0%</p> <p><i>Employers with &lt;25 employees nationwide are not required to pay the employer contribution; employee contribution remains the same.</i></p>	<p><b>1.0%</b></p> <p><i>Employers with &lt;25 employees nationwide are not required to pay the employer contribution; employee contribution remains the same.</i></p>
Maximum Employee Contribution Rate	.6%	<b>.6%</b>
Taxable Wage Base <i>(switches to SSA in 2024)</i>	\$132,900	<b>\$168,600</b>
Maximum Contribution	<p>\$1,329 Total <i>(\$797.40 Employee)</i> per year</p>	<p><b>\$1,686 Total</b> <b><i>(\$1,011.60 Employee)</i></b> per year</p>
Base Period Earnings Threshold <i>(see <a href="#">Employee Guidebook</a>)</i>	\$1,000	No Change
Required Notice	<p>Notice posted at each work site and provided electronically or by mail to any remote workers. <i>(The model notice may be found <a href="#">here</a>.)</i></p> <p><i>Note: OED has also provided an Equivalent Plan Model Notice Template for employers sponsoring private plans (found under <a href="#">More Resources</a>).</i></p>	

<b>Puerto Rico</b>		
<b>Seguro por Incapacidad No Ocupacional Temporal (SINOT)</b>		
	<b>2023</b>	<b>2024</b>
Maximum Duration	26 weeks	No Change
Waiting Period	7 days, except for hospitalization	
Benefit Percentage	65%	
Maximum Weekly Benefit	\$113	
Contribution Rate <i>Employee- and Employer-Paid</i>	.6% of first \$9,000 of earnings	
Maximum Employee Contribution	.3% of first \$9,000 of earnings \$27 per year	
Required Notice	Worksite poster as well as individual certificate/notice of benefits (The poster may be found <a href="#">here</a> , and is not necessarily updated each year.)	

<b>Rhode Island</b>		
<b>Temporary Disability Insurance (RI TDI) and Temporary Caregiver Insurance (RI TCI)</b>		
	<b>2023</b>	<b>2024</b>
Maximum Duration	TDI: 30 weeks TCI: 6 weeks Combined maximum: 30 weeks in a 52-week period	No Change
Waiting Period	TDI: None* TCI: None <i>* Benefits are paid retroactively to first day if disability lasts at least 7 days</i>	No Change
Benefit Percentage	4.62% of wages paid in the highest quarter of the Base Period	No Change
Maximum Weekly Benefit	\$1,043; \$1,408 with dependency allowance (7/1/23 - 6/30/24)	
Contribution Rate <i>Employee-Paid</i>	1.1%	1.2%
Taxable Wage Base	\$84,000	\$87,000
Maximum Employee Contribution	\$924.00 per year	\$1,044 per year
<a href="#">Base Period Earnings Threshold</a>	\$15,600 in Base Period earnings; or (1) \$2,600 in at least one Base Period quarter; (2) Base Period taxable wages at least 1.5x highest quarter of earnings; and (3) \$5,200 of taxable wages in Base Period	\$16,800 in Base Period earnings; or (1) \$2,800 in at least one Base Period quarter; (2) Base Period taxable wages at least 1.5x highest quarter of earnings; and (3) \$5,600 of taxable wages in Base Period
Required Notice	Worksite poster (The individual <i>Unemployment/TDI poster</i> is not year-specific; the <i>Combination Poster</i> may also be utilized, but the 2024 version is not yet available as of 12/20. Both may be found <a href="#">here</a> .)	

<b>Vermont Family and Medical Leave Insurance (VT FMLI)</b>		
<i>Voluntary for Private Employers and Individuals</i>		
<i>Effective July 1, 2023 for State Employees, July 1, 2024 for Private Employers; July 1, 2025 for Individuals</i>		
<i>The information below reflects benefits available to state employees beginning July 1, 2023; plan design options may be available for employers sponsoring programs for their employees through The Hartford beginning July 1, 2024.</i>		
<i>Visit <a href="#">The Hartford's website</a> for more information.</i>		
Reasons for Leave	Own Illness, Family Care, Bonding, Qualifying Exigency, Military Caregiver	
Maximum Duration	6 weeks per 12-month period	
Waiting Period	7 days for medical leave, none for family leave	
Benefit Percentage	60%	
	2023	2024
Taxable Wage Base ( <a href="#">SSA</a> )	\$160,200	\$168,600
Maximum Weekly Benefit (60% of SSA Taxable Wage Base (weekly))	\$1,848.46	\$1,945.38

<b>Washington Paid Family and Medical Leave (WA PFML)</b>		
	2023	2024
Maximum Duration	<ul style="list-style-type: none"> <li>• Own Illness: 12 weeks; +2 weeks for pregnancy incapacity (PI)</li> <li>• Family Care: 12 weeks</li> <li>• Combined maximum: 16 weeks in a 52-week period (18 weeks w/PI)</li> </ul>	<i>No Change</i>
Waiting Period	7 days, except for medical leave for childbirth (eff. 6/9/22), bonding leave or qualifying exigency	
Benefit Formula	<ul style="list-style-type: none"> <li>• If EAWW* =&lt; 1/2 SAWW: 90%</li> <li>• If EAWW &gt; 1/2 SAWW: 90% of 1/2 of the SAWW <i>plus</i> 50% of the difference of the EAWW and 1/2 of the SAWW</li> </ul> * <i>Employee's Average Weekly Wage, as defined</i>	
State Average Weekly Wage ( <a href="#">SAWW</a> )	\$1,586	\$1,618
Maximum Weekly Benefit (90% of SAWW)	\$1,427	\$1,456
Contribution Rate <i>Employee- and Employer-Paid</i>	.8% Total Contribution <i>Employers with &lt;50 employees in WA are not required to pay the employer portion of premium; employee contribution remains the same.</i>	.74% Total Contribution <i>Employers with &lt;50 employees in WA are not required to pay the employer portion of premium; employee contribution remains the same.</i>
Maximum Employee Contribution Rate	72.76% of Total Contribution rate (~.582% of wages)	71.43% of Total Contribution rate (.52858% of wages)
Taxable Wage Base ( <a href="#">SSA</a> )	\$160,200	\$168,600

Maximum Contribution	\$1,281.60 Total (~\$932.49 Employee) per year	\$1,247.64 Total (~\$891.19 Employee) per year
Required Notice	Worksite poster, plus individual Statement of Employee Rights (“Employer to Employee Notice”) at the time of need for leave (The 2024 poster is available, and the Employer to Employee Notice is not necessarily updated each year. Both may be found <a href="#">here</a> .)	

**Please contact your MMA account team members with specific questions about this or other Updates. View past Updates on the Absence, Disability & Life blog at <https://mma-adl.com/blog/>.**

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