

**Commission to Develop A Paid Family and Medical Leave Benefits Program
For Review November 18, 2022**

Program Design Recommendations for Commission’s Proposal for a Paid Family and Medical Leave Benefits Program

Program Design Question	Commission Recommendation (By consensus or straw vote)
What purposes can leave be used for?	<ul style="list-style-type: none"> • Adopt same purposes for leave that are permissible for federal FMLA: • And also include safe leave
Who is covered?	<ul style="list-style-type: none"> • Include all workers—full-time, part-time, temporary and seasonal workers
Are public sector workers automatically covered?	
Can self-employed workers opt in to coverage?	<ul style="list-style-type: none"> • Yes, allow self-employed workers to opt in
What are the requirements to qualify for benefits? e.g minimum level of earned wages or period of time as an employee?	
What family members are covered?	<ul style="list-style-type: none"> • Adopt same definition of family member as in state FMLA law • And also include affinity relationships
Are employees who have children born prior to effective date of PFML benefits eligible to take bonding leave? Are there any limits to that eligibility?	<ul style="list-style-type: none"> •
How is the program funded? What level of contributions are required from employers and employees?	<ul style="list-style-type: none"> • Require employers (except for certain small employers?) and employees to contribute to program costs based on percentage of wages <i>[No recommendation yet as to what percentage of total costs expected from employers and employees]</i>
What is the wage base to be used for determining contributions? Use Social Security maximum wage limit or unlimited wages?	
Are small employers with fewer than 15 employees exempt from making contributions?	
What percentage of wages do workers receive?	
What is the maximum weekly benefit? Is the state average weekly wage? Or higher?	

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For how long can a worker receive benefits?	
Is there an unpaid waiting period? Or use 7-day waiting period?	
Are workers entitled to have their jobs back when they return?	<ul style="list-style-type: none"> • Address this issue through provisions in current federal and state FMLA laws • Do not include explicit language in any PFML legislation
Is an employer allowed to use an equivalent private insurance plan to provide the benefit?	<ul style="list-style-type: none"> • Yes, allow a private plan option that is substantially equivalent
How is the benefit provided? What is the organization and structure for administering the benefit?	

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