



# ABSENCE ADVISORY

REGULATORY UPDATES FROM  
AFLAC'S LIFE, ABSENCE AND  
DISABILITY SOLUTIONS DIVISION



NOVEMBER 2024

We are pleased to share the November 2024 Absence Advisory, along with information related to state and other paid leave legislation.

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## 2025 STATUTORY DISABILITY AND PAID LEAVE UPDATES

The following information is being provided based on what information is available as of Nov. 3, 2024. These are educational materials only. Employers should consult their own counsel for obligations for state-mandated leave and disability programs. Please refer to the state website for current information. You can find our latest statutory disability and paid leave guide [here](#).

### Social Security/OASDI

The maximum taxable earnings for Old Age and Survivors Disability Insurance (OASDI) will increase to **\$176,100 for 2025** from \$168,600 in 2024.

## CALIFORNIA

### 2025 benefit increase

As previously announced, beginning Jan. 1, 2025, California's State Disability Insurance program wage replacement benefit will increase from a range of 60% to 70%, to 70% to 90%.

### 2025 weekly maximum benefit

The new maximum weekly benefit amount will change from \$1,620 to \$1,681.

### 2025 contribution rate

The program's contribution rate will increase from 1.1% to 1.2%.

### 2025 state average weekly wage

The new state average weekly wage is \$1,704.

## COLORADO

### 2025 weekly maximum benefit

At the start of 2025, the maximum weekly benefit provided by Colorado's FAMLI program for new claims filed on or after Jan. 1, 2025, will be \$1,324.21.

### Reminders

[Wage reports](#) for the third quarter 2024 were due Oct. 31, 2024.

Colorado FAMLI requires annual attestations for private plans and completion of the attestation may be completed through [My FAMLI+ Employer](#). Instructions and what is needed for the attestation are found [here](#).

Also beginning in January 2025, employers who have approved private plans will be subject to an annual maintenance fee based on the FAMLI Division costs specific to each employer.

For more information, click [here](#).

## CONNECTICUT

The Connecticut Paid Leave Authority announced there will be no change to the contribution rates for 2025, and it will remain at 0.5% up to the federal Social Security wage contribution cap, which is \$176,100 in 2025.

### 2025 maximum benefit

The 2025 minimum wage is \$16.35 per hour. The weekly benefit maximum is 60 times the current state minimum wage. For any claims that begin on or after Jan. 1, 2025, the weekly benefit maximum is \$981.

For more information, click [here](#).

## DELAWARE

The Delaware LaborFirst portal is open until Dec. 1, 2024, and all employers who are required to participate in the program must register. If you do not opt for a private plan and choose to participate in the state program, you will need to start payroll deductions (if you are requiring employees to contribute) on Jan. 1, 2025.

The contributions are based on an employee's earnings (as established by FICA rules). The rates are guaranteed through 2026 at 0.8% of wages, and there are components for each line of coverage. If chosen, you can require your employees to contribute up to 50% of the cost of the program through payroll deductions.

If you are participating under the state program, the first contributions will be due to the Division of Paid Leave on April 30, 2025, along with your hour and wage report.

### Next steps for employers

- If you are required to participate in the program, you must register in the Delaware LaborFirst portal by Dec. 1, 2024. If you are required to provide benefits to your employees, you will be automatically enrolled in the state-sponsored Delaware Paid Leave plan.
- Employers should determine whether to participate in the state program or a private plan. If a private plan is chosen, reach out to your Aflac account executive, as you must apply by Dec. 1, 2024.

### You are required to provide the following employee notices to your employees:

- **Gain or lose a line of coverage.** The employer must provide notice to employees within 30 days of when they are about to lose or gain a line of coverage. If an employer's employee count rises to a threshold number resulting in the group gaining line(s) of paid leave coverage, they must receive notice within 30 days of when the additional employee is added to the employee count.

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**If an employer's employee count falls below and stays below the threshold number for 12 continuous months, then the employer has to notify their employees that they may be losing line(s) of paid leave coverage.\***

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- **Employer/employee contribution split** (if you are requiring your employees to split the contributions in any way).
- **Notice of employee rights.** Must be provided at least 30 days prior to Jan. 1, 2025. This notice should also be given to new employees when they are first hired, when an employee requests a leave or when the employer believes the employee might qualify for paid leave due to an event in their life that might trigger one of the four types of coverage. A soft copy of the notice can be found on the state website.

\* If they do not rise above the threshold number within the 30 days before the date the notice was sent.



- **Notice of coordination of benefits.** You must also provide notice about how the paid leave program coordinates with other income-replacement benefits (paid time off, short- and long-term disability, etc.) you offer and how these benefits may affect an employee's claim. If your group is participating in the state plan or if you use their online administrative system, Delaware LaborFirst, to provide ASO services for your self-insured plan, the system will include this notice as part of the claims application process.

If you are participating in an Aflac-provided/coordinated private plan, Aflac will provide you with an Aflac-specific employee rights notice and a coordination of benefits notice.

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## **Note: A private plan cannot cost individuals more than what they would be charged under the state plan.**

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For more information and to download additional materials, click [here](#).

### **HAWAII**

The state of Hawaii releases information about changes, if any, to the maximum weekly benefit and maximum employee contribution rates on Dec. 1 of each year for Hawaii Temporary Disability Insurance (TDI). Once the state formally announces the 2025 maximum weekly benefit and the contribution rate, updated information will be distributed.

### **MAINE**

The Maine Paid Leave portal is coming this winter and will enable employers to register, designate a payroll processor, file their quarterly wage reports and remit quarterly premium contributions.

Payroll withholdings for contributions will begin on Jan. 1, 2025. For calendar years 2025 through 2027, the contribution rates are as follows:

- Employers with 15 or more employees. Funding is shared equally between the employer and employee and is capped at 1.0% of wages.
- Employers with fewer than 15 employees. Employers are exempt from the employer share but must still withhold 0.5% of the contribution from wages.

Payroll contributions are capped up to the Social Security maximum taxable wage base. Employers have the option to pay the employee's share of the contribution.

### Next steps for employers

- Once the employer portal is open, employers must register for an account.
- Determine whether to participate in the state program or a private plan. If a private plan is chosen, reach out to your Aflac account executive and you will be able to apply for a private plan after April 1, 2025.
- Begin payroll withholding for contributions on Jan. 1, 2025. The first report and quarterly payments are due April 30, 2025.

You are required to provide a notice to your employee about Maine Paid Family and Medical Leave. You can locate a notice [here](#) under Employer Resources. Note: A private plan cannot cost individuals more than what they would be charged under the state plan.

For more information, and to download additional materials, click [here](#).

## MASSACHUSETTS

The Massachusetts Department of Family and Medical Leave (MA DFML) announced that the MA PFML program's contribution rates for 2025 will remain at 0.88% of the employee's eligible wages. This contribution can be split between covered individuals' payroll or wage withholdings, and an employer contribution.

### Family leave

Up to 100% of the family leave contribution (0.18% of eligible wages) can be withheld from a covered individual's wages.

### Medical leave

Up to 40% of the medical leave contribution (0.28% of eligible wages) can be withheld from a covered individual's wages. Employers are responsible for contributing the remaining 60% (0.42% of eligible wages). Employees' eligible wages are capped at the Social Security maximum, which is increased to \$176,100 for 2025.

### 2025 maximum benefit

The 2025 state average weekly wage is \$1,829.13. For claims with a benefit year that begins on or after January 2025, the maximum total amount that an employee can receive in PFML benefits will be \$1,170.64 per week. The Massachusetts Department of Family and Medical Leave has not posted the updates workplace poster, notices or rate sheets for employers. Please continue to check [here](#) for updates.

For more information, click [here](#).

## MINNESOTA

On Jan. 1, 2026, Minnesota's Paid Leave program will be launching, and the first set of wage detail reports were due Oct. 31, 2024. This first report is based on wages paid between July 1, 2024, and Sept. 30, 2024. The Paid Leave Division is using the existing unemployment insurance (UI) system to collect the wage reports. If you are an employer that is not signed up for the UI, you can sign up [here](#) for a paid leave.

For more information, click [here](#).

## NEW JERSEY

The New Jersey Department of Labor and Workforce Development announced that the NJ TDI and NJ FLI programs' contribution rates for 2025 will increase.

### Temporary disability insurance

After two years, New Jersey will reinstitute employee contributions for NJ TDI. The employee contribution will be 0.23% of eligible wages.

### Family leave insurance

The employee family leave contribution will be 0.33% of eligible wages.

For disabilities beginning Jan. 1, 2025, the New Jersey Commissioner of Labor and Workforce Development, Robert Asaro-Angelo, has set the maximum weekly temporary disability benefit rate at \$1,081, and the taxable wage base at \$165,400. The base week amount will be \$303, and the alternate earnings test will increase to \$15,200. For periods of family leave beginning Jan. 1, 2025, Asaro-Angelo has set the maximum weekly benefit rate at \$1,081 and the taxable wage base at \$165,400. The base week amount will be \$303, and the alternate earnings test will increase to \$15,200.

The following posters should be displayed in the workplace. Click to download:

[Workplace poster TDI](#)

[Workplace poster FLI](#)

## NEW YORK

### Family leave

The New York Department of Financial Services announced that the NY PFL program's contribution rate for 2025 will increase to 0.388% of the employee's eligible wages up to an annual maximum employee contribution of \$354.53.

### 2025 maximum benefit

The 2025 state average weekly wage is \$1,757.19. For claims that begin on or after Jan. 1, 2025, the maximum total amount that an employee can receive in PFL benefits will be \$1,177.32 per week.

For more information and to download additional materials, please visit the NY Paid Family Leave [website](#).

### Disability

New York disability benefits do not change in 2025. An employee's contribution remains half of 1% of their wages, but no more than 60 cents a week. The maximum benefit remains \$170 per week.

For more information, click [here](#).

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**If you are a NY DBL and PFL client, your account executive will be providing you with the updated 271S forms.**

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## OREGON

Oregon's state average weekly wage increased from \$1,269.69 to \$1,307.17.

### July 7, 2024, minimum and maximum benefit

Oregon's minimum weekly benefit as of July 7, 2024 is \$65.36, and the maximum weekly benefit will be \$1,568.60. These increases only affect benefit years that begin on or after July 7, 2024, or later. Oregon workers whose paid leave benefit year starts before July 7 will continue to receive the same benefit amount.

Employers can locate the current model notice by clicking [here](#).

For more information, click [here](#).

## RHODE ISLAND

As of Jan. 1, 2025, Rhode Island will increase the length of leave for Temporary Caregiver Insurance from six weeks to seven weeks. The state will also increase the minimum dependent allowance from \$10 per week to \$20 a week effective Jan. 1, 2025.

There is a maximum weekly benefit of \$1,070 or up to \$1,444 for five dependents.

You can locate any required workplace posters [here](#).



## WASHINGTON

The Washington State Employment Security Department announced that the WA PFML program's contribution rates for 2025 will increase to 0.92% of the employee's eligible wages. Employers will pay 28.48% of the total premium, and employees will pay 71.52%.

Businesses classified by the Employment Security Department as having fewer than 50 employees for the 2025 calendar year are not required to pay the employer portion of the premium. However, you must still collect the employee premium or pay employees' premiums on their behalf.

### 2025 maximum benefit

The 2025 state average weekly wage is \$1,714. For claims with a claim year that begins on or after Jan. 1, 2025, the maximum total amount that an employee can receive in PFML benefits will be \$1,542 per week.

The state will update the employer toolkit, mandatory poster and paystub insert in November. These resources are available on the [Employer Roles and Responsibilities page](#).

## WASHINGTON, D.C.

The contribution rate as of July 1, 2024, is 0.75% of quarter wages. As of Oct. 1, 2024, the maximum weekly benefit is \$1,153 for any new claims.

Employers are **required** to [post a notice](#) of the benefits under this law including entitlement to pay for certain types of leave, complaint process and anti-retaliation. There is a civil penalty of \$100 for each day of violation. The notice is available in Amharic, Chinese, English, French, Korean, Spanish and Vietnamese.

To access the notices, visit the [DOES website](#).

## COLORADO

### COLORADO FAML I

In October 2024, Colorado's FAML I Division announced upgrades to My FAML I+ Employer that include:

- **Wage reports.** Employers who have 10 or fewer employees and who submit reports manually can now copy employee data from the prior quarter's report to the current quarter's wage report.
- **Payments.**
  - View the New Payments section on the Manage Account page.
  - Along with new help text information, employers can view and edit saved payment methods along with adding "Nickname" to the saved payment methods.

- Receive automatic emails confirming when a payment method has been removed from the user's account.

To review the full upgrades, visit [My FAMILY+ Employer](#).

## CALIFORNIA

### CALIFORNIA AB 2499

On Sept. 29, 2024, California Governor Gavin Newsom signed into law AB 2499, which amended multiple California codes. Effective Jan. 1, 2025, among the changes, unpaid leave job protections for victim time off provisions that are currently under California Labor Code sections 230 and 230.1 will transition to the California Fair Employment and Housing Act. With this change, enforcement of the laws also transitions from the Department of Industrial Relations to the California Department of Civil Rights.

Additionally, effective Jan. 1, 2025, under California Government Code, § 12945.8(j)(8)(a), "victim" is redefined to be an individual against whom a qualifying act of violence is committed.

Regardless of whether a person is arrested for, prosecuted for or convicted of committing any crime, under California Government Code, § 12945.8(j)(5) a "qualifying act of violence" includes:

- Domestic violence.
- Sexual assault.
- Stalking.
- An act, conduct or pattern of conduct that includes any of the following:
  - In which an individual causes bodily injury or death to another individual.
  - In which an individual exhibits, draws, brandishes or uses a firearm or other dangerous weapon, with respect to another individual.
  - In which an individual uses or makes a reasonably perceived or actual threat to use force against another individual to cause physical injury or death.
  - Sexual assault means any nonconsensual sexual act proscribed by federal, tribal or state law, including when the victim lacks capacity to consent.
  - Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for that person's safety or the safety of others or suffer substantial emotional distress.

Also, effective Jan. 1, an employer with 25 or more employees may limit total leave time to 12 weeks for a qualifying act of violence victim. When a family member is a crime victim where the family member is not deceased, employers may limit absences for relocation or enrollment of a child in a new school or childcare to five days. Lastly, when the employee's family member is a victim of a nonfatal crime, employers may limit an employee's leave to 10 days. To review these changes and additional details about California's AB 2499, including but not limited to employer responsibilities, please click [here](#).

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**Employers should continue to review and update their internal policies and provide timely and appropriate updates/training to management to implement the paid sick leave laws as it applies to your company.**

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## **NEW YORK**

### **NEW YORK WORKER'S COMPENSATION BOARD**

In previous years, New York Worker's Compensation Board (NY WCB) has not imposed time limits on registering or terminating companies in the WCB DBL/PFL database for private plan statutory policies. In 2025, New York will impose specific timelines (30 days advance registration or termination in the WCB database). Failure of the carrier to adhere to this advance notice requirement subjects the carrier to fines by WCB. For this reason, Aflac NY will not be able to backdate coverages or terminations in the New York Disability Benefits Law and Paid Family Leave database for clients who do not provide timely notice to register new companies or terminate companies

Registration and termination dates will be set at no less than 30 days in advance of the effective date of the requested new business or change. We will no longer be able to clear a client's WCB penalty for noncoverage by backdating coverages. It is important for any new clients to submit their applications to Aflac with enough time for us to implement their coverage within the advance notice time frame. It is also important that clients who have a current New York Disability and Paid Family Leave policy with Aflac notify their account executive as soon as possible if they hire NY employees for an unregistered company, incur an acquisition of a company with NY employees or will be terminating a company or a policy that is registered under an active policy.

Aflac encourages our active policyholders to review all their companies with a NY payroll to be sure all are registered with NY by April 1, 2025. Companies not complying with this new advance notice requirement by NY WCB may be subject to fines by the WCB Compliance Unit for any period a company with NY employees is not registered with WCB.

More information can be found on the [DB 820/829 Filing Requirements](#). If you have any questions, please contact your Aflac account executive.



These are educational materials only. Employers should consult their own counsel for obligations for state-mandated leave and disability programs. Products and services are provided by Continental American Insurance Company. In New York, products and services are provided by American Family Life Assurance Company of New York. In California, coverage is offered by Continental American Life Insurance Company. Products may not be available in all states and may vary depending on state law.

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AGC2401979

EXP 11/25