Existing Temporary Disability Insurance Programs

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For decades, five states (Calif., Hawaii, N.J., N.Y. and R.I.) and Puerto Rico have provided partial wage replacement for workers who are unable to work due to non-work related injuries or illnesses, including pregnancy.[1] Typically, women who give birth receive approximately six weeks of paid leave under these laws; women who have complications, and thus are unable to work for longer period of time, can receive more weeks of payment. Because the wage replacement is linked to the status of being "disabled" or unable to work, fathers and adoptive parents do not qualify for paid leave under these laws.

The states finance these programs using either employee contributions only or a combination of employer and employee contributions. Workers are entitled to a percentage of their pre-disability salary up to specific caps. Workers are entitled to access the wage replacement if they meet certain requirements regarding how much money they have paid into the system or how many quarters they have worked prior to needing the paid leave. Nearly all the private sector workers in these states, regardless of how small their employers, are covered by these paid medical leave programs.

State	Funding	Benefit Level (2015)
California	Employee only	Maximum $1,104/week; typical benefit is 55 percent of weekly salary
Hawaii	Employee and employer	Maximum $552/week; typical benefit is 58 percent of the employee's average weekly wages
New Jersey	Employee and employer	Maximum $604/week; typical benefit is two-thirds of average of last eight weeks' pay
New York	Employee and employer	Maximum $170/week
Rhode Island	Employee only	Maximum $770/week; typical benefit is equal to 4.62 percent of highest quarterly wages during the past year

[1] California, New Jersey and Rhode Island also provide wage replacement for leave taken for family caregiving needs.

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