# 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 or	n ne	ext 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 \$575

#### Average Weekly Wage (including bonus) =

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.

# **Bonding Certification (Form PFL-2) Instructions**

If the employee is requesting PFL to bond with a newborn, an adopted child or a foster child, the employee must submit the *Bonding Certification (Form PFL-2)* with the *Request For Paid Family Leave (Form PFL-1)*.

#### BONDING CERTIFICATION (to be completed by the employee)

The employee requesting PFL must complete all applicable requested information. Send completed forms and supporting documentation to insurance carrier.

If this form is being submitted in advance (pre-submitting) and some information is unknown, the insurance carrier will contact the employee and explain how to provide the required additional information.

**Questions 1 & 2:** If the form is submitted to the PFL insurance carrier prior to the birth of a child, this is considered presubmitting. The employee is then required to provide the required documentation of the child's birth to the PFL insurance carrier. The PFL carrier will tell the employee how to provide the required additional documentation.

There may be instances where PFL can be taken before the adoption or foster care is finalized. For example, the employee may be required to appear in court or travel to another country as part of the adoption or foster care process. The employee should include documentation to show that the PFL is necessary to further the adoption or foster care.

Question 5: See chart below for documentation details. Unless specified, do not send the original documents.

Bonding Form/Certification	Description
Health care provider certification of pregnancy	An <b>original</b> letter obtained from the birth mother's health care provider that certifies pregnancy. It should include the mother's name and the expected due date.
Health care provider certification of birth	An <b>original</b> letter obtained from the birth mother's health care provider that includes the mother's name and child's date of birth.
Birth Certificate	A <b>copy</b> of the certificate issued by the city or county office in which the child is born.
Voluntary Acknowledgment of Paternity (Form LDSS-4418)	A <b>copy</b> of the form that establishes legal fatherhood when the parents are unmarried. Completed by both mother and father.  For more information, see <a href="mailto:childsupport.ny.gov/dcse/aop_howto.html">childsupport.ny.gov/dcse/aop_howto.html</a>
Court Order of Filiation	A <b>copy</b> of the order from the family court that names the father of a child. Establishes legal fatherhood when the parents are unmarried. Completed by both mother and father. For more information, visit <a href="mailto:childsupport.ny.gov/dcse/aop_howto.html">childsupport.ny.gov/dcse/aop_howto.html</a>
Marriage Certificate	A <b>copy</b> of the official statement issued by the town or city clerk from which the marriage certificate was issued.
Civil union/domestic partner's documentation	A <b>copy</b> of the certificate of civil union or domestic partnership.
Foster care placement letter	A <b>copy</b> of the letter of foster care placement issued by the county or city department of social services or authorized voluntary foster care agency.
Court documents of adoption	A <b>copy</b> of the court document finalizing adoption or documentation in furtherance or court order finalizing adoption.
Other documentation	Other documentation of parental relationship may be accepted if none of the others listed apply.

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 t	he 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
	Mexican American
City, State	Chicano/a
	Puerto Rican
Zip code Country (if not U.S.A.)	Dominican
	Cuban
4. Employee's Social Security Number or TIN	Another Hispanic, Latino/a, or Spanish origin
	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
6. Employee's primary telephone number	Black or African American
	Asian Indian
	Chinese
7. Employee's preferred email address while on PFL (if available)	Filipino
	Japanese
	Korean
8. Employee's gender	Vietnamese
Male Female Not designated/Other	Other Asian
9. Employee's preferred language	White
English Espanol Русский Polski	Native Hawaiian
中文 Italiano Kreyol ayisyen 한국어	Guamanian or Chamorro
Other	Samoan
Outer	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	nember Military qualifying event
12. The family member is employee's:	
Child Spouse Domestic partner Parent Parent	in-law Grandparent Grandchild
	Form PFL-1 continued on next pag

O BE COMPLETED BY		
mployee's name (fil	rst name, middle initial, last name)	Employee's date of birth (MM/DD/YYYY)
ART A · EMPLO	<b>YEE INFORMATION</b> (to be com	pleted by the employee) - continued from prior page
orm PFL-1 continued fr	rom prior page	
3. Will PFL be fo	r a continuous period of time	and or periodic?
Continuous	PFL start date (MM/DD/YYYY)	PFL end date (MM/DD/YYYY)  Dates are estimated
	Identify dates periodic PFL will be taken	Dates are estimated
Periodic	, .	
1. If providing less	than 30 day's advance notice to	the employer, please explain:
Employment Info	rmation (to be completed by th	o ampleyee)
improyment imo	imation (to be completed by the	e employee)

Continuous	/		Dates are estimated
	Identify dates periodic PFL will be taken	n:	Dates are estimated
Periodic			
14. If providing less	than 30 day's advance notice to	the employer, please expla	in:
Employment Infor	rmation (to be completed by the	e employee)	
5. Business name			
16. Employee's date	of hire (MM/DD/YYYY)		
17. Employee's work	,		
Street address	. IOSALISII		
City, State		Zip code	Country (if not U.S.A.)
8. Employee's aver	rage gross weekly wage (This dat	ta will be requested of both employe	ee and employer)
9. Employer's telep	phone number for contact regard	ding this request(	)
0a. Does employee	have more than one employer?	Yes No	
20b. If yes, is employ	yee taking PFL from the other en	nployer? Yes No	
21. Is employee curr	ently receiving Workers' Compe	nsation Lost Wage Benefits	? Yes No
Disclosure statement: Info	ormation regarding PFL benefits received by t	he employee, such as payments recei	ved and types of leave, will be provided to the employer.
Declaration and signa	ature		
ny person who knowingly ny materially false informa	and with intent to defraud any insurance of ation, or conceals for the purpose of mislea	ading, information concerning any fa	pplication for insurance or statement of claim containin act material thereto, commits a fraudulent insurance a stated value of the claim for each such violation.
	est for paid family leave benefits under the ate to the best of my knowledge and belief		. My signature affirms that the information I am
Employee's signature		Date signed (MM/DD/	YYYY)
			<i>I</i>
I am submitting this for required missing inform		e-submitting). I understand the insur	rance carrier will contact me to advise how to submit to

Claim Number	

	MPLETED BY THE EMPL e's name (first name, m		e)	Employee's date	of birth (MM	/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, St	ate			Zip code	Count	ry (if not U.S.A.)
2. Emplo	oyer'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			
5. Employer's contact telephone number ( )						
<ul> <li>7. Employee's date of hire (MM/DD/YYYY)</li></ul>						
Week	Week ending date	Number of		llate for self-employed person amount paid		
no.	(MM/DD/YYYY)	days worked		·		. Select the days of the week the nployee usually works:
2						Mon
3						Select whether the employee is <b>full- ne</b> (regularly works 20+ hours per week)
5					or	part-time (regularly works less than 20 urs per week)
6						Full Time
7						Part Time
8						
Calc	ulated average gross w	<b>eekly</b> wage:				
10. Will the employee continue to receive full wages from the employer while on paid family leave? Yes (provide detail in question 10a)						
						rill receive <b>full wages</b> from the rer offered salary continuance
From:	Th	nrough:	Is th	e employer requesting reim	bursement for the	nis 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 tot	Weeks	Please provide specific of	ooth Disability and PFL in t	ne last 52 weeks.
		MEGV2	Ticase provide specific e	ates for Disability.	
	Disability:	Dave			
		Days			
		Weeks	Please provide specific of	lates for PFL:	
	PFL:				
		Days			
12.	Is the employ	ee taking Fami	ly Medical Leave Act (FML	A) concurrently with PFL?	Yes No
13	PFI insurance	e carrier's nam	e and mailing address		
10.	PFL insurance ca	arrier's name	<del>-</del>		
		S	ShelterPoint Life Insu	irance Company	
	Mailing address 1225 Franklin Avenue, Suite 475				
	City, State Garden 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 flu				
Dec	laration and si	ignature			
	l affirm the en	nployee regula	rly works 20 or more hour	s per week and has been ir	n employment for at least 26
					k and has worked at least 175 days.
any n	naterially false info	ormation, or concea	als for the purpose of misleading, ir	nformation concerning any fact mate	n for insurance or statement of claim containing erial thereto, commits a fraudulent insurance act, value of the claim for each such violation.
	•	zed to sign as the dided is true and acc		ng PFL. My signature affirms that t	the best of my knowledge and belief, the
Emplo	oyer's authorized s	signature		Detection of AMAIDDAGGGG	
				Date signed (MM/DD/YYYY)	
Title					



# **Request For Paid Family Leave**

Bonding Certification (Form PFL-2)

INSTRUCTIONS INCLUDED WITH FORM

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 Social Security I	Number or TIN
Employee's mailing address		
Mailing address (including Apartment #)		
maining address (modaling / parameter //		
O't. Otat.	7:	Occupation (if most 11 O.A.)
City, State	Zip code	Country (if not U.S.A.)
BONDING CERTIFICATION (to be completed by the emple	oyee)	
1. Child's date of birth (MM/DD/YYYY)		
3. Does child live with the employee requesting PFL? Ye	es No	
4. Child is employee's:		
Biological child Stepchild Foster child Adopted child	Legal ward Spouse/Domes	tic partner's child Loco parentis
5. Select one of the following and attach the document as re	quired as evidence of the relati	onship.
Parent of newborn child:		
Birth mother:		
Health care provider certification of pregnancy (include expected du	ue date AND mother's name); OR	
Health care provider certification of birth (include date of birth of chi	ild AND mother's name); OR	
Child's birth certificate		
Other parent:		
Copy of birth certificate naming second parent; OR		
Voluntary acknowledgment of paternity; OR		
Court order of filiation; OR		
Birth mother documents (see above) PLUS one of the following:		
Marriage certificate; OR		
Certificate of civil union; OR		
Evidence of domestic partnership		
OR; Other documentation of parental relationship		
Foster parent:		
Letter of foster care placement or anticipated placement issued by count	by or city department of Social Services or	r authorized voluntary foster care agency
Adoptive parent:	y or only department of Goodal Gervices of	dutionzed voidinary loster dare agency
Court document finalizing adoption		
Documentation in furtherance of adoption		
6. Date of foster care or adoption placement, if applicable (M	M/DD/YYYY)	
		Form PFL-2 continued on next page

#### FORM PFL-2 - 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)			
Employee 3 name (instrume, middle initial, idstrume)				
BONDING CERTIFICATION (to be completed by the empl	oyee) - continued from prior page			
Form PFL-2 continued from prior page				
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.				
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)			