

State-Level Paid Family Leave Policy Project: Focus Group Eligibility Screen

Hello. My name is [Name], and I am from Mission Analytics Group. I am calling you because you signed up with [contact name at partner organization/Facebook advertisement] to possibly participate in a focus group about being a new mom, the [Paid Family Leave]¹ program, and your health. The focus group is part of a study sponsored by the U.S. Department of Health and Human Services Office on Women's Health [and not related in any way to the services you may get from [partner organization]]. We'd like to talk to new moms about their experiences, especially in relation to their mental and physical health.

It's important to us that we get the right mix of moms, like having some moms who took [Paid Family Leave] and some moms who didn't. I have a few questions that I need to ask you to see if you're the right fit. We will not share or report any of your answers in association with your name. Is it okay if I ask you a few quick questions? If you're eligible, I'll provide you with the logistical details about the focus group, including date, time, and location.

1. How old is your youngest child? _____

The next few questions will be about your employment, pay, and eligibility and use of [Paid Family Leave].

2. For your youngest child, did you work during the year before you gave birth?

Yes No

3. *Continue if worked:* What type of work did you do before you had your baby? *Probe to determine whether they paid into the state-level Paid Family Leave (PFL) benefit sufficient funds to be eligible. See Background section for eligibility requirements and reasons why a woman may not be eligible.*

4. It sounds like you were [were not] eligible for [Paid Family Leave]. Does that sound right to you? *Eligibility for PFL:*

Yes

No because worked informally (no taxes)

No because self-employed or worked as a contractor

No because used other type of paid leave benefit (e.g., school district, County, or state employee)

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0990-xxxx. The time required to complete this information collection is estimated to average 15 minutes per response, including the time to review instructions, search existing data resources, gather the data needed, to review and complete the information collection. If you have comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Health & Human Services, OS/OCIO/PRA, 200 Independence Ave., S.W., Suite 336-E, Washington D.C. 20201, Attention: PRA Reports Clearance Officer

¹ [Paid Family Leave] = Paid Family Leave in California, Family Leave Insurance in New Jersey, Paid Family Leave in New York, and Temporary Caregiver Insurance in Rhode Island

5. *Continue if eligible:* Did you use [Paid Family Leave]? If yes, have you received the full benefit? If not, do you plan to use [Paid Family Leave]? *Use of PFL:*

- Yes, took full benefit
 Yes, still taking it
 No, but with plans to
 No, and no plans to

Continue if 1) took the full benefit or 2) did not take PFL and has no plans to take it.

Provided women eligible for PFL with no plans to take PFL with information on the program: Yes No

If participant is not eligible: Thank you, but for this focus group, we're looking for someone who was eligible for [Paid Family Leave]/has a child older than [Temporary Disability Insurance/ Paid Family Leave threshold]/younger than age one. We really appreciate you taking the time to answer our questions!

If participant is eligible: It sounds like you are eligible for the focus group. Can I ask you some additional questions about your leave?

| 6. How many weeks of leave have you already taken and plan to take? | Weeks You've Taken So Far | Weeks You Plan to Take in Total |
|---|---------------------------|---------------------------------|
| [Temporary Disability Insurance] ² prior to birth | | |
| [Temporary Disability Insurance] post birth | | |
| [Paid Family Leave] | | |
| Employer-paid leave | | |
| Additional employer-paid leave (i.e., sick leave or paid time off/vacation) | | |
| Unpaid leave | | |

7. Have you gone back to work or plan to? If not, did you always intend not to return to work or did your plans change after having your baby?

- Back at work
 No, but with immediate plans to
 No, and didn't plan to
 No, despite initial plans to return

8. Which category best describes your household's income per year?

- Less than \$25,000
 \$25,000-\$50,000
 \$50,000-\$75,000
 \$75,000-\$100,000

² [Temporary Disability Insurance] = State Disability Insurance in California, Temporary Disability Insurance in New Jersey, Disability Benefits in New York, and Temporary Disability Insurance in Rhode Island

- \$100,000-\$125,000
 More than \$125,000

Background

Definitions

Temporary Disability Insurance (TDI) provides paid benefits to new mothers prior to giving birth and immediately after giving birth. Typically, a mother can take four weeks of TDI prior to her due date and six weeks of TDI after childbirth (eight weeks for a Cesarean section).

PFL provides paid benefits for eligible employees to bond with a new child or to care for a seriously ill family member. Mothers typically take PFL after taking TDI.

Eligibility Requirements and Benefits

| | California | New Jersey | New York | Rhode Island |
|--------------------------------------|---|---|--|---|
| Name | Paid Family Leave | Family Leave Insurance | Paid Family Leave | Temporary Caregiver Insurance |
| TDI/PFL Threshold³ | 6 weeks of TDI + 6 weeks of state-level PFL = 12 weeks | 8 weeks of TDI + 6 weeks of state-level PFL = 14 weeks | 4 weeks of TDI + 10 weeks of state-level PFL = 14 weeks | 8 weeks of TDI + 4 weeks of state-level PFL = 12 weeks |
| Income Eligibility | Earned \$300 subject to deductions for the state's disability insurance program during the 12-month base period | Earned \$8,600 or more in the past 12 months OR Earned at least \$172 in wages per week for at least 20 calendar weeks of covered New Jersey employment | For full-time employees who work 20 or more hours per week, worked 26 consecutive weeks for current employer For part-time employees who work less than 20 hours per week, worked 175 days (do not need to be consecutive) for current employer | Earned wages that are subject to the TDI/TCI fund AND Earned at least \$12,120 in the base period OR earned at least \$2,020 in one quarter of their base period, at least \$4,040 in the base period, and had total base period taxable wages that are at least 150 percent of their highest quarter of earnings |
| Benefit | 60-70% of weekly earnings with a maximum benefit of \$1,252 per week | Two-thirds of weekly earnings with a maximum benefit of \$650 per week | 55% of average weekly earnings, capped at 55% of the NY State Average Weekly Wage (\$746.41) * | 4.62% of earnings in the highest quarter of the base period; maximum benefit \$831 per week |
| Job Protection | No | No | Yes | Yes |

* The average weekly wage cap will increase incrementally to up to 60% in 2020 and 67% in 2021.

³ The TDI/PFL threshold is the typical number of weeks a mother receives for a normal childbirth plus the maximum number of weeks of PFL.

Examples of Individuals who are Not Eligible

- Individuals who “work under the table” and do not pay taxes (e.g., nannies, housecleaners).
- Self-employed individuals or contractors that pay taxes through a W-9, and benefits are not deducted.
- Public employees that have benefit packages from their employer. For example, California state employees receive Non-Industrial Disability Insurance (see more information here: <http://hrmanual.calhr.ca.gov/Home/ManualItem/1/1411>). In New York, public employers must opt in to Paid Family Leave (see more information here: <https://paidfamilyleave.ny.gov/public-employers>).
- Individuals who have not paid enough into the system (see income requirements in the table above).
- In New York, licensed ministers, priests or rabbis; persons engaged in a professional or teaching capacity for a not-for-profit; those who work in service as a golf caddy; and public employees are not automatically eligible unless their employers have chosen to voluntarily cover them.

Reasons Why Eligible Individuals May Not Take State-Level PFL

- They don't know about it
- They didn't think they qualified for it (some women think they don't qualify if they quit their jobs prior to giving birth)
- They don't have job protection
- The wage replacement wasn't sufficient
- They got enough paid leave from their employer

Resources

Sources: Employment Development Department - About Paid Family Leave: https://www.edd.ca.gov/disability/about_pfl.htm, accessed on February 27, 2019.

Department of Labor and Workforce Development - Wage Requirements State Plan: <https://myleavebenefits.nj.gov/labor/myleavebenefits/worker/fli/index.shtml>, accessed on February 27, 2019.

New York State – Paid Family Leave: Frequently Asked Questions: <https://paidfamilyleave.ny.gov/paid-family-leave-frequently-asked-questions>, accessed on February 27, 2019.

New York State – New York Paid Family Leave Updates for 2019: <https://paidfamilyleave.ny.gov/2019>, accessed on February 27, 2019.

Rhode Island Department of Labor and Training – Temporary Disability Insurance/Temporary Caregiver Insurance – Frequently Asked Question: <http://www.dlt.ri.gov/tdi/tdifaqs.htm>, accessed on February 27, 2019.