



## Paid Leave through State Temporary Disability Insurance Programs

### The basics

- Five states (CA, HI, NJ, NY, RI) and Puerto Rico currently have Temporary Disability Insurance (TDI) programs that provide partial wage replacement for employees unable to work due to injury or illness, including pregnancy.
- Women who give birth are typically given six weeks of paid leave under these state laws, but complications for pregnancy or birth can extend that period.
- Because wage replacement is linked to ‘disabled’ status, fathers and adoptive parents are not guaranteed any paid leave.

### Who is covered

- Workers can access the program if they meet specific requirements regarding how much money they have paid into the system or how much time they have worked.
- Nearly all workers in these states, regardless of the size of their employer, are covered by TDI programs.

### State programs

- TDI programs are financed using worker contributions or a combination of employer and employee contributions (see table below).
- In CA and NJ only, the Family Leave program extends benefits beyond ‘disabled’ status. There, workers are also entitled to six weeks of paid leave to care for a family member with a serious health condition or bond with a new child. Fathers and adoptive parents do qualify in California and New Jersey for family leave. In addition, birth mothers are entitled to paid leave under both temporary disability insurance and family leave.

| State | Funding               | Benefit Level  |
|-------|-----------------------|--|
| CA    | Employee only         | Maximum \$917/ week; average is 55% of weekly salary.  |
| HI    | Employee and Employer | Maximum is \$476/week; average is 58% of the employee’s average weekly wages                           |
| NJ    | Employer and Employee | Maximum \$524/week; average is 2/3 of average of last 8 weeks pay                                      |
| NY    | Employee only         | Maximum \$170/week*  |
| RI    | Employee only         | Maximum is \$652/week; average is equal to 4.62% of their highest quarterly wages during the past year |

\* Pending legislation will increase this amount.