HOW TO APPLY FOR PAID FAMILY LEAVE

STEP 1: COMPLETE FORM PFL-1



- ☐ Complete PFL-1, Part A.
- ☐ Provide PFL-1 to employer.
- ☐ Employer completes PFL-1, Part B and returns to you within 3 days.







STEP 2: COLLECT SUPPORTING DOCUMENTATION



BOND

TO BOND WITH A NEWLY BORN, ADOPTED, OR FOSTERED CHILD

Complete Form PFL-2

☐ Complete PFL-2 and collect supporting documentation.



OR

CARE

TO CARE FOR A FAMILY MEMBER WITH A SERIOUS HEALTH CONDITION

Complete Form PFL-3

☐ Care recipient completes PFL-3 and provides to health care provider. Care recipient's health care provider keeps PFL-3 on file.

Complete Form PFL-4

☐ Complete "Employee" information at the top of PFL-4. Provide PFL-4 to care recipient's health care provider. Care recipient's health care provider completes PFL-4 and returns to you.



OR

ASSIST

TO ASSIST FAMILY MEMBERS DUE TO ANOTHER FAMILY MEMBER'S ACTIVE MILITARY DUTY OR IMPENDING ACTIVE DUTY ABROAD

Complete Form PFL-5

☐ Complete PFL-5 and collect supporting documentation.







STEP 3: SEND FORMS AND DOCUMENTS

- $\hfill \square$ Send completed forms and supporting documentation to insurance carrier.
- ☐ Insurance carrier accepts or denies claim within 18 days.
- ☐ You do not need to wait for this decision to start your leave.

Please keep a copy of all pages for your records.

For more information, forms, and instructions, visit www.ny.gov/PaidFamilyLeave or call (844) 337-6303.

Request For Paid Family Leave (Form PFL-1) Instructions

- To request PFL, the employee requesting PFL must complete Part A of the *Request For Paid Family Leave (Form PFL-1)*. All items on the form are required unless noted as optional. The employee then provides the form to the employer to complete Part B.
- The employer completes Part B of the *Request For Paid Family Leave (Form PFL-1)* and returns it to the employee within three days.
- Additional forms are required depending on the type of leave being requested. The employee requesting leave is responsible for the completion of these forms.
- The employee submits the completed Request For Paid Family Leave (Form PFL-1) with the required additional form to the employer's PFL insurance carrier listed on Part B of Request For Paid Family Leave (Form PFL-1).
 The employee should retain a copy of each submitted form for their records.

PART A - EMPLOYEE INFORMATION (to be completed by the employee)

The employee requesting PFL must complete all required information.

Paid Family Leave (PFL) Request (to be completed by the employee)

Question 12: A child is defined as a biological, adopted, or foster son or daughter, a stepson or stepdaughter, a legal ward, a son or daughter of a domestic partner, or the person to whom the employee stands in loco parentis. A parent is defined as a biological, foster, or adoptive parent, parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.

Questions 13: If dates are "Continuous", the employee must provide the start and end dates of the requested PFL. These dates should be the actual dates that the PFL will begin and end. If uncertain, estimate the start and end dates and indicate "Dates are estimated". If dates are "Periodic", enter the dates PFL will be taken. Please be as specific as possible. If the dates are unknown or estimated,

indicate "Dates are estimated".

If dates are estimated, the PFL carrier may require you to submit a request for payment **after** the PFL day is taken. Payment for approved claims will be due as soon as possible but in no event more than 18 days from the date of the completed request.

Question 14: If the employee is submitting the PFL request to their employer with less than 30 days' advance notice from the start date of the PFL, the employee must explain why 30 days' notice could not be given. If the explanation will not fit in the space provided on the form, enter "See Attached" and add an attachment with the explanation. Be sure to include the employee's full name and their date of birth at the top of the attachment.

Employment Information (to be completed by the employee)

Question 16: Enter the date of hire to the best of the employee's recollection. If it has been more than a year since the date of hire, entering the year in which employment started is sufficient.

Question 18: Enter the best estimate of average gross weekly wage. Include only the wages earned from the employer listed on this request form. The gross weekly wage is the total weekly pay - including overtime, tips, bonuses and commissions - before any deductions are made by the employer, such as federal and state taxes. If the employer is not able to supply this information, the employee can calculate their gross weekly wage as follows:

Step 1: Add all gross wages received (<u>before</u> any deductions) over the last eight weeks prior to the start of PFL, including overtime and tips earned. (See Step 3 for instructions for calculating bonuses and/or commissions.)

Step 2: Divide the gross wages calculated in step one by eight (or the number of weeks worked if less than eight) to calculate the average weekly wage.

Step 3: If the employee received bonuses and/or commissions during the 52 weeks preceding PFL, add

the prorated weekly amount to the average weekly wage. To determine the prorated weekly amount, add all bonuses/commissions earned in the preceding 52 weeks and then divide by 52.

Example of a gross weekly wage calculation:

Week 1 - Gross wage including overtime		\$550		
Week 2 - Gross wage		\$500		
Week 3 - Gross wage		\$500		
Week 4 - Gross wage		\$500		
Week 5 - Gross wage		\$500		
Week 6 - Gross wage		\$500		
Week 7 - Gross wage, including overtime		\$600		
Week 8 - Gross wage, including overtime	+	\$550		
Total =		\$4,200		
Divide by 8	÷	8		
Average Weekly Wage =		\$525		
Bonus earned in preceding 52 weeks		\$2,600		
Divide by 52	÷	52		
Prorated Weekly Bonus =		\$50		
Form PFL-1 Instructions continued on next page				

orm PFL-1 instructions continued on next page

PART A - EMPLOYEE INFORMATION (to be completed by the employee) - continued from prior page

Form PFL-1 Instructions continued from prior page

Average Weekly Wage \$525
Prorated Weekly Bonus + \$50

Average Weekly Wage (including bonus) = \$575

Please note that the employer is also required to provide this information in Part B of the *Request For Paid Family Leave (Form PFL-1)*.

If you are pre-submitting form: Indicate if the employee is pre-submitting their PFL request. Pre-submitting is defined as submitting the application in advance of an upcoming qualifying event, with certain required information missing due to the information being unknown at the time of the submitting. If pre-submitting is permitted by the carrier

or self-insured employer, the missing information must be supplied as soon as it is known. Benefits cannot be determined until all of the required information is provided.

The PFL insurance carrier or self-insured employer will provide the employee a notice within five days which 1) states the claim is pending; 2) identifies what information is missing; 3) instructs how to submit the missing information. Once all information is supplied, the PFL insurance carrier or self-insured employer has 18 days to pay or deny the claim.

If the carrier or self-insured employer does not permit presubmitting, the carrier or self-insured employer must return the Request for Paid Family Leave within five days to the employee with an explanation that the claim should be resubmitted when all information is available.

Employee signs and dates, before giving this form to their employer to complete Part B.

PART B - EMPLOYER INFORMATION (to be completed by the employer)

The employer of the employee requesting PFL must complete all information in Part B.

Question 2: If a Social Security Number is used for the Federal Employer Identification Number (FEIN), enter the Social Security Number.

Question 3: Enter the employer's Standard Industrial Classification (SIC) Code. Contact your carrier if you don't know your SIC code.

Question 8: The employee occupation code can be found at: www.bls.gov/soc/2010/soc_alph.htm

Question 9: Enter the wages earned by the employee during the last eight weeks preceding the PFL start date. The gross amount paid is the employee's gross weekly pay, including any overtime and tips earned for that week, plus the weekly prorated amount of any bonus or commission received during the preceding 52 weeks. (For detailed steps, see Question 18 starting on page 1 of the instructions.) Calculate the gross average weekly wage by adding up the gross amounts paid, and then divide by eight (or number of weeks worked if less than eight).

Question 10: Failure to select "Yes" for requesting reimbursement from the insurance carrier, will result in a waiver of the right to reimbursement.

Question 11a: 'Disability' refers to NYS statutory required disability. If the answer is "none," enter a "0" for total weeks and days in Question 12b.

Question 11b: The maximum number of weeks available for NYS statutory disability and PFL in any 52 week period is 26 weeks. Specify the total number of weeks, as well as the number of additional days if the leave includes a partial week, taken for NYS statutory disability and PFL during the preceding 52 weeks.

Question 13, 14 & 15: Enter the Paid Family Leave or Disability/PFL insurance carrier's name, address and PFL policy number. If this employer is self-insured, enter the name and address of where the PFL request should be submitted for processing.

Affirmation employee is eligible for PFL: An employee who regularly works 20 hours or more per week must have been in employment for at least 26 consecutive weeks. An employee who regularly works less than 20 hours per week must have worked 175 days.

Employer signs and dates, and then returns to the employee requesting PFL within three business days.

Be sure to complete the appropriate additional PFL form(s) based on the type of PFL leave being requested.

Notification Pursuant to the New York Personal Privacy Protection Law (Public Officers Law Article 6-A) and the Federal Privacy Act of 1974 (5 USC 552a).

The Workers' Compensation Board's (Board's) authority to request that employees provide personal information, including their social security number or tax identification number, is derived from the Board's administrative authority under Workers' Compensation Law section 142. This information is collected to assist the Board in investigating and administering claims in the most expedient manner possible and to help it maintain accurate records. Providing your social security number or tax identification number to the Board is voluntary. The Board will protect the confidentiality of all personal information in its possession, disclosing it only in furtherance of its official duties and in accordance with applicable state and federal law.





Paid Family Request For Paid Family Leave Leave (Form PFL-1)

Claim Number

PART A · EMPLOYEE INFORMATION (to be completed by the employee)			
1. Employee's legal name (first name, middle initial, last name)			
	Optional (for research purposes)		
2. Other last names, if any, under which employee has worked	10. Employee's ethnicity/race For purposes of health demographic only. (U.S. Centers for Disease Control and Prevention (CDC) code set, version 1.0.)		
3. Employee's mailing address Street address (including apartment #)	Is employee of Hispanic, Latino/a, or Spanish origin? (One or more categories may be selected.)		
	Mexican		
City, State	Mexican American		
oity, state	Chicano/a		
	Puerto Rican		
Zip code Country (if not U.S.A.)	Dominican		
	Cuban		
	Another Hispanic, Latino/a, or Spanish origin		
1. Employee's Social Security Number or TIN	Not of Hispanic, Latino/a, or Spanish origin		
	Unknown		
5. Employee's date of birth (MM/DD/YYYY)	What is employee's race?		
	(One or more categories may be selected.)		
	American Indian or Alaska Native		
i. Employee's primary telephone number	Black or African American		
	Asian Indian		
	Chinese		
'. Employee's preferred email address while on PFL (if available)	Filipino		
	Japanese		
	Korean		
3. Employee's gender	Vietnamese		
Male Male Mot designated/Other	Other Asian		
. Employee's preferred language	White		
	Native Hawaiian		
	Guamanian or Chamorro		
	Samoan		
Other	Other Pacific Islander		
	Other race		
Paid Family Leave (PFL) Request (to be completed by the	employee)		
11. Reason for PFL request: Bond with child Care for family m	ember Military qualifying event		
12. The family member is employee's:			
Child Spouse Domestic partner Parent Parent-in	n-law Grandparent Grandchild		
	Form PFL-1 continued on next pag		

ORM PFL	-1 - CONTINUED FF	ROM PRIOR PAGE	Claim N	umber	
TO BE C	OMPLETED BY TH	E EMPLOYEE			
Employ	yee's name (first	name, middle initial, last name)	Employee's date of bir	th (MM/DD/YYYY)	
PART	A · EMPLOYE	E INFORMATION (to be completed	l by the employee) - contir	nued from prior page	
	FL-1 continued from	n prior page a continuous period of time and c	or periodic?		
	Continuous	PFL start date (MM/DD/YYYY) PF	L end date (MM/DD/YYYY)	Dates are estimated	
	Periodic	Identify dates periodic PFL will be taken:		Dates are estimated	
14. If providing less than 30 day's advance notice to the employer, please explain:					
Employment Information (to be completed by the employee) 15. Business name					
16. Employee's date of hire (MM/DD/YYYY) / / / / /					
	nployee's work l reet address	ocation			
SII	eet duuless				
Cit	y, State		Zip code	Country (if not U.S.A.)	

City, State	Zip code	Country (if not U.S.A.)		
18. Employee's average gross weekly wage (This data will be	requested of both employee and e	mployer)		
19. Employer's telephone number for contact regarding this request() .				
20a. Does employee have more than one employer?				
20b. If yes, is employee taking PFL from the other employer?				
21. Is employee currently receiving Workers' Compensation Lost Wage Benefits?				
Disclosure statement: Information regarding PFL benefits received by the employee, such as payments received and types of leave, will be provided to the employer				

Declaration and signature

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

advise how to submit the

I am hereby making a request for paid family leave benefits under the NYS Workers' Compensation Law. My signature affirms that the information I am providing is true and accurate to the best of my knowledge and belief.

Employee's signature	Date signed (MM/DD/YYYY)
I am submitting this form in advance (see instructions about pre-surequired missing information.	ubmitting). I understand the insurance carrier will contact me to

Claim Number	

	IPLETED BY THE EMPL		9)	Employee's date	of birth (MM	I/DD/YYYY)
PART B	· EMPLOYER INF	ORMATION (to	be completed	d by the employer)		
Business's full legal name and mailing address Business name						
Mailing	address					
City, Sta	ate			Zip code	Coun	try (if not U.S.A.)
2. Emplo	yer's FEIN					
3. Emplo	yer's Standard Indu	strial Classificat	ion (SIC) Code			
4. Emplo	yer's contact name	for questions rel	ated to PFL			
	yer's contact teleph)			
 7. Employee's date of hire (MM/DD/YYYY)						
See ins	Week ending date	Number of		ulate for self-employed person amount paid		
no.	(MM/DD/YYYY)	days worked				a. Select the days of the week the mployee usually works:
2						Mon Tue Wed Thur Fri Sat Sun
3						o. Select whether the employee is full- me (regularly works 20+ hours per week)
4					01	r part-time (regularly works less than 20 purs per week)
5 6						Full Time
7						Part Time
8						
Calculated average gross weekly wage:						
10. Will the employee continue to receive full wages from the employer while on paid family leave? Yes (provide detail in question 10a)						
10a. If you answered YES to the question above, provide the date(s) that the employee received/will receive full wages from the employer as a result of using full days of accrued sick/vacation/paid time off, or through an emplyer offered salary continuance program.						
From:	Th	rough:	Is th	e employer requesting reim	bursement for	his period? Yes No

FORM PFL-1 - CONTINUED FROM PRIOR PAGE	Claim Number
TO BE COMPLETED BY THE EMPLOYEE	
Employee's name (first name, middle initial, last name)	Employee's date of birth (MM/DD/YYYY)
PART B · EMPLOYER INFORMATION (to be completed	by the employer) - continued from prior page
Form PFL-1 continued from prior page	
11a. In the preceding 52 weeks has the employee taken leave for:	NYS Disability PFL Both Disability and PFL None

PAF	RT B · EMPL	OYER INFOR	MATION (to be completed	d by the employer) - contir	nued from prior page
Form	PFL-1 continue	d from prior page			
			the employee taken leave fo	r: NYS Disability PFL	Both Disability and PFL None
HD.	Enter the to	Weeks	Please provide specific of	ooth Disability and PFL in t	ne last 52 weeks.
		VVEEKS	Ticase provide specific e	ates for Disability.	
	Disability:	Dave			
		Days			
		Weeks	Please provide specific of	lates for PFL:	
	PFL:				
		Days			
12.	Is the employe	ee taking Fami	ly Medical Leave Act (FML	A) concurrently with PFL?	Yes No
13	PFI insurance	carrier's nam	e and mailing address		
10.	PFL insurance ca	arrier's name	-	•	
			ShelterPoint Life Insu	irance Company	
	Mailing address	1	225 Franklin Avenu	e, Suite 475	
	City, State	C	Sarden City, NY	Zip Code 11530	Country (if not U.S.A.)
14.	PFL insurance	e carrier's telep	phone number (800) 365 . 4999	
15	PFL policy nu	mhor			
	PPL policy liu	er			
Dec	laration and si	gnature			
I affirm the employee regularly works 20 or more hours per week and has been in employment for at least 26					
consecutive weeks OR the employee regularly works less than 20 hours per week and has worked at least 175 days.					
Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.					
I am the person authorized to sign as the employer of the employee requesting PFL. My signature affirms that to the best of my knowledge and belief, the information I have provided is true and accurate.					
Emplo	Employer's authorized signature				
				Date signed (MM/DD/YYYY)	
Title					

Military Qualifying Event (Form PFL-5) Instructions

If an employee is requesting PFL because of a family member's covered active military duty or impending covered active duty, the employee must submit the *Military Qualifying Event (Form PFL-5)* with the *Request For Paid Family Leave (Form PFL-1)*.

The employee must identify the family member, provide a copy of the member's covered active duty orders or impending active duty orders, and describe the reason leave is being requested.

MILITARY QUALIFYING EVENT (to be completed by the employee)

The employee requesting PFL must complete all applicable requested information.

Employee enters their name, date of birth, other last names, if any, under which they have worked, Social Security or Taxpayer Identification Number (TIN) number, and mailing address at the top of page 1.

Employee enters their name and date of birth at the top of page 2.

Questions 1-5: Enter the military member's information, and indicate the military member's relationship to the employee.

Question 5: A child is defined as a biological, adopted, or foster son or daughter, a stepson or stepdaughter, a legal ward, a son or daughter of a domestic partner, or the person to whom the employee stands in loco parentis. A parent is defined as a biological, foster, or adoptive parent, parent-in-law, a stepparent, a legal guardian, or other person who stood in loco parentis to the employee when the employee was a child.

Question 6: Enter dates of expected military covered active duty.

Question 7: Documentation that shows that the military member is on covered active duty or has been notified of an impending call or order to covered active duty is required and must be attached to this form. Select the type of documentation that is attached from the list below.

Required documentation includes one of the following:

- · Covered active duty orders; OR
- · Letter from the military unit documenting impending call or order to covered duty; OR
- Documentation of military leave signed by the approving authority for military member's Rest and Recuperation.

Qualifying Reason for Leave (to be completed by the employee)

Question 8: Explain the need for PFL because of the Military Qualifying Event. For example: "My spouse was just called on short notice to covered active duty status, and will be deployed to (country) in five days. I need to take PFL to be with them and make arrangements for while they are away on active duty." If the explanation will not fit in the space provided on the form, enter "See Attached" and add an attachment with the explanation. Be sure to include the employee's full name, date of birth, other last names, if any, under which they have worked, Social Security or Taxpayer Identification Number (TIN) number, and mailing address at the top of the attachment.

Question 9: Include one or more of the qualifying supporting documents:

- Meeting announcement for informational briefing sponsored by the military; or
- Document(s) confirming an appointment with a school official, doctor, attorney or financial advisor; or
- Copy of a bill for services for the handling of legal or financial affairs.

Notification Pursuant to the New York Personal Privacy Protection Law (Public Officers Law Article 6-A) and the Federal Privacy Act of 1974 (5 USC 552a).

The Workers' Compensation Board's (Board's) authority to request that employees provide personal information, including their social security number or tax identification number, is derived from the Board's administrative authority under Workers' Compensation Law section 142. This information is collected to assist the Board in investigating and administering claims in the most expedient manner possible and to help it maintain accurate records. Providing your social security number or tax identification number to the Board is voluntary. The Board will protect the confidentiality of all personal information in its possession, disclosing it only in furtherance of its official duties and in accordance with applicable state and federal law.



Request For Paid Family Leave Military Qualifying Event (Form PFL-5)

INSTRUCTIONS INCLUDED WITH FORM

TO BE COMPLETED BY THE EMPLOYEE Employee's name (first name, middle initial, last name)	Employee's date of birth	h (MM/DD/YYYY)		
Other last names, if any, under which employee ha	as worked Employee's Social Secu	urity Number or TIN		
Employee's mailing address Mailing address (including apartment #)				
City, State	Zip code	Country (if not U.S.A.)		
MILITARY QUALIFYING EVENT (to be compared active deployment) (first name, middle initial, last name)		e duty status (international		
 Military member's date of birth (MM/DD/YYYY) Military member's gender Male Fem 				
4. Military member's mailing address Mailing address				
City, State	Zip code	Country (if not U.S.A.)		
5. The above-named military member is emplo	Domestic partner	Child Parent		
6. Period of military member's covered active duty (MM/DD/YYYY) to I I I I I I I I I I I I I I I I I I I				
7. Please select one of the following and attact covered active duty or impending call or or Covered active duty orders Letter of impending	der to covered active duty status: g call or order to covered duty Documentation	of military member is on of military leave signed by the approving itary member's Rest and Recuperation		
Qualifying Reason For Leave (to be comp	·			
8. What is the reason employee is requesting	PFL? (One or more reasons may be selected.)			
Arranging for parental care obt	ting as military member's representative before a federaining, arranging, or appealing military service benefit	its		
	ending any event sponsored by the military or military ther	service organizations		
Making legal arrangements				
		Form PFL-5 continued on next page		

FORM PFL-5 - CONTINUED FROM PRIOR PAGE

TO BE COMPLETED BY THE EMPLOYEE				
Employee's name (first name, middle initial, last name)	Employee's date of birth (MM/DD/YYYY)			
MILITARY QUALIFYING EVENT (to be completed by the en	nployee) - continued from prior page			
Form PFL-5 continued from prior page				
9. Written documentation supporting this request for leave is	available and attached?			
Yes No None Available				
Tes Notic Available				
Note: A complete and sufficient certification to support a request for PFL leave				
supports the need for leave; such documentation may include a copy of a med				
document confirming the military member's Rest and Recuperation leave; a deschool official, or staff at a care facility; or a copy of a bill for services for the h	0 11			
party, the employee must provide the supporting documentation of the meeting				
individual or entity with whom you are meeting (i.e., either telephone number,	fax number, or email address of the individual or entity).			
Declaration and signature				
Any person who knowingly and with intent to defraud any insurance company or o				
any materially false information, or conceals for the purpose of misleading, information				
which is a crime, and shall also be subject to a civil penalty not to exceed five thou	isand dollars and the stated value of the claim for each such violation.			
I am hereby making a request for paid family leave benefits under the NYS Workers' Compensation Law. My signature affirms that the information I am				
providing is true and accurate to the best of my knowledge and belief.				
Employee's signature				
	Date signed (MM/DD/YYYY)			

TO BE COMPLETED BY THE EMPLOYEE		
Employee's name (first name, middle initial, last name)	Employee's date	of birth (MM/DD/YYYY)
Other last names, if any, under which employee has worked	Employee's Socia	I Security Number or TIN
		-
Employee's mailing address		
Mailing address		
City, State	Zip code	Country (if not U.S.A.)
QUALIFYING REASON FOR LEAVE - DOCUMENTATION	ON	
appropriate contact information of the individual or entity with whom you are individual or entity). The reason for a meeting can include: arranging for child military member's representative before a federal, state or local agency for prany event sponsored by the military or military service organizations.	or parental care, counseling,	making financial or legal arrangements, acting as the
Please submit this documentat	ion for each required r	neeting/event.
Name of individual with whom employee is meeting		
Title		
Organization		
Telephone number (provide area or country code)		
Fax number (provide area or country code)		
Email address		
Mailing address		
Mailing address		
City, State	ip code	Country (if not U.S.A.)
Describe nature of meeting. Include dates, if known:		