

NYS Paid Family Leave

The Library provides paid family leave (up to a certain percentage of weekly wages) to eligible employees in accordance with New York State's Paid Family Leave Act (the "NYPFLA"). Effective April 1, 2026, the Library provides paid family leave to eligible employees pursuant to the NYPFLA. An eligible employee may take up to twelve (12) weeks of paid family leave and receive 67% of the employee's average weekly wage, up to and capped at 67% of the New York State Average Weekly Wage (as defined by law). For example, an eligible employee who earns \$1000/week would receive a benefit of \$670/week. See www.paidfamilyleave.ny.gov for information on this year's maximum weekly benefit and more. This information is presumed to be accurate as of the date that this policy was adopted; however, it is subject to change.

i) Eligibility

To be eligible for paid family leave, employees must: (i) regularly work twenty (20) or more hours per week and be employed by the Library for at least twenty-six (26) consecutive work weeks preceding the first full day that family leave is taken; or (ii) regularly work less than twenty (20) hours per week and be employed by the Library for at least one hundred seventy-five (175) non-consecutive days preceding the first full day that family leave is taken. Substitute staff who regularly work fewer than twenty (20) hours per week but will not work one hundred seventy-five (175) days in a fifty-two (52) week period may opt out. Substitute staff who regularly work more than twenty (20) hours but will not work twenty-six (26) consecutive weeks may opt out.

ii) Permissible Purposes for Leave

Eligible employees will be entitled to paid time away from work (i) to care for a family member with a serious health condition, which is defined as an illness, injury, impairment or physical or mental condition that involves in-patient care in a hospital, hospice or residential health care facility, or continuing treatment or supervision by a health care provider. A family member includes spouse, domestic partner, child or stepchild, parent or stepparent, parent-in-law, grandparent, grandchild, or sibling (biological, adopted, half or step); (ii) to bond with a child after birth or placement for adoption or foster care within the first twelve (12) months after the birth or placement; or (iii) because of any qualifying exigency arising from the fact that an employee's spouse, domestic partner, child or parent is on active duty (or has been notified of an impending call or order to active duty) in the armed forces of the United States. Paid family leave may not be used for an employee's own health condition; employee's own pregnancy or prenatal conditions, or the employee's own qualifying military event. If there are two (2) spouses working at the Library, they may take paid family leave at the same time for the same qualifying event (ex. To bond with a new child).

iii) Request for and Notice of Need for Paid Family Leave

To request paid family leave, an employee will be required to complete the proper PFML form provided to them by the Library. An employee must notify the Library Director and Personnel Officer by email with specific dates to use paid family leave at least 30 days before the leave will start if it is foreseeable. Otherwise, notify them as soon as possible. Failure to provide timely notice may result in leave being delayed or denied. The employee will submit the completed request packet to the Personnel Officer, who will send it to the Library's insurance carrier The Hartford within 30 days after the start of the employee's leave to avoid losing benefits.

iv) Certification

Eligible employees who wish to take paid family leave must comply with applicable certification requirements and may be required to provide additional supporting documentation (such as copies of military orders), as permitted by law.

v) Use of Other Leave and Interplay

While on paid family leave, employees will continue to accrue paid time off benefits. Employees may supplement paid family leave with accrued time in order to receive full pay during their absence.

vi) Job and Benefits Protection

The employee's rights and protections when using paid family leave include job protection, ensuring the employee can return to the same or a comparable position when they return from paid family leave. The employee can keep their health insurance while on leave. The employee must continue to pay their portion of the health insurance premium cost while on leave. The Library is prohibited from discriminating or retaliating against the employee for requesting or taking paid family leave.

vii) Limitations and Rules Related to Use of Paid Family Leave

Paid family leave may be taken all at once or intermittently, but must be taken in full day increments only, unless otherwise provided by law. Disability leave and paid family leave may not be used at the same time. Eligible Library employees will not be entitled to paid family leave if their family leave, combined with disability benefits received previously, exceeds twenty-six (26) weeks during the same fifty-two (52) consecutive calendar weeks.

viii) Funding of Paid Family Leave Benefits

In accordance with New York State law, paid family leave benefits are funded through payroll deductions at a prescribed amount from each eligible

employee. Employees who are ineligible for paid family leave will be given the option of filing a waiver of benefits, exempting them from payroll deductions, as permitted by law.

ix) Coordination with FMLA and NYS Disability Benefits

Generally, paid family leave and unpaid leave under the FMLA can run concurrently. An employee may not receive paid family and State disability leave at the same time.

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