

# 2022 STATEMENT OF RIGHTS



## Paid Family Leave

If you need to take time off from work to care for a family member, you may be entitled to paid family leave benefits

**Paid Family Leave is employee-funded insurance that provides job-protected, paid time off to:**

- **BOND** with a newly born, adopted or fostered child;
- **CARE** for a family member with a serious health condition; or
- **ASSIST** loved ones when a spouse, domestic partner, child or parent is called to active military service abroad.

Paid Family Leave may also be available for use in situations when you or your minor dependent child are under an order of quarantine or isolation due to COVID-19. See [PaidFamilyLeave.ny.gov/COVID19](https://PaidFamilyLeave.ny.gov/COVID19) for full details.

### Eligibility:

- Employees with a regular work schedule of 20 or more hours per week are eligible after 26 weeks of employment.
- Employees with a regular work schedule of less than 20 hours per week are eligible after 175 days worked.

Citizenship or immigration status is not a factor in your eligibility.

### Benefits:

In 2022 you can take up to 12 weeks of Paid Family Leave and receive 67% of your average weekly wage, capped at 67% of the New York State Average Weekly Wage. Generally, your average weekly wage is the average of your last eight weeks of pay prior to starting Paid Family Leave.

### Rights and Protections:

- **Job Protection:** Return to the same or comparable job after you take leave.
- You keep your **health insurance** while on leave (you may have to continue paying your portion of the premium costs, if any).
- Your employer is **prohibited from discriminating or retaliating** against you for requesting or taking Paid Family Leave.
- You do not have to exhaust sick leave or vacation accruals before using Paid Family Leave.

### Paid Family Leave Request Process:

1. Notify your employer at least 30 days in advance, if foreseeable, or as soon as possible.
2. Complete and submit the *Request for Paid Family Leave (Form PFL-1)* to your employer.
3. Complete and attach the additional forms as required and submit to the insurance carrier listed below within 30 days of starting your leave, to avoid losing benefits.
4. In most cases, the insurance carrier must pay or deny benefits within 18 calendar days of receiving your completed request or your first day of leave, whichever is later.

You may obtain all forms from your employer, their insurance carrier listed below or online at [PaidFamilyLeave.ny.gov/Forms](https://PaidFamilyLeave.ny.gov/Forms).

### Disputes:

If your Paid Family Leave claim is denied, you may request to have the denial reviewed by a neutral arbitrator. The insurance carrier listed below will provide you with information about requesting arbitration.

### Discrimination Complaints:

If your employer terminates your employment, reduces your pay and/or benefits, or disciplines you in any way as a result of you requesting or taking Paid Family Leave, you may request to be reinstated by taking these steps:

1. Complete the *Formal Request for Reinstatement Regarding Paid Family Leave (Form PFL-DC-119)*.
2. Send your completed form to your employer and a copy of the completed form to:  
Paid Family Leave, P.O. Box 9030, Endicott, NY 13761-9030
3. If your employer does not reinstate you or take other corrective action within 30 days, you may file a discrimination complaint with the Workers' Compensation Board using the *Paid Family Leave Discrimination/Retaliation Complaint (Form PFL-DC-120)*. The Workers' Compensation Board will assemble your case and schedule a hearing.
4. There are other state and federal laws that protect employees from discrimination. Additional information is available at [PaidFamilyLeave.ny.gov](https://PaidFamilyLeave.ny.gov).

For more information, forms and instructions, visit [PaidFamilyLeave.ny.gov](https://PaidFamilyLeave.ny.gov) or call the PFL Helpline (844)-337-6303

This information is a simplified presentation of your rights as required by Section 229 of the Disability and Paid Family Leave Benefits Law. Your employer's Paid Family Leave benefits insurance carrier is: **The Standard Life Insurance Company of New York**  
333 Westchester Avenue, West Building, Suite 300 758948  
White Plains, New York 10604 SNY 19384 (1/22)

**833-960-1237**

PRESCRIBED BY THE CHAIR,  
WORKERS' COMPENSATION BOARD

NYS Paid Family Leave  
PO Box 9030, Endicott NY 13761



## **Special Paid Family Leave Notice of Rights Information for CUNY Employees who are members of the Professional Staff Congress (PSC)**

PSC CUNY employees have a unique eligibility definition that does not fully align with the basic state definition. For PSC CUNY employees, eligibility is defined as:

- A. An Instructional employee whose regular professional obligation is at least 20 hours per week, and who will complete at least 26 work weeks of such employment.\*
- B. An Instructional employee whose regular professional obligation is less than 20 hours per week, and who will complete 175 days of such employment. A workday includes days that the employee is scheduled to work.\*
- C. A Graduate Assistant or Teaching Adjunct employee whose regular professional obligation is at least 20 hours per week, and who will complete at least 26 work weeks or 175 workdays, whichever is sooner. A workday is a day the Graduate Assistant or Teaching Adjunct is scheduled for contact hours. Graduate Assistant or Teaching Adjunct employees will be credited one workday for every contact hour they teach per semester, with a maximum of five workdays per week. \*
- D. A Graduate Assistant or Teaching Adjunct employee whose regular professional obligation is less than 20 hours per week, and who will complete at least 26 work weeks or 175 workdays, whichever is sooner. A workday is a day the Graduate Assistant or Teaching Adjunct is scheduled for contact hours. Graduate Assistant or Teaching Adjunct employees will be credited one workday for every contact hour they teach per semester, with a maximum of five workdays per week. \*

\*Note: Durations of full-paid leave (e.g. through use of accruals) count toward the service requirement (e.g. 26 weeks or 175 workdays), as long as the biweekly PFL premiums are paid for the duration of the leave. Separations of less than 26 weeks will not constitute a break in service. Once an employee has had a separation of more than 26 weeks they will once again have to meet the minimum eligibility requirements for PFL.

PSC CUNY employees also have additional contact information available:

**For PFL forms** - Please visit <https://www.cuny.edu/about/administration/offices/hr/benefits/#1578589814416-ce35fef1-c885>

**For PFL filing process questions** - Please contact your campus benefits office

**For PFL claim specific or claim payment questions** - please call The Standard at **833-960-1237**