

New York State Issues Forms for Implementing Paid Family Leave Benefits Law

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New York State recently released several forms for use by employers and employees under the Paid Family Leave Benefits Law (“Law”), which becomes effective on January 1, 2018. The forms include (i) a waiver for employees who are ineligible to receive benefits under the Law to opt out of contributions (PFL-Waiver), (ii) a leave request form (PFL-1), and (iii) certification forms for various circumstances under which leave can be taken (PFL-2, PFL-3, PFL-4, and PFL-5). In addition, the state released two forms for employers that are exempt from providing mandatory coverage under the Law but wish to voluntarily provide coverage—one for employers that will require employee contributions (PFL-136) and another for employers that will not require employee contributions (PFL-135).

The forms can be found at the following links:

- [Employee Paid Family Leave Opt-Out and Waiver of Benefits](#)
- [Leave to Bond with a Newborn, a Newly Adopted or Fostered Child](#)
- [Leave to Care for a Family Member with Serious Health Condition](#)
- [Leave to Assist Families in Connection with a Military Deployment](#)
- [Employer’s Application for Voluntary Coverage \(No Employee Contribution\)](#)
- [Employer’s Application for Voluntary Coverage \(Employee Contribution Required\)](#)

The state has also established a [Paid Family Leave Helpline](#) for employees or employers seeking assistance with these forms. For more information on the Law, please see the Epstein Becker Green *Act Now Advisory* titled “[Employer Resource Guide to the New York State Paid Family Leave Benefits Law](#).”

What New York Employers Should Do Now

- If you wish to apply for voluntary coverage, use the applicable New York State form.
- With respect to the request and waiver forms, although you (and insurance carriers) may use your own forms (as New York State does *not* require the use of its published forms), consider using the state's forms (unless special circumstances call for customized forms) because the state's forms track the Law's language and requirements. By using the state's forms, you may reduce complaints from employees that the information requested is improper or unduly burdensome.

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