



New York State Comptroller
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New York's Social Insurance Programs

Benchmarking Benefits

November 2024

Message from the Comptroller

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Social insurance programs, which provide an income guarantee to workers temporarily or permanently out of work, continue to perform a vital function in New York and other states. Many workers relied on unemployment and family leave benefits during the COVID-19 pandemic and economic shutdown. We saw the role such benefits played in helping employees to meet household needs such as rent, utilities, food and medical care. Expanded support by government kept millions of people across the country from slipping into poverty.



Over the last fifteen years, New York has improved weekly unemployment and workers' compensation benefits. New York has also established a new program for paid family leave, making the State one of only nine states and the District of Columbia that currently provide such benefits. New York is also one of a handful of states that provides temporary disability insurance, but compares less favorably with other states that provide the benefit.

Reviewing social insurance programs to ensure they are meeting their intended goals is essential and may lead to changes to the programs. Such changes must also be balanced with preserving affordability for employers and employees financing the benefits. I hope policymakers find the information in this report useful for assessing adequacy of benefits, not only to help workers and their families but also their communities and our State economy.

Thomas P. DiNapoli
State Comptroller

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Executive Summary

Social insurance programs provide financial support during major events and disruptions in people's lives. When workers become involuntarily unemployed or unable to work due to their own or a family member's illness or injury, pregnancy or the birth or placement of a new child, eligible recipients can use benefits to pay for rent, food, child care, healthcare and other household needs.

This report examines four major social insurance programs available in New York State: unemployment compensation, workers' compensation, temporary disability insurance, and family leave insurance (paid family leave). Collectively, these programs touch the lives of hundreds of thousands of New Yorkers each year.

The benefits provided to workers vary along several dimensions, but the adequacy of the benefits is influenced by (1) the benefit rate, (2) the maximum benefit or cap on benefits and (3) the wages earned by workers claiming benefits.

- All states provide unemployment insurance. New York's weekly benefit rate of 50 percent is common; however, New York's maximum weekly benefit of \$504 is lower than in most other states, including several peer states. As a result, the unemployment insurance benefit replaces 42 percent of the weekly wage of a worker earning a living wage in New York City. In contrast, a worker earning the same wage would have 60 percent of income replaced in New Jersey. Under current law, increases to maximum benefits can be phased in over time.
- All states provide workers' compensation. New York's workers' compensation benefit rate of 67 percent is in line with most other peer states, although its maximum weekly benefit is lower than in 29 states. Legislation enacted in 2023 has been phasing in increases to minimum benefits continuing through 2026, after which it will be set at 20 percent of the New York State Average Weekly Wage.
- Only five states offer temporary disability insurance, and New York's \$170 maximum weekly benefit ranks last among these states. The Temporary Disability maximum benefit has not been raised since 1989.
- Only nine states (and Washington, D.C.) offer paid family leave benefits in 2024. New York's benefit rate is 67 percent, lower than all states offering the program except for California and Rhode Island. While New York's maximum benefit is among the highest, minimum wage and living wage workers in New York would take home greater weekly benefits in New Jersey, Connecticut and Massachusetts.

The consequences of the COVID-19 shutdown demonstrated the importance of these payments as a lifeline for individuals and families, and the need to periodically review programs to ensure they respond to economic realities for New Yorkers. This report provides policy makers with data and analysis to help them assess what changes should be considered to ensure New York's social insurance programs provide the intended strong safety net for New York's workers.

Introduction

Impacts of the COVID-19 pandemic made clear the importance of social insurance programs for the well-being of New York's workers. The scale of expanded assistance from federal and state governments through unemployment insurance, workers' compensation and family leave benefits reflected recognition of how these payments help workers to provide for themselves and their families in times of temporary or unexpected crisis. They help eligible recipients pay for rent, utilities, food, child care, healthcare and other needs. Research indicates that these expanded supports prevented millions of families nationwide from slipping into poverty.¹

Federal and state laws have been enacted to provide assistance when workers become involuntarily unemployed or unable to work due to their own or a family member's illness or injury, pregnancy or the birth or placement of a new child. The most significant federal laws include the Social Security Act of 1935 and the Federal Unemployment Tax Act (FUTA), passed in 1939, which established and implemented the unemployment insurance program, as well as the Americans with Disabilities Act (enacted 1990) and the Family and Medical Leave Act (FMLA, 1993), which address on-the-job illness and injury among other circumstances.

Additionally, state-level workers' compensation laws and agencies administer benefits for employees' job-related illness, injury or disability. Some states, including New York, also have temporary disability laws that respond to short-term off-the-job illness and injury and have passed family and medical leave laws which expand benefits available under the FMLA.

For all these programs, the level and duration of benefits that partially replace wages varies by program and employee pay, among other factors. Coverage and eligibility can depend on the type and length of employment and the size and sector of employer. Depending on the circumstances, employees may have rights under more than one of these laws; that is, provisions of these laws may apply at the same time. Individual employers or collective bargaining agreements may also provide benefits that exceed the statutory requirements.

Assessing benefit adequacy can be challenging. Benefit payments may be highly variable depending on the characteristics of the program, and robust data may not be readily available to understand take-up and use of the programs. Adequacy is subjective, and sufficiency may appear differently when assessed against wages lost or cost of living or in conjunction with household size, other household income and savings, and the duration of benefit provided. In addition, benefit adequacy must also be balanced with other policy goals, such as affordability of funding the benefits and maintaining an incentive to return to work, among others.

Nevertheless, if social insurance programs offer insufficient assistance, they may not be meeting the goals of the program. A common way to look at such programs is the percentage of wages received, often referred to as the "wage replacement rate."² It is generally accepted that low-wage workers are in need of greater support than higher wage workers, who tend to have greater personal savings to rely upon in times of crisis. As a result, programs are often designed to provide lower wage replacement rates for high earners, often through setting a maximum benefit.

This report examines significant provisions of four social insurance programs in New York:

- Unemployment Insurance;
- Workers' Compensation;
- Temporary Disability Insurance; and
- Family Leave Insurance (Paid Family Leave).

Wage replacement rates will be assessed for three types of workers:

- Workers earning the State [minimum wage](#), which is \$16 an hour in New York City, Long Island and Westchester, and \$15 in the rest of the state in 2024;
- Single workers earning a New York living wage, defined as \$30 per hour in New York City and \$21 per hour in Upstate New York;³ and
- Workers earning \$48 an hour, a wage of almost \$100,000 annually.

Comparisons are also made to peer states, including neighboring states (Connecticut, Massachusetts, Pennsylvania, New Jersey and Vermont) and large states (California, Florida, Illinois and Texas), when possible.

Unemployment Insurance

Unemployment Insurance (UI) benefits are provided to workers who are unemployed involuntarily, but typically are not available to those terminated for performance issues or who choose to depart from a position. UI compensation is provided through a partnership between the federal government and the states. Federal law under the Social Security Act of 1935 and accompanying rules provide requirements and direction for a state UI system, and states are given discretion to set specific parameters on coverage, eligibility and the funding and determination of benefits. This includes determining the taxes collected from employers and the payments received by employees for this purpose. As Figure 1 indicates, state-specific determinations lead programs to vary widely in the level of benefits and duration of benefits provided to employees.

Figure 1
Unemployment Insurance, State Program Summary of Selected Characteristics, 2024

	<u>Highest State Benefit Offered</u>	<u>Lowest State Benefit Offered</u>	<u>New York</u>
Benefit Weeks Payable	10 – 30 weeks (MA)	1 – 26 weeks (various)	26 weeks
Minimum Weekly Benefit	\$323 (WA)	\$5 (HI)	\$132
Maximum Weekly Benefit	\$1,033 (MA)	\$235 (MS)	\$504

Note: See Appendix A for benefits provided by all states and additional information.

Source: U.S. Department of Labor, Employment and Training Administration.

In New York, for most workers above the federal poverty line, the rate used to calculate weekly benefits is 1/26 of the highest quarterly wages during a base period, resulting in 50 percent of weekly wages,⁴ up to a maximum weekly benefit of \$504. As of January 2024, this maximum was lower than 29 other states. New York’s maximum benefit duration of 26 weeks is the same as in most other states; only two states provide benefits for a longer period.⁵

The wage replacement rate received by a worker is influenced by the workers’ wages, the benefit rate and the maximum benefit or cap. Among peer states, maximum benefits range from a low of \$275 in Florida to \$1,033 in Massachusetts. Of 9 peer states, 4 others use a benefit rate that provides 50 percent of weekly wages; rates are higher in 4 other states and lower in one. See Figure 2 and Appendix A for more information.

Figure 2
Unemployment Insurance: Benefit Rates and Maximums, January 2024

	Large States				
	New York	California	Florida	Illinois	Texas
Benefit Rate	50%	50%	50%	47%	52%
Weekly Maximum	\$504	\$450	\$275	\$593	\$577
	New York's Neighbor States				
	Connecticut	Massachusetts	New Jersey	Pennsylvania	Vermont
Benefit Rate	50%	50%	60%	51%	58%
Weekly Maximum	\$721	\$1,033	\$854	\$605	\$705

Note: Benefit rates are the percentage of wages during a base period, or portion of a base period, used to compute the weekly benefit up to a weekly maximum amount. Benefit rates in this figure do not include dependent allowances and use 1/26th of highest quarter wages for New York and California. See Appendix A for benefits provided by all states and additional information.

Source: U.S. Department of Labor, Employment and Training Administration.

Comparisons for Three Representative Worker Categories

While New York’s benefit rate is in line with many other states, its lower maximum benefit constrains the wage replacement rate not only for high earners, but also for some employees making a living wage. As of July 2024, once workers earn over roughly \$25 per hour, or more than \$52,000 annually, weekly UI benefits become limited to the \$504 maximum amount; therefore, for a worker earning a living wage in New York City (approximately \$62,400 annually) the maximum UI benefit would replace only 42 percent of wages, and for higher earners, the maximum benefit would replace much less, 26 percent.

Four peer states offer higher wage replacement rates for minimum wage workers: Pennsylvania, Texas, Vermont and New Jersey. Among peer states, only Florida and California offer less than New York for workers earning a New York City living wage. Replacement rates are also higher in all peer states, except Florida and California, for a worker earning approximately \$100,000. See Figure 3.

Figure 3
Unemployment Insurance Benefits for Different Workers, January 2024

		Minimum Wage Worker		Living Wage Worker		\$100,000 Worker
		Downstate	Upstate	NYC	Buffalo	
Weekly Wage		\$640	\$600	\$1,200	\$840	\$1,920
New York	Weekly Benefit	\$320	\$300	\$504	\$420	\$504
	Replacement Rate	50%	50%	42%	50%	26%
Replacement Rates						
Large States	California	50%	50%	38%	50%	23%
	Florida	43%	46%	23%	33%	14%
	Illinois	47%	47%	47%	46%	31%
	Texas	52%	52%	48%	52%	30%
Neighbor States	Connecticut	50%	50%	50%	50%	38%
	Massachusetts	50%	50%	50%	50%	50%
	New Jersey	60%	60%	60%	60%	44%
	Pennsylvania	51%	51%	50%	51%	32%
	Vermont	58%	58%	58%	58%	37%

Note: Weekly wages reflect annual earnings from the last two quarters of 2023 and the first two quarters of 2024; weekly benefits use highest wages from this base period. Massachusetts provides an increased weekly benefit to recipients that have dependents; this also applies to the maximum weekly benefit amount. See Appendix A for benefits provided by all states and more information.

Source: U.S. Department of Labor, Employment and Training Administration.

These findings comport with an analysis from the U.S. Department of Labor, which regularly assesses the accuracy of paid and denied state-level UI claims by using samples of weekly unemployment benefit payments and denied claims.⁶ The results for the fourth quarter of 2023 indicate claimants' average weekly wages in New York were higher than the national average, but the UI wage replacement and replacement ratios were lower. (See Appendix B for presentation of New York and peer states.)⁷

Legislative Action

In New York, employers support the UI system through taxes on employee payroll. Employers' UI tax rates vary depending on utilization of UI benefits by former employees, taxable payroll, the balances of the State's UI fund and whether New York has had to borrow from the federal Unemployment Trust Fund to fund the provision of benefits. As of October 15, 2024, New York continues to owe \$6.2 billion to the federal government for UI benefits paid during the pandemic, one of only three states that continues to have a loan balance. As the Office of the State Comptroller has previously discussed in its reports, [Unemployment Insurance Trust Fund: Challenges Ahead](#) and [Update on New York's Unemployment Insurance Trust Fund: Challenges Continue](#), federal and State taxes on employers in New York have risen and federal taxes will continue to rise until this balance is repaid. Employers will also continue to be subject to an interest assessment surcharge.⁸ Since September 30, 2021, \$452.3 million has been paid in interest assessment surcharges through September 30, 2024.⁹ No action has been taken to

pay down the federal loan with State resources. If a state takes legislative or other action to reduce the net solvency of its trust fund account, such as increasing UI benefit amounts, it will not be eligible to avoid credit reductions that increase employers' federal tax rates.¹⁰

In 2013, New York State enacted changes to its UI system that, among other provisions, provided for more employer tax revenue and improved benefits for unemployed workers effective in 2014. Amendments consisted of increases in the taxable wage base and rises in minimum and maximum weekly benefit amounts, to be implemented through 2026, including phased indexing to the New York State Average Weekly Wage ([NYSAWW](#)) for the maximum weekly benefit starting in 2019.¹¹ However, annual increases to the maximum weekly benefit have not been made from the 2019 level because the trust fund became insolvent in 2020 and has remained so.

Should increases continue, beginning October 2026, the maximum weekly benefit amount would adjust to 50 percent of the NYSAWW, which was \$1,757.19 for calendar year 2023. A maximum weekly benefit based on 50 percent of this average wage would be \$878.60, meaningfully higher than the current maximum benefit of \$504. Beginning January 1, 2027, the taxable wage base will be 16 percent of the State's average annual wage.

Legislation enacted in 2023 requires employers to inform employees of their eligibility to apply for unemployment benefits upon any reduction in hours or other temporary, indefinite or permanent separation from continued employment that results in total or partial unemployment.¹²

Workers' Compensation

Apart from employees who work for the federal government, there are no federal laws that mandate states to provide workers' compensation benefits for those who become injured or ill as a direct result of their job, or the oversight of state systems for this purpose. Nevertheless, some system of workers' compensation (WC) exists in all states, and varies considerably on disability level, duration, number of claims and types of settlements.

In 1910, New York enacted the first State law requiring compensation for workers becoming injured or ill on-the-job. The law was struck down in 1911 as unconstitutional, and the next day a fire at the Triangle Shirtwaist Factory in New York City caused the deaths of 146 garment workers. A Workers' Compensation Law was next adopted by the State Legislature in December 1913 and took effect on July 1, 1914.¹³

In New York, employers are required to carry insurance to provide benefits for workers' compensation, temporary disability and paid family leave. Workers' compensation insurance is financed exclusively by employers through private sector carriers or the New York State Insurance Fund. Employers may also meet this requirement through self-insuring so long as they meet the required obligations.

Workers' compensation in New York provides benefits for seven purposes when on-the-job injury or illness prevents an employee from continuing to work. These reflect the degree and duration of disability:

- Temporary partial disability and temporary total disability;
- Permanent partial disability and permanent total disability;
- Medical treatment;
- Loss of use; and
- Death.

The benefit rate varies based on the extent of disability.¹⁴ Claims for total disability receive the highest benefit rate, two-thirds of the employee's average weekly wage for the 52 weeks prior to the injury, up to a maximum of \$1,171 in 2024.¹⁵ The minimum weekly amount is \$275, which will increase to \$325 on January 1, 2025.¹⁶ Workers with temporary disabilities receive payments until they can return to work or their disabilities are deemed permanent. A separate schedule of indemnity payments is applied in the case of death and permanent disabilities given workers' loss of earnings over a lifetime.¹⁷

During the period September 1, 2023, through July 15, 2024, New York ranked 30th out of 50 states and D.C. for its maximum weekly benefit.¹⁸ See Appendix C for maximum weekly benefits provided by all states.

Figure 4
Workers' Compensation, Temporary Total Disability, State Program Summary of Selected Characteristics, 2024

	<u>Greatest State Benefit Offered</u>	<u>Lowest State Benefit Offered</u>	<u>New York</u>
Benefit Weeks Payable	Duration of TTD (various)	104 weeks (various)	Duration of TTD
Minimum Weekly Benefit	\$715 (IL)	None (various)	\$275
Maximum Weekly Benefit	\$2,274 (IA)	\$609 (MS)	\$1,171

Note: Certain factors affect duration such as assessment of medical condition (including recovery), age and extraordinary circumstances. Various states report no minimum weekly amount, or the lower of a floor, the worker's full wages or the worker's full wages multiplied by a percentage; this could result in weekly benefits less than a state's weekly minimum amount. See Appendix C for maximum weekly benefits provided by all states.

Source: Social Security Administration and National Academy of Social Insurance.

For workers receiving the maximum benefit rate under temporary total disability, New York's two-thirds benefit rate is in the range of most peer states, with only Texas, New Jersey and Connecticut providing higher rates; however, New York's \$1,171 maximum benefit is lower than all peer states except New Jersey.¹⁹

Figure 5
Workers' Compensation, Temporary Total Disability: Benefit Rates and Maximums, July 2024

	<u>Large States</u>				
	<u>New York</u>	<u>California</u>	<u>Florida</u>	<u>Illinois</u>	<u>Texas</u>
Benefit Rate	67%	67%	67%	67%	70%
Weekly Maximum	\$1,171	\$1,619	\$1,260	\$1,908	\$1,174
	<u>New York's Neighbor States</u>				
	<u>Connecticut</u>	<u>Massachusetts</u>	<u>New Jersey</u>	<u>Pennsylvania</u>	<u>Vermont</u>
Benefit Rate	75%	60%	70%	67%	67%
Weekly Maximum	\$1,575	\$1,797	\$1,131	\$1,325	\$1,763

Note: Benefit rates are the percentage of weekly wages used to compute the weekly benefit up to a maximum amount. These rates do not reflect minimum and maximum weekly benefits that result depending on workers' wage levels. Some states provide additional amounts for each dependent child. In Connecticut this rate is 75 percent of after-tax average weekly wages. In Texas, if wages are less than \$8.50 per hour, the benefit rate for the first 26 weeks is 75 percent.

Source: Social Security Administration.

Comparisons for Three Representative Worker Categories

Examples for different workers in Figure 6 show that New York full-time workers with 100 percent temporary total disability earning a minimum wage or living wage receive weekly benefits in line with what they would receive in most peer states. Of peer states, only Texas, New Jersey and Connecticut would replace a greater share of wages.

Figure 6
WC Benefits for Different Workers (Temporary Total Disability), July 2024

		Minimum Wage Worker		Living Wage Worker		\$100,000 Worker
		Downstate	Upstate	NYC	Buffalo	
Weekly Wage		\$640	\$600	\$1,200	\$840	\$1,920
New York	Weekly Benefit	\$427	\$400	\$800	\$560	\$1,171
	Replacement Rate	67%	67%	67%	67%	61%
Replacement Rates						
Large States	California	67%	67%	67%	67%	67%
	Florida	67%	67%	67%	67%	66%
	Illinois	67%	67%	67%	67%	67%
	Texas	70%	70%	70%	70%	61%
Neighbor States	Connecticut	75%	75%	75%	75%	75%
	Massachusetts	60%	60%	60%	60%	60%
	New Jersey	70%	70%	70%	70%	59%
	Pennsylvania	67%	67%	67%	67%	67%
	Vermont	67%	67%	67%	67%	67%

Note: Weekly wages reflect annual earnings from the last two quarters of 2023 and the first two quarters of 2024. Amounts above reflect a percentage of wages at 100 percent disability per the benefit rates and maximum benefit amounts in Figure 5.

Source: Social Security Administration.²⁰

Legislative Action in 2007 and 2017

The 2007 New York Workers' Compensation Reform Act phased in an increase of the maximum weekly benefit to two-thirds of the NYSAWW on July 1, 2010. This legislation also increased the minimum weekly benefit and the maximum weekly death benefit.²¹ Though lifelong medical benefits continue, the law limited the duration of permanent partial disability wage replacement benefits. The law allows for applications to reclassify disabilities to permanent total or total industrial disability status in cases of extreme hardship.²²

In 2017, further legislative action placed a limit of 130 weeks on the duration of wage replacement for temporary partial disability and reduced benefits for some permanent disabilities.²³ It also enacted other changes affecting benefits for certain recipients related to workforce attachment, and redetermination of disability related to definitions of hardship.²⁴

Legislation enacted in September 2023 provides for scheduled increases to the minimum weekly benefit beginning on January 1, 2024 (\$275), continuing through 2025 (\$325) to July 1, 2026 when the minimum benefit will be adjusted annually to 20 percent of the NYSAWW, or the employee's actual wages, whichever is less.²⁵

Temporary Disability Insurance

In 1949, the New York Disability Benefits Law (Article 9 of the State’s Workers’ Compensation Law) was enacted to replace wages for off-the-job short-term illness or injury, which, by definition, includes pregnancy. Temporary Disability Insurance (TDI) benefits are 50 percent of a worker’s average weekly wage for a maximum of 26 weeks during a 52-week period. The current maximum weekly benefit of \$170 was established in 1989. The minimum weekly benefit is \$20.²⁶

New York employers are required to either self-insure or obtain insurance coverage through private carriers or the New York State Insurance Fund. Employers are allowed to collect contributions from their employees through payroll deductions to offset this cost. For TDI benefits, the contribution is one-half of one percent of employee wages and not more than 60 cents per week, or \$31.20 per year.²⁷

As of October 2024, TDI is required in only four other states. New York’s statutory benefit rate and maximum weekly benefit are the lowest among this group. Hawaii’s maximum weekly payment of \$798 is more than four times New York’s benefit and California’s is almost ten times greater.²⁸ If New York’s maximum benefit had been adjusted for inflation since 1989, it would equal about \$442 in June 2024,²⁹ still below the maximum benefit offered in the four other states.

Figure 7
Temporary Disability Insurance - Significant Provisions, January 2024

	Benefit Rate	Maximum Weekly Benefit		Maximum Duration
		Amount	Percent of SAWW	
California	60 - 70%	\$1,620	About 100%	52 weeks
New Jersey	85%	\$1,055	70%	26 weeks
Rhode Island	About 60%	\$1,043	85%	30 weeks
Hawaii	58%	\$798	About 70%	26 weeks
New York	50%	\$170	Not applicable	26 weeks

Note: Benefit rate is the percentage of average weekly wages received by workers up to the maximum weekly benefit. The rate in California varies by level of highest quarterly earnings. Rhode Island’s rate of 4.62 percent of highest quarter wages equals approximately 60 percent of average weekly wages. SAWW is the Statewide Average Weekly Wage. Puerto Rico also operates a TDI program but is not included above.

Source: State-level sources (see endnote 26).

Comparisons for Three Representative Worker Categories

The TDI benefit replaces 27-28 percent of the wages of a minimum wage employee in New York; 20 percent for an employee earning a living wage in Buffalo; 14 percent for a living wage employee in New York City; and only 9 percent for a worker earning approximately \$100,000. In comparison, wage replacement rates for minimum wage and living wage workers range from 58 percent to 85 percent in the other states that offer this benefit.

Figure 8
Temporary Disability Insurance Benefits for Different Workers, January 2024

	Minimum Wage Worker		Living Wage Worker		\$100,000 Worker
	Downstate	Upstate	NYC	Buffalo	
Weekly Wage	\$640	\$600	\$1,200	\$840	\$1,920
<i>New York</i>					
Weekly Benefit	\$170	\$170	\$170	\$170	\$170
Replacement Rate	27%	28%	14%	20%	9%
<i>Other TDI States - Replacement Rates</i>					
California	60%	60%	60%	60%	60%
New Jersey	85%	85%	85%	85%	55%
Rhode Island	60%	60%	60%	60%	54%
Hawaii	58%	58%	58%	58%	42%

Source: State-level sources (see endnote 28).

Recent Proposed Action

During the State Fiscal Year (SFY) 2024-25 budget and Legislative Session, there were Executive and legislative proposals advanced to increase reimbursement rates and maximum weekly benefits.³⁰ Changes to TDI leave in New York did not pass the Legislature in 2024.

Family Leave Insurance (Paid Family Leave)

To allow eligible workers to take leave for the care of family members, amendments to New York’s Disability Benefits Law were enacted in 2016 under the New York Paid Family Leave Act. Through this Act and subsequent action, paid family leave (PFL) has become available for an employee to care for a new child; care for a family member with a serious health condition; assist a family member in the military service; or care for one’s own health or child when subject to quarantine or isolation due to COVID-19.³¹

As of January 1, 2024, PFL benefits are available in New York at 67 percent of an employee’s average weekly wage, up to a maximum benefit of \$1,151. The minimum weekly benefit is \$100. Benefits are paid for up to 12 weeks in a 52-week period. Leave used for this purpose counts towards the maximum 26 weeks allowed under TDI.

Similar to TDI, a minority of states have PFL programs. Out of the nine states and D.C. that offer PFL benefits as of 2024, New York’s maximum weekly benefit ranks 4th and its benefit rate ranks 8th. Like New York, most states offering the benefit allow for 12 weeks.³²

Figure 9
Family Leave Insurance – Significant Provisions, January 1, 2024
(Sorted by Maximum Weekly Benefit)

	Maximum Weekly Benefit			
	Benefit Rate	Amount	Percent of SAWW or Other	Maximum Duration (Family Leave Only)
California	60 - 70%	\$1,620	About 100%	8 weeks
Oregon	100%	\$1,524	120%	12 weeks
Washington	90%	\$1,456	90%	16 weeks
New York	67%	\$1,151	67%	12 weeks
Massachusetts	80%	\$1,150	64%	12 weeks
District of Columbia	90%	\$1,118	Adjusted to inflation	12 weeks
Colorado	90%	\$1,100	90%	12 weeks
New Jersey	85%	\$1,055	70%	12 weeks
Rhode Island	About 60%	\$1,043	About 85%	6 weeks
Connecticut	95%	\$941	60 x state min wage	12 weeks

Note: Delaware, Maryland, Maine and Minnesota will start making benefits available in 2026. In 2024, California’s benefit rate for quarterly earnings below \$7,154.32 is 70 percent; for quarterly earnings below \$929, the weekly benefit amount is \$929. Rhode Island’s wage reimbursement rate of 4.62 percent of highest quarter wages equals approximately 60 percent of average weekly wages. In Connecticut, the benefit rate is calculated differently from other states.³³

Source: A Better Balance and state-level sources (see endnote 32).

Comparisons for Three Representative Worker Categories

In 2024, minimum wage and living wage workers claiming PFL benefits take home greater weekly benefits in neighboring states of Connecticut, Massachusetts and New Jersey. Connecticut’s policy is most beneficial to minimum wage workers replacing 94 – 97 percent of income; however, the higher maximum benefit makes New York’s policy as favorable for workers earning approximately \$100,000.

Figure 10
Paid Family Leave Benefits for Different Workers, January 2024

	Minimum Wage Worker		Living Wage Worker		\$100,000 Worker
	Downstate	Upstate	NYC	Buffalo	
Weekly Wage	\$640	\$600	\$1,200	\$840	\$1,920
<i>New York</i>					
Weekly Benefit	\$427	\$400	\$800	\$560	\$1,151
Replacement Rate	67%	67%	67%	67%	60%
<i>Peer States - Replacement Rates</i>					
California	60%	60%	60%	60%	60%
Connecticut	94%	97%	78%	86%	49%
Massachusetts	80%	80%	87%	80%	60%
New Jersey	85%	85%	85%	85%	55%

Source: A Better Balance and state-level sources (see endnote 32).

For PFL, most employers either carry riders to their short-term disability insurance policies or carry stand-alone policies that do the same. As with TDI, employers are allowed to collect contributions from employees to help pay for the cost of paid family leave. The New York State Department of Financial Services sets this rate to match the cost of coverage. In 2024, this amount is 0.373 percent of weekly wages up to the annualized NYSAWW resulting in a maximum annual contribution of \$333.25.³⁴

Conclusion

Collectively, hundreds of thousands of New Yorkers annually benefit from social insurance programs. More than 138,000 New Yorkers were claiming unemployment benefits for the week of October 5, 2024. In 2023, there were almost 170,000 claims for workers' compensation. In 2022, the most recent year for which data are available, more than 163,000 PFL claims were paid.³⁵

Benefits made available through these programs provide security for employees when they are unable to work, and actions have been taken in the last ten years to enhance benefits. Notably, New York has been one of a few states to create a PFL program. Among other changes, maximum weekly UI benefits will be set at a higher share relative to the NYSAWW if the unemployment insurance fund balance improves. Similarly, maximum WC benefits are set relative to the NYSAWW, and increases to minimum benefits are also being phased in. These changes provide an important stabilizer for cost-of-living increases and ensuring the adequacy of these programs does not deteriorate considerably. In contrast, while New York is only one of a handful of states that provides temporary disability insurance, the maximum benefit is relatively low and has not been updated since 1989.

These programs should be periodically reviewed to ensure they remain responsive to current economic realities for New Yorkers and are meeting their intended purposes. Such reviews should also examine the duration of benefits and other aspects of program design not covered in this analysis, and must also consider other objectives, such as affordability, particularly for small employers or low-wage workers. Providing economic stability to workers and their families in crisis benefits them, their communities and our State.

Appendix A

Unemployment Compensation - Significant Provisions, January 2024 (Sorted by Maximum Weekly Benefit)

	Maximum Weekly Benefit	Minimum Weekly Benefit	Benefit Weeks Payable
Massachusetts	\$1,033	\$60	10 - 30
Washington	\$1,019	\$323	1 - 26
Maine	\$573 - \$1,002	\$100 - \$175	15 - 26
Minnesota	\$574 or \$890	\$34	11 - 26
Rhode Island	\$705 - \$881	\$71 - \$121	17 - 26
New Jersey	\$854	\$169 - \$194	20 - 26
Oregon	\$812	\$190	1 - 26
Illinois	\$593 - \$809	\$51 - \$77	26
Connecticut	\$721 - \$796	\$40 - \$80	26
Hawaii	\$796	\$5	26
Colorado	\$710 or \$781	\$25	13 - 26
Ohio	\$561 - \$757	\$157	20 - 26
North Dakota	\$748	\$43	12 - 26
Utah	\$746	\$44	10 - 26
Iowa	\$582 - \$714	\$86 - \$105	8 - 16
Vermont	\$705	\$86	23 - 26
Montana	\$698	\$207	8 - 24
Kentucky	\$665	\$39	16 - 24
West Virginia	\$662	\$24	26
New Mexico	\$577 - \$627	\$107 - \$157	14 - 26
Pennsylvania	\$605 - \$613	\$68 - \$76	18 - 26
Wyoming	\$595	\$43	11 - 26
Kansas	\$589	\$147	10 - 16
Nevada	\$585	\$16	8 - 26
Texas	\$577	\$73	10 - 26
Idaho	\$568	\$72	10 - 26
Nebraska	\$546	\$70	10 - 26
Oklahoma	\$519	\$16	16
South Dakota	\$514	\$28	15 - 26
New York	\$504	\$132	26
Arkansas	\$451	\$81	9 - 12
California	\$450	\$40	14 - 26
Delaware	\$450	\$20	24 - 26
District of Columbia	\$444	\$50	26
Alaska	\$370 - \$442	\$56 - \$128	16 - 26
Maryland	\$430	\$50 - \$90	26
New Hampshire	\$427	\$32	26
Indiana	\$390	\$37	26
Virginia	\$378	\$60	12 - 26
Wisconsin	\$370	\$54	14 - 26
Georgia	\$365	\$55	6 - 26
Michigan	\$362	\$164 - \$190	14 - 20
North Carolina	\$350	\$15	12 - 20
South Carolina	\$326	\$42	13 - 20
Tennessee	\$325	\$55	12 - 20
Arizona	\$320	\$224	8 - 24
Missouri	\$320	\$35	8 - 20
Alabama	\$275	\$45	14
Louisiana	\$275	\$35	26
Florida	\$275	\$32	9 - 12
Mississippi	\$235	\$30	13 - 26

Note: Benefit ranges reflect additional benefits allowed for dependents (AK, CT, IL, IA, ME, MD, MA, MI, NJ, NM, OH, PA, RI) and amounts based on differing wage criteria (CO and MN). The number of payable weeks does not include additional weeks of benefits that some states pay under circumstances such as high unemployment, continuation of approved training, or workforce dislocations, and is dependent on base period wages and the state's unemployment rate in some states (AL, FL, GA, ID, KY, MA, TN). Information may differ from other sources.

Source: U.S. Department of Labor, Employment and Training Administration, *Most Recent Provisions of Significant UI Laws Publication*, January 2024 at <https://oui.doleta.gov/unemploy/content/sigpros/2020-2029/January2024.pdf>.

Appendix B

Unemployment Compensation – Actual Average Benefits, 2023, 4th Quarter

State	Sample Size	Valid Cases	Replacement Ratio 1	Replacement Ratio 2	Claimants' Average Weekly Benefit Amount	Claimants' Average Weekly Wage
United States	23,088	22,963	0.425	0.354	\$441.29	\$1,245.23
Massachusetts	451	448	0.480	0.432	\$679.16	\$1,571.85
New Jersey	484	476	0.532	0.459	\$574.22	\$1,250.90
Vermont	370	369	0.531	0.476	\$496.00	\$1,042.34
Texas	481	481	0.491	0.392	\$486.09	\$1,239.59
Connecticut	484	481	0.430	0.378	\$486.09	\$1,285.21
Pennsylvania	484	478	0.490	0.436	\$462.33	\$1,059.68
Illinois	481	481	0.398	0.357	\$440.54	\$1,234.05
New York	476	474	0.385	0.302	\$415.08	\$1,373.77
California	560	560	0.372	0.281	\$384.56	\$1,370.95
Florida	479	478	0.330	0.263	\$261.28	\$991.91

Source: U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, *UI Replacement Rates Report* at https://oui.doleta.gov/unemploy/ui_replacement_rates.asp. These are four-quarter averages ending with the fourth quarter of 2023. Replacement Ratio 1 is the weighted average of the result from dividing claimants' weekly benefit amount by claimants' normal hourly wage times 40 hours and Replacement Ratio 2 divides the weighted average of the weekly benefit amount by the weighted average of the normal hourly wage times 40 hours.

Appendix C:

Workers' Compensation - Maximum Weekly Benefits

Workers Compensation Maximum Weekly Benefits		
	Weekly Benefit	Effective Date
Iowa	\$2,274.00	7/1/2024
Washington	\$2,228.45	7/1/2024
New Hampshire	\$2,139.00	7/1/2024
Illinois	\$1,907.79	7/15/2024
Massachusetts	\$1,796.72	10/1/2023
Oregon	\$1,770.87	7/1/2024
Vermont	\$1,763.00	7/1/2024
District of Columbia	\$1,761.11	1/1/2024
California	\$1,619.15	1/1/2024
Connecticut	\$1,575.00	10/1/2023
Rhode Island	\$1,534.00	10/1/2023
North Dakota	\$1,514.00	7/1/2024
Alaska	\$1,478.00	1/1/2024
Maryland	\$1,456.00	1/1/2024
Maine	\$1,430.84	7/1/2024
Virginia	\$1,410.00	7/1/2024
Minnesota	\$1,363.74	10/1/2023
Tennessee	\$1,360.70	7/1/2024
Colorado	\$1,338.00	7/1/2024
North Carolina	\$1,330.00	1/1/2024
Pennsylvania	\$1,325.00	1/1/2024
Wisconsin	\$1,296.00	1/1/2024
Nevada	\$1,294.79	7/1/2024
Utah	\$1,284.00	7/1/2024
Florida	\$1,260.00	1/1/2024
Missouri	\$1,228.04	7/1/2024
Ohio	\$1,195.00	1/1/2024
Kentucky	\$1,180.43	1/1/2024
Texas	\$1,174.00	10/1/2023
New York	\$1,171.46	7/1/2024
Hawaii	\$1,136.00	1/1/2024
Michigan	\$1,134.00	1/1/2024
New Jersey	\$1,131.00	1/1/2024
Alabama	\$1,130.00	7/1/2024
Wyoming	\$1,111.00	7/1/2024
Nebraska	\$1,094.00	1/1/2024
South Carolina	\$1,093.67	1/1/2024
Montana	\$1,084.00	7/1/2024
West Virginia	\$1,067.12	7/1/2024
South Dakota	\$1,066.00	7/1/2024
New Mexico	\$1,041.79	1/1/2024
Oklahoma	\$1,038.31	1/1/2024
Idaho	\$930.60	1/1/2024
Delaware	\$885.34	7/1/2024
Arkansas	\$876.00	1/1/2024
Arizona	\$871.24	1/1/2024
Kansas	\$835.00	7/1/2024
Indiana	\$828.00	7/1/2024
Louisiana	\$816.00	9/1/2023
Georgia	\$800.00	7/1/2024
Mississippi	\$608.58	1/1/2024

Source: Social Security Administration, *Program Operations Manual System (POMS)*, Effective Dates: 08/01/2024 – Present at <https://secure.ssa.gov/poms.nsf/lnx/0452150045>.

Endnotes

- ¹ John Creamer, Emily A. Shrider, Kalee Burns and Francis Chen, U.S. Census Bureau, Current Population Reports (P60-277), *Poverty in the United States: 2021*, September 2022, at <https://www.census.gov/library/publications/2022/demo/p60-277.html> (see Figure 11 and Tables B-7 and B-8).
- ² National Academy of Social Insurance, *Workers' Compensation: Benefits, Costs, and Coverage*, February 2024 at <https://www.nasi.org/wp-content/uploads/2024/02/2024-WC-Report-2021-Data-Final.pdf>.
- ³ Estimates are based on Amy K. Glasmeier and the Massachusetts Institute of Technology, accessed June 7, 2024 at <https://livingwage.mit.edu/states/36/locations>. Living wage rates vary by location and household composition, including the number of working adults, and estimate wages (based on 2,080 hours of work annually) needed to meet household costs. Typical household expenses include food, housing, medical and child care, transportation, Internet and mobile phone services, taxes and other costs. This calculator was used to generate living wages for one adult and no children in Kings County (Brooklyn) and Erie County updated on February 14, 2024. This household composition is most similar to the existing basis for benefits in social insurance programs in New York. Note living wages identified by the calculator vary across upstate and also vary within New York City. While the MIT Living Wage Calculator is widely used for determining living wage, other methodologies make different determinations.
- ⁴ Benefits are based on an employee's highest wages for one or more quarters during a base period depending on the level of wages. When quarterly wages are more than \$3,575, 1/26th is applied and results in a 50% benefit rate; when quarterly wages are equal to or less than \$3,575, 1/25th is used and results in 52 percent. For more information on how a base period is defined, see New York State Department of Labor, "How Your Weekly Unemployment Insurance Benefit Payment Is Calculated," at <https://dol.ny.gov/system/files/documents/2024/01/p832-how-your-weekly-ui-benefits-are-calculated-1-24.pdf>.
- ⁵ U.S. Department of Labor, Employment and Training Administration, *Most Recent Provisions of Significant UI Laws Publication*, January 2024 at <https://oui.doleta.gov/unemploy/content/sigpros/2020-2029/January2024.pdf>. See also <https://oui.doleta.gov/unemploy/statelaws.asp#RecentSigProLaws>; and, Center on Budget and Policy Priorities, *Policy Basics: How Many Weeks of Unemployment Compensation Are Available?*, October 8, 2024 (updated) at <https://www.cbpp.org/research/economy/how-many-weeks-of-unemployment-compensation-are-available>. Massachusetts and Montana provide a maximum of 28 weeks but Massachusetts provides a maximum of 26 weeks when its unemployment rate is below a specific level or a federal extended benefit program is active. Also, "State laws in many states with a maximum of 26 weeks employ a sliding scale based on a worker's earnings history to determine the maximum number of weeks for which an individual worker qualifies. Except in Connecticut, the District of Columbia, Georgia, Hawai'i, Illinois, Kentucky, Louisiana, Maryland, New Hampshire, New York, West Virginia, and Puerto Rico, many UI recipients' maximum is fewer than 26 weeks."
- ⁶ U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, *Benefit Accuracy Measurement Program Fact Sheet*, April 18, 2024 at https://oui.doleta.gov/unemploy/bam/2002/bam_fact.asp.
- ⁷ U.S. Department of Labor, Office of Unemployment Insurance, Division of Performance Management, based on data downloaded on September 13, 2024 and tables prepared by USDOL\OUI on May 28, 2024. See https://oui.doleta.gov/unemploy/ui_replacement_rates.asp.
- ⁸ For more information, see the Office of the New York State Comptroller's report, *Unemployment Insurance Trust Fund: Challenges Ahead*, September 2021 at <https://www.osc.ny.gov/files/reports/pdf/unemployment-insurance-trust-fund.pdf> and *Update on Unemployment Insurance Trust Fund: Challenges Continue*, June 2022 at <https://www.osc.ny.gov/reports/update-new-yorks-unemployment-insurance-trust-fund-challenges-continue>.
- ⁹ No interest was due in 2020. See U.S. Department of the Treasury, Fiscal Data.Treasury.gov, *Advances to State Unemployment Funds (Social Security Act Title XII)* at <https://fiscaldata.treasury.gov/datasets/ssa-title-xii-advance-activities/advances-to-state-unemployment-funds-social-security-act-title-xii>.
- ¹⁰ Congressional Research Service, *The Unemployment Trust Fund (UTF): State Insolvency and Federal Loans to States*, updated January 13, 2023 at <https://crsreports.congress.gov/product/pdf/RS/RS22954>.
- ¹¹ Laws of New York, 2013, Chapter 57. Under changes made through the State Fiscal Year 2013-14 Enacted Budget, the wage base for UI taxation was increased, with scheduled yearly increases until the base reaches \$13,000 in 2026. Additionally, the amounts of weekly UI benefit payments increased as of October 2014 continuing through October 2019. Fraud prevention measures and new work search tools were also adopted. For more information, see New York State Department of Taxation/Department of Labor, *Employer's Guide to Unemployment Insurance, Wage Reporting, and Withholding Tax* (page 37), revised December 2022 at <https://www.tax.ny.gov/pdf/publications/withholding/nys50-12-22.pdf>; New York State Department of Labor, NYS-

- 45 Quarterly Reporting at <https://dol.ny.gov/nys-45-quarterly-reporting>; Lawyers Alliance for New York, *What Employers Need to Know About Changes to New York's Unemployment Insurance Law*, December 28, 2022 at https://lawyersalliance.org/userFiles/uploads/legal_alerts/Amendments_to_New_York_Unemployment_Insurance_Law.pdf; and Office of the New York State Comptroller, *Unemployment Insurance Trust Fund: Challenges Ahead*, September 2021 at <https://www.osc.ny.gov/files/reports/pdf/unemployment-insurance-trust-fund.pdf>.
- ¹² New York State Governor Kathy Hochul, "Governor Hochul Signs Legislation to Strengthen Workers Rights in New York State," September 14, 2023 at <https://www.governor.ny.gov/news/governor-hochul-signs-legislation-strengthen-workers-rights-new-york-state>; and Article 18, Title 7, Section 590 of New York State Labor Law.
- ¹³ New York State Workers' Compensation Board, *Centennial*, 2014 at https://www.wcb.ny.gov/WCB_Centennial_Booklet.pdf. After the invalidation of the first law, the State Constitution was amended to allow for compulsory workers' compensation (currently Article I, Section 18 of the New York State Constitution, renumbered in the Constitutional Convention of 1938, and amended by vote of the people in 2001).
- ¹⁴ Disability assessments range from total (100 percent) through marked (75 percent), moderate (50 percent) to mild (25 percent) disability and other levels.
- ¹⁵ New York State Workers' Compensation Board, *Workers' Compensation, Lost Wages Benefits* at <https://www.wcb.ny.gov/content/main/Workers/LostWageBenefits.jsp>.
- ¹⁶ These amounts apply to any level of disability. The Commissioner of Labor reports New York's Average Weekly Wage to the Superintendent of Insurance on March 31 and the maximum weekly benefit is adjusted on July 1 of each year. See also <https://www.wcb.ny.gov/content/main/Workers/LostWageBenefits.jsp>.
- ¹⁷ For permanent disability that is not covered by a Schedule Loss of Use award, benefits are available for 225 to 525 weeks depending on loss of wage-earning capacity. See New York State Workers' Compensation Board at <https://www.wcb.ny.gov/content/main/Workers/AwardLossUsePermDisability.jsp>.
- ¹⁸ Social Security Administration, *Program Operations Manual System (POMS), Effective Dates: 11/02/2023 - Present* at <https://secure.ssa.gov/poms.nsf/lnx/0452120001>; National Academy of Social Insurance, *Workers' Compensation: Benefits, Costs, and Coverage*, February 2024 at <https://www.nasi.org/wp-content/uploads/2024/02/2024-WC-Report-2021-Data-Final.pdf>. Additional sources for the information in this table are: MyFloridaCFO, Florida Department of Financial Services, *Temporary Total Disability Benefit Calculator* at <https://www.myfloridacfo.com/division/wc/employee/benefit-calculators/temporary-total-disability-benefit-calculator>; Illinois.gov, Illinois Workers' Compensation Commission, *Benefit Rates* at <https://iwcc.illinois.gov/resources/benefits.html>; Iowa, Department of Inspections, Appeals, & Licensing, *Rate Information* at <https://dial.iowa.gov/hearings/workers-comp/rates>; State of Mississippi, Workers' Compensation Commission, *Mileage, Weekly Maximum and Lifetime Disability Rates* at <https://www.mwcc.ms.gov/#/maximumBenefitMileageRatesChart>.
- ¹⁹ Social Security Administration, *Program Operations Manual System (POMS), Effective Dates: 11/02/2023 - Present* at <https://secure.ssa.gov/poms.nsf/lnx/0452120001>; State of Connecticut, Workers' Compensation Commission, *Weekly Benefits Tables For October 1, 2023 – September 30, 2024* at <https://portal.ct.gov/-/media/wcc/publications/benefit-rate-tables/benefit-rate-table-2023-2024.pdf>.
- ²⁰ Social Security Administration, *Program Operations Manual System (POMS), Effective Dates: 11/02/2023 - Present* at <https://secure.ssa.gov/poms.nsf/lnx/0452120001>. Additional sources for the information in this table are: State of California, Department of Industrial Relations, *Workers' compensation benefits* at <https://www.dir.ca.gov/dwc/WorkersCompensationBenefits.htm>; Commonwealth of Massachusetts, Executive Office of Labor and Workforce Development, *Types of worker's compensation benefits* at <https://www.mass.gov/info-details/types-of-workers-compensation-benefits#:~:text=find%20your%20actual%20gross%20earnings,with%20your%20approximate%20weekly%20compensation>; New York State Workers' Compensation Board, *Workers' Compensation, Lost Wages Benefits* at <https://www.wcb.ny.gov/content/main/Workers/LostWageBenefits.jsp>.
- ²¹ Laws of New York, 2007, Chapter 6; John Moran, *New York's Workers' Compensation Reforms*, OLR Research Report (2007-R-0696), December 20, 2007 at <https://www.cga.ct.gov/2007/rpt/2007-R-0696.htm>; Mary L. D'Agostino, "New York State's 2007 Workers' Compensation Reform: Success or Failure?", *Albany Law Review*, Vol. 76, Issue 1, 2013, January 1, 2013 at <https://www.albanylawreview.org/article/69646-new-york-state-s-2007-workers-compensation-reform-success-or-failure>.
- ²² Laws of New York, 2007, Chapter 6. According to one study, these actions significantly lowered total benefits received over time. See James A. Parrott and Nicholas B. Martin, *The New School*, Center for New York City Affairs, *Time for a Real Look at How the New York State Workers' Compensation System Treats Workers*, February 13, 2020 (revised and updated) at <https://www.centernyc.org/reports-briefs/2020/4/13/time-for-a-real-look-at-how-the-new-york-state-workers-compensation-system-treats-workers>. An earlier report was released May 15, 2019; see https://static1.squarespace.com/static/53ee4f0be4b015b9c3690d84/t/5ceeafcd0d9297b6c62de94b/1559146449020/Time+for+Real+Final+Merge_052419.pdf.

- ²³ Laws of New York, 2017, Chapter 59 (State Fiscal Year 2017-18 Enacted Budget).
- ²⁴ LexisNexis, *New York Workers' Compensation Trends and Developments 2017*, January 10, 2018 at <https://www.lexisnexis.com/community/insights/legal/workers-compensation/b/recent-cases-news-trends-developments/posts/new-york-workers-compensation-trends-and-developments-2017>; James A. Parrott and Nicholas B. Martin, The New School, Center for New York City Affairs, *Time for a Real Look at How the New York State Workers' Compensation System Treats Workers*, February 13, 2020 (revised and updated) at <https://www.centernyc.org/reports-briefs/2020/4/13/time-for-a-real-look-at-how-the-new-york-state-workers-compensation-system-treats-workers>.
- ²⁵ Laws of New York, 2023, Chapter 352; New York State Governor Kathy Hochul, "Governor Hochul Signs Legislation to Support Workers by Protecting Employees From Mandatory Political and Religious meetings, Strengthening Wage Theft Penalties, and Increasing Benefits for Injured Workers," September 6, 2023 at <https://www.governor.ny.gov/news/governor-hochul-signs-legislation-support-workers-protecting-employees-mandatory-political-and>.
- ²⁶ U.S. Department of Labor, *Chapter 8, Temporary Disability Insurance* at <https://oui.doleta.gov/unemploy/pdf/uilawcompar/2022/disability.pdf>.
- ²⁷ New York State Workers' Compensation Board, *Disability Benefits and Paid Family Leave Insurance* at <https://www.wcb.ny.gov/content/main/DisabilityBenefits/employer-disability-benefits.jsp>.
- ²⁸ State of California, Employment Development Department, *Disability Insurance Benefits* at https://edd.ca.gov/en/disability/disability_insurance/ and *Disability Insurance Benefit Payment Amounts* at https://edd.ca.gov/en/disability/Calculating_DI_Benefit_Payment_Amounts/; State of Hawaii, Department of Labor and Industrial Relations, Disability Compensation Division, *About Temporary Disability Insurance* at <https://labor.hawaii.gov/dcd/home/about-tdi/> and *2024 Hawaii Employment Benefits Rates: What Employers Need to Know*, December 19, 2023 at <https://www.hecouncil.org/news/2023/12/19/main/2024-hawaii-employment-benefits-rates-what-employers-need-to-know/>; State of New Jersey, Department of Labor and Workforce Development, Division of Temporary Disability and Family Leave Insurance, *Information for Workers* at <https://www.nj.gov/labor/myleavebenefits/worker/tdi/>; New York State, Workers Compensation Board, *Workers/Disability Benefits* at <https://www.wcb.ny.gov/content/main/DisabilityBenefits/employee-disability-benefits.jsp>; State of Rhode Island, Department of Labor and Training, *Temporary Disability/Caregiver Insurance* at <https://dlt.ri.gov/individuals/temporary-disability-caregiver-insurance> and *For TDI/TCI Claimants* at <https://dlt.ri.gov/individuals/temporary-disability-caregiver-insurance/claimants>. See also A Better Balance, *Overview of Paid Family & Medical Leave Laws in the United States*, January 2, 2024 at <https://www.abetterbalance.org/wp-content/uploads/2021/12/CombinedPFMLChart-January-2024-Final-Clean.pdf>.
- ²⁹ Based on the Bureau of Labor Statistics' CPI inflation calculator at <https://data.bls.gov/cgi-bin/cpicalc.pl>.
- ³⁰ New York State Senate, *Senate Bill S9840* (Assembly version is A10561), June 3, 2024 at <https://legislation.nysenate.gov/pdf/bills/2023/S9840> was passed by the Senate but remained in the Assembly Ways & Means Committee at the end of the 2023-2024 session; also still active is *Senate Bill S2821B* (A4053), January 24, 2024 at <https://www.nysenate.gov/legislation/bills/2023/S2821/amendment/B>. A proposal by the Executive contained phased increases to the maximum weekly benefit over five years to 67 percent of the NYSAWW in 2029 and benefit rate increases to 67 percent of employee average weekly wages in 2029. See SFY 2024-25 Executive Budget, *Public Protection and General Government, Article VII Legislation* (Part N) at <https://www.budget.ny.gov/pubs/archive/fy25/ex/artvii/ppgg-bill.pdf>.
- ³¹ New York State, *New York Paid Family Leave Updates for 2024*, accessed October 8, 2024, at <https://paidfamilyleave.ny.gov/2024>; *Paid Leave for COVID-19* at <https://paidfamilyleave.ny.gov/COVID19> states that "The COVID-19 quarantine leave legislation expires on July 31, 2025."
- ³² A Better Balance, *Overview of Paid Family & Medical Leave Laws in the United States*, January 2, 2024 at <https://www.abetterbalance.org/wp-content/uploads/2021/12/CombinedPFMLChart-January-2024-Final-Clean.pdf>; program information may also be found at the following state-level sites: California, <https://edd.ca.gov/paidfamilyleave> and https://edd.ca.gov/en/disability/Calculating_PFL_Benefit_Payment_Amounts/; Colorado, <https://famli.colorado.gov/> and <https://famli.colorado.gov/individuals-and-families>; Connecticut, https://www.ctpaidleave.org/?language=en_US and https://www.ctpaidleave.org/how-ct-paid-leave-works?language=en_US; Massachusetts, <https://calculator.eol.mass.gov/pfml/yourbenefits/>; New Jersey, <https://www.nj.gov/labor/myleavebenefits/worker/fli/>; New York, <https://paidfamilyleave.ny.gov/> and <https://paidfamilyleave.ny.gov/2024>; Oregon, <https://paidleave.oregon.gov/> and <https://paidleave.oregon.gov/employees/benefits-calculator.html>; Rhode Island, <http://ripaidleave.net/about-paid-leave/> and <http://ripaidleave.net/wp-content/uploads/2016/09/Fast-Facts-for-Workers-about-RI-TCI.pdf>; Washington, <https://paidleave.wa.gov/find-out-how-paid-leave-works/>; Washington, D.C., <https://does.dc.gov/page/dc-paid-family-leave> and <https://dcpaidfamilyleave.dc.gov/>. Additional information for Connecticut's program is at CTLawHelp, *Connecticut's New Paid Family and Medical Leave Act Program (PFMLA)*, May 2023 at <https://ctlawhelp.org/en/ct-pfmla-paid-family-leave>.

³³ In Connecticut, if weekly wages are more than the Connecticut minimum wage, the weekly benefit is 95 percent of the state minimum wage plus 60 percent of the amount over the minimum wage up to 60 times the state minimum wage (941.40 as of January 1, 2024); the benefit calculation is also described as 95 percent of average weekly wages up to an amount equal to 40 times the state minimum wages and 60 percent of the worker's average weekly wage above an amount equal to 40 times the state minimum wage (A Better Balance).

³⁴ New York State Department of Financial Services, *New York State Paid Family Report 2018- 2022* at https://www.dfs.ny.gov/reports_and_publications/pfl.

³⁵ No data are available on TDI. For other programs, see Department of Financial Services, *New York State Paid Family Leave Report 2018 – 2022*, accessed October 24, 2024 at https://www.dfs.ny.gov/reports_and_publications/pfl; New York State Workers' Compensation Board, *2023 Annual Report* at <https://www.wcb.ny.gov/content/main/TheBoard/2023AnnualReport.pdf>; and U.S. Department of Labor, *UI Weekly Claims* at <https://www.dol.gov/ui/data.pdf>.

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