



# MOLLOY UNIVERSITY

Policy # HR.307  
Paid Family Leave  
Responsible VP: VP for Finance,  
Treasurer  
Responsible Office: Human  
Resources  
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## PAID FAMILY LEAVE (“PFL”)

New York Paid Family Leave (“PFL”) provides eligible employees for up to twelve (12) weeks within any 52 consecutive week period:

- To bond with a newly born, adopted or fostered child during the first twelve months after the child’s birth, adoption or foster care placement.
- To care for a family member, as defined in the law as a child, spouse, domestic partner parent, grandchild, grandparent, sibling or parent of a spouse or domestic partner, with a serious health condition, as defined by the law; or
- For qualifying exigencies, as interpreted by the Family and Medical Leave Act (FMLA), arising out of the fact that the 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.

The 52 consecutive week period is determined retroactively with respect to each day for which PFL benefits are currently being claimed.

### Health Insurance and Job Protection

Employees can continue their health insurance while on leave and the University will maintain coverage under any existing group health insurance benefits plan as if the employee had continued to work. The employee should make arrangements with Human Resources prior to taking leave to pay their portion of any applicable health insurance premiums each month. Normal co-payments and deductibles will apply.

Any employee who exercises their right to PFL will, upon the expiration of the leave, be entitled to be restored to the position held by the employee when the leave commenced, or to a comparable

position with comparable benefits, pay, and other term and conditions of employment. The taking of leave covered by PFL will not result in the loss of any employment benefit accrued prior to the date on which the leave commenced.

### Use of Leave:

An employee does not need to use this leave entitlement in one block. Leave can be taken either all at once or intermittently but must be taken in full-day increments.

The University allows the employee to supplement PFL benefits up to their full salary with paid time off, to the maximum extent permitted by applicable law.

An employee who is eligible for both statutory short-term disability benefits and PFL during the same period of 52 consecutive calendar weeks may not receive more than a total of 26 total weeks of disability and PFL benefits during that period of time. Statutory short-term disability benefits and PFL benefits may not be used concurrently.

### Job Benefits

PFL benefits are financed solely through employee contributions via payroll deductions. The weekly benefit is calculated as a percentage of the average weekly wage as calculated annually by the New York State Department of Labor. Paid Family Leave benefits provide 67% of your average weekly wage, capped at the same percentage of the New York State Average Weekly Wage

### Eligibility Requirements:

Employees who have a regular work schedule of 20 or more hours per week and have been employed at least 26 consecutive weeks prior to the date PFL begins (or who have a regular work schedule of less than 20 hours per week and have worked at least 175 days prior to the date PFL begins) are eligible for PFL. An employee has the option to file a waiver of PFL and therefore not be subject to deductions when their regular employment is: (i) 20 or more hours per week but the employee will not work 26 consecutive weeks; or (ii) less than 20 hours per week and the employee will not work 175 days in a 52 consecutive week period. Employees are eligible regardless of citizenship and/or immigration status.

### Employee Responsibilities

An employee must provide thirty (30) days' advance notice before the date leave is to begin if the qualifying event is foreseeable. When thirty (30) days' notice is not practicable for reasons such as

lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, the employee must provide notice as soon as practicable. Failure by the employee to provide (30) days' advance notice of a foreseeable event may result in partial denial of the employee's benefits for a period of up to thirty (30) days from the date notice is provided.

Employees must provide notice of the qualifying event and the anticipated timing and duration of the leave and should specifically identify the type of family leave requested. Employees also must provide medical certifications and periodic recertification or other supporting documentation or certifications supporting the need for leave.

An employee requesting paid family leave must submit a completed Request for Paid Family Leave or PFL-1 form and appropriate additional certification form(s) as follows:

Bonding Certification: PFL-2 Form plus documentation.

Health Care Provider Certification: PFL-4 Form plus Personal Health Information (PHI) Release (PFL-3 Form); or

Military Qualifying Event: PFL-5 Form plus documentation, via mail to the University's Human Resources Department.

#### Leave Concurrent with FMLA

The University will require an employee who is entitled to leave under both the FMLA and PFL, to take PFL concurrently with any leave taken pursuant to the FMLA. When the total hours taken for FMLA in less than full-day increments reach the number of hours in an employee's usual workday, the University may deduct one (1) day of PFL from an employee's annual available PFL. If employees have any questions regarding this policy, they should contact Human Resources. The application is available at:

<https://paidfamilyleave.ny.gov/employees>