

California

■ CALIFORNIA DISABILITY COMPENSATION LAW (*PAID FAMILY LEAVE*)

TERMS: Family temporary disability insurance provides up to 6 weeks of cash benefits to workers who take time off work to care for a seriously ill child, spouse, parent, parent-in-law, grandparent, grandchild, sibling, or domestic partner, or to bond with a new child within one year of the birth or placement of the child in connection with foster care or adoption. The program is financed by the state disability insurance taxes withheld from most workers' wages, as described in the previous entry.

ENFORCEMENT: *Employment Development Department, Sacramento, California 95814 (877-238-4373)*. Applications for paid family leave benefits may be filed online (www.edd.ca.gov/disability/SDI_Online.htm) or by mail (application forms available via 877-238-4373 in English, or 877-379-3819 in Spanish).

New Jersey

■ TEMPORARY DISABILITY BENEFITS LAW (*FAMILY LEAVE INSURANCE*)

TERMS: In addition to replacing earnings lost on account of non-work-related disabilities, the Temporary Disability Benefits Law also authorizes cash benefits for up to 6 weeks to allow workers to provide care to a seriously ill family member, or to bond with a newborn or newly adopted child.

Conditions and Limitations — Family Leave benefits are subject to the following conditions, among many others:

Care Leave — Leave to care for a family member with a serious health condition applies only to a worker's spouse, domestic or civil union partner, parent or child, and the health condition must be verified by a licensed health care provider. Care leave may be taken for 6 consecutive or non-consecutive weeks, or 42 non-consecutive days, during the 12-month period immediately preceding the claim.

Bonding Leave — Paid family leave for up to 6 weeks may also be taken to bond with (1) a newborn child during the 12 months after the child's birth, or (2) an adopted child during the 12 months after the child's placement. This type of leave generally must be for a period of more than 7 consecutive days. At the time the claim is made, the worker must provide certain documentation, such as the child's birth certificate or adoption records.

Earnings Eligibility — To qualify for Family Leave Insurance benefits, a worker generally must have earned a certain amount of qualifying wages working for one or more farm employers who either (1) paid total agricultural wages of \$20,000 or more during any calendar quarter of the current or preceding calendar year, or (2) employed 10 or more agricultural workers for any part of a day in 20 or more different calendar weeks this year or last.

Amount of Benefits — The amount of weekly benefits is generally equal to a certain percentage of the worker's average weekly earnings over the 52 weeks immediately before the leave period.

ENFORCEMENT: *Division of Unemployment and Temporary Disability Insurance, New Jersey Department of Labor and Workforce Development, Trenton, New Jersey 08625 (609-292-2460).* A worker who takes family leave, and whose current or most recent employer does not administer a private disability plan, may download an application for state disability benefits or file a claim online, at lwd.dol.state.nj.us/labor/fli/fliindex.html#FLI2.

Any dispute that arises over a worker's eligibility for or payment of benefits from a private plan may be referred to the Department for investigation and resolution.

Rhode Island

■ RHODE ISLAND TEMPORARY DISABILITY INSURANCE ACT (*TEMPORARY CAREGIVER INSURANCE*)

TERMS: The Rhode Island Temporary Disability Insurance Act provides up to 4 weeks of wage-replacement benefits for workers who take time off work to care for a seriously ill family member, or to bond with a newborn or adopted child during the first 12 months of parenting. Temporary caregiver insurance benefits are financed by contributions withheld from workers' wages and forwarded to the fund by their employers.

To be eligible for caregiver benefits, a worker must have earned certain minimum amounts from employment during the year or so before a claim is filed, and must not be receiving unemployment or workers' compensation payments.

ENFORCEMENT: *Temporary Disability Insurance Unit, Income Support Division, Rhode Island Department of Labor and Training, Cranston, Rhode Island 02920 (401-462-8420)*. Claims for caregiver benefits may be filed online, at uiclaims.ri.gov/tdionline/.

Washington

■ FAMILY LEAVE INSURANCE LAW

TERMS: Farm operators, crew leaders and other agricultural establishments that (1) paid \$20,000 or more in cash wages for agricultural labor during any calendar quarter in the current or preceding calendar year, or (2) employed 10 or more workers in agricultural labor for some part of a day in each of 20 different calendar weeks this year or last, are subject to the family leave insurance law.

A farmworker who is employed by such an establishment may be eligible for up to 5 weeks of cash benefits if they (1) are unable to perform their regular or customary work because they are caring for a newborn or newly adopted child, and (2) have been employed for at least 680 hours during a certain one-year period leading up to their claim.

The amount of benefits is set by law at \$250 per week for an individual who was regularly working 35 hours or more per week when the period of family leave began. For those regularly working *less* than 35 hours a week, the benefit amount is reduced.

ENFORCEMENT: *No state agency has been designated to administer the family leave insurance program.*

SPECIAL NOTE: ***Although passed in 2007 and set to take effect on July 1, 2008, the family leave insurance law has not been implemented.***