



# Paid Family Leave (PFL) FAQs

## For employees who do not pay into SDI



### General

#### 1) What is the difference between a Disability claim and a Paid Family Leave claim?

Answer: A Disability claim protects a portion of your income if you become sick or injured and are unable to work. A Paid Family Leave claim benefit provides a portion of your salary when you need to take time off work to care for a seriously ill family member, bond with a new child or attend to family matters if a family member is called to active military duty.

#### 2) Who is qualified for the Paid Family Leave (PFL)?

Answer: Paid Family Leave (PFL) is for employees who do NOT pay into CA SDI and who elect the County's Voluntary Short-term Disability plans with maximum durations of 3 weeks, 7 weeks, or 12 weeks. Employees who pay into the CA SDI plan are NOT eligible for the County's PFL program.

#### 3) What is a PFL Qualifying Event?

Answer: A Qualifying Event must occur on or after the \*enrollment effective date, and includes:

- a) Birth, adoption or foster placement of a new child
- b) Leave to care for a seriously ill family member
- c) Leave due to a family member's military deployment, such as:
  - i. Providing or arranging for care during the deployment
  - ii. Assisting in making legal or financial arrangements during the deployment
  - iii. Attending counseling
  - iv. Assisting the military member during rest and recuperation leave
  - v. Attending military sponsored events or ceremonies
  - vi. Representing the military member at federal, state, or local events
  - vii. Addressing issues due to the military member's death

#### 4) If I enroll in Voluntary Short-term Disability (VSTD) plan, am I required to enroll in the PFL plan?

Answer: Yes. The Non-SDI 3-, 7- and 12-week duration VSTD plans are bundled with PFL. They cannot be elected separately.

**5) I have purchased the Short-Term Disability plan that is a supplement to SDI, and I pay into SDI through the state of California. Does the PFL enhancement apply to my STD plan?**

Answer: No this does not apply to you because you have access to PFL through the state program. Only those employees who are ineligible for the CA/SDI benefit are eligible for the County's Voluntary STD/PFL coverage.

**6) What family members are covered under PFL?**

Answer: Child, Parent, Parent-in-law, Grandparent, Grandchild, Sibling, Spouse or registered domestic partner (Note that parents-in-law, grandparents and grandchildren are not eligible family members for military exigency.)

**7) Do the number of weeks of Paid Family Leave (PFL) match the number of disability weeks I purchased? For example, if I purchased 3 weeks of disability leave, am I only eligible for 3 weeks of PFL?**

Answer: No. The duration of your VSTD benefits is based on your disability and the maximum duration of the plan you elected. However, you can receive PFL benefit payments for up to eight weeks regardless of your VSTD plan election.

**8) Can I purchase PFL only and not the disability leave?**

Answer: No. The VSTD plans are bundled with PFL. They cannot be elected separately.

**9) What is the waiting period to use the PFL benefit and how is it different than the VSTD waiting period?**

Answer: There is a seven day "elimination period" for the VSTD plan and no waiting/elimination period for the PFL benefit.

## Pre-Existing Conditions

**10) Are there any pre-existing condition exclusions?**

Answer: Pre-existing condition exclusions do not apply to PFL; however, they will continue to apply to the VSTD plans.

## Vacation Time, Sick Leave and Benefit Calculations

**11) How are my PFL benefits calculated?**

Answer: PFL benefits are payable at 60-70% of your average weekly earnings as calculated by California's EDD. Here is a link to their benefit calculator to estimate your benefit amounts: [https://www.edd.ca.gov/Disability/PFL\\_Calculator.htm](https://www.edd.ca.gov/Disability/PFL_Calculator.htm)

**12) My Voluntary STD benefit is reduced (or offset) when calculating certain types of earnings, are there any benefit reductions or offsets on the new PFL plan?**

Answer: No. There are no benefit reductions or offsets for PFL. However, benefits may not exceed 100% of pre-disability earnings.

VSTD benefits may be reduced or offset by any employment earnings, benefits, awards, or settlements from other sources including compulsory benefits, other insurance plans, Social Security and other government plans, recovery for third party, etc. Refer to the plan policy document for a complete list.

**13) If I'm on PFL, can I supplement the payment I receive with sick and/or vacation to receive 100% of my pay?**

Answer: Yes. However, paid sick/vacation time plus leave benefits may not exceed 100% of pre-disability earnings.

**14) If I have an approved PFL claim, can I use my sick and/or vacation to receive over 100% of my salary?**

Answer: No. Paid sick/vacation time plus leave benefits may not exceed 100% of pre-disability earnings.

**15) Does either sick or vacation leave need to be exhausted before benefits are paid?**

Answer: No. Neither sick nor vacation time need to be exhausted before VSTD or PFL benefits are paid; however, paid sick/vacation time plus leave benefits may not exceed 100% of pre-disability earnings. Central Payroll will ensure any leave hours in excess of 100% paid to the employee's paycheck will be reconciled.

## Bonding Scenarios

**16) I am currently pregnant, and my delivery date is January 1, 2024, am I eligible to use the PFL benefit? If so, when can I begin to use it?**

Answer A: Yes. ***If you are currently enrolled***, the PFL benefit is payable for qualifying events that occur on or after your enrollment effective date. In this scenario, the actual delivery date is the "qualifying event". Your PFL benefit may begin after your VSTD benefit ends – you may take your time in one continuous leave or intermittently (in one day increments) within the first 12 months after your child's birth.

Answer B: Yes. ***If you are not currently enrolled*** but choose to elect the plan during Open Enrollment, the PFL benefit is payable for qualifying events that occur on or after 1/1/2024. In this scenario, the actual delivery date is the "qualifying event". Your PFL benefit will begin after any disability benefit ends – you may take your time in one continuous leave or intermittently (in one day increments) within the first 12 months after your child's birth.

Note: Your VSTD benefit would not be payable in Answer B's scenario due to the pre-existing exclusion.

**17) How long is the PFL benefit? If I am enrolled in the 3-week VSTD plan, is that PFL time in addition to my 3 weeks of STD?**

Answer: The PFL benefit provides payments for up to eight weeks. Your PFL benefit will begin after any VSTD benefit ends – you may take your time in one continuous leave or intermittently (in one day increments) within the first 12 months after your child's birth.

**18) My spouse is pregnant and due to give birth in January. If I enroll in VSTD during Open Enrollment, am I eligible to use PFL for the purpose of bonding time with my new baby?**

Answer: Yes. There is no waiting period for PFL. The PFL benefit is payable for qualifying events that occur on or after the enrollment effective date. In this scenario, the actual delivery date is the “qualifying event” and will occur after the enrollment date (example 01/01/2024).

**19) If I enroll in VSTD during Open Enrollment, am I eligible to use PFL for the purpose of bonding time with my new minor foster child in January?**

Answer: Yes, if the new child is placed with you on or after 1/1/2024. There is no waiting period for PFL. The PFL benefit is payable for qualifying events that occur on or after 1/1/2024. In this scenario, the actual placement date is the “qualifying event”.

## Care of a Family Member Scenarios

**20) My child is scheduled for surgery in February 2024 and I will need four weeks to care for her. Would the PFL benefit cover this and still allow me to use the remaining four weeks later in the year?**

Answer: Yes. ***If you are currently enrolled.*** In this scenario, the surgery date is the “qualifying event”. You can use up to 8 weeks – continuously or intermittently – of PFL within 12 months for multiple qualifying events.

**21) My brother is planning to begin chemotherapy in March 2024 and anticipates needing help. Would the PFL benefit cover this?**

Answer: Yes. ***If you are currently enrolled***

PFL benefits will cover your time to care for a seriously ill family member (child, parent, parent-in-law, grandparent, grandchild, sibling, spouse, or registered domestic partner).

A serious health condition is an illness, injury, impairment, or physical or mental condition of a patient that requires:

- a) At-home care or in-patient care in a hospital, hospice, or residential medical care facility.
- b) Continuing treatment by a physician or health care practitioner.

\*enrollment effective date:

If enrolling during Open Enrollment, the effective date will be January 1<sup>st</sup> of the following year. For example, OE is in October 2023, effective date would be 01/01/2024

If enrolling during a qualified life event, the effective date is generally the first of the month following the life event. Our Life Event Coordinator will confirm your enrollment date via email.

If enrolling as a new hire, the effective date is the first of the month following the new hire enrollment. Our New Hire Coordinator will confirm your enrollment date via email.