



Time to Care Act of 2019 - Summary

The Time to Care Act (HB 341 / SB Pending) establishes a Family and Medical Leave Insurance (FAMLI) program through which employees may take up to 12 weeks of paid leave from their jobs to care for new children, other family members with serious health conditions or disabilities, or themselves.

The program provides wage replacement during the leave period ranging from \$50 to \$1000 per week. The benefit level is calculated based on the employee's weekly wage and the State's average weekly wage. In general, the amount received by low-income employees reflects a higher percentage of their total wages.

Wage replacement benefits are drawn from a fund pool into which employers and employees contribute. Contributions are mandatory and are calculated based on the employee's wages.

The FAMLI program is supervised by the State Department of Labor, Licensing, and Regulation (DLLR) and administered by Division of Unemployment Insurance (UI). (FAMLI and UI are conceptually and administratively similar.)

DLLR sets the rate of employee and employer contributions to the FAMLI program insurance pool. The rates are unspecified in the bill, but must be sufficient to fund the benefits. Experience from other states suggests that the shared contribution will total less than 1% of the employee's wages.

An employee is eligible for FAMLI benefits if the employee:

- Is caring for a newborn child or child newly placed for adoption or foster care;
- Is caring for a family member with a serious health condition or disability;
- Has a serious health condition that makes the employee unable to perform his or her job;
- Is caring for a military service member who is next of kin;
- Has a specified need resulting from the military deployment of a family member.

Family member is defined as a child, parent, parent-in-law, son- or daughter-in-law, grandparent or step-grandparent of an employee or the employee's spouse or partner, grandchild or step-grandchild of an employee or the employee's spouse or partner, spouse, domestic partner, sibling, the spouse or domestic partner of a sibling, or any other individual related by blood or affinity whose close association with the employee is equivalent to a family relationship.

