



# Assisting a service member

## What is Paid Family Leave?

New York State Paid Family Leave is employee-funded insurance that provides job-protected, paid time off to:

- **BOND** with a newly born, adopted, or fostered child,
- **CARE** for a family member with a serious health condition, or
- **ASSIST** loved ones when a spouse, domestic partner, child or parent is deployed abroad on active military service.

You may also be able to take leave in situations when you or your minor dependent child are under an order of quarantine or isolation due to COVID-19. See [PaidFamilyLeave.ny.gov/COVID19](https://www.paidfamilyleave.ny.gov/covid19) for full details.

## How can Paid Family Leave help you and your military family?

You can take Paid Family Leave to assist when your **spouse, domestic partner, child, or parent** is deployed abroad on active military service. You can take Paid Family Leave for the same reasons you can take military-related leave under the federal Family and Medical Leave Act (FMLA), which may include:

- Short-notice military deployment
- Military events, which may include official ceremonies or informational briefings related to the active duty
- Military member's rest and recuperation, or counseling
- Post-deployment activities, which may include arrival ceremonies and reintegration events
- Making financial/legal arrangements
- Making child care arrangements for the military member's child

## Before you apply for Paid Family Leave

**Check the eligibility requirements. Visit [PaidFamilyLeave.ny.gov/eligibility](https://www.paidfamilyleave.ny.gov/eligibility).**

- Most employees who work for private employers in New York State are covered under Paid Family Leave.
- Public employees may be covered if their employer has opted in to provide the benefit. Union-represented public employees may be covered if the benefit has been negotiated through collective bargaining.
- Citizenship and/or immigration status is not a factor in employee eligibility.

### Plan your leave.

- Leave can be taken all at once or intermittently, but must be taken in full-day increments.
- Notify your employer at least 30 days in advance, if foreseeable, or as soon as possible.

[PaidFamilyLeave.ny.gov](https://www.paidfamilyleave.ny.gov) — Visit the website for complete details and resources in multiple languages.  
**(844) 337-6303** — This toll-free Helpline is available Monday through Friday, 8:30 a.m. to 4:30 p.m.



# How do you apply for NYS Paid Family Leave?

1

## COLLECT YOUR FORMS & DOCUMENTATION

You can get Paid Family Leave forms from your employer, your employer's insurance carrier or directly from: [PaidFamilyLeave.ny.gov/forms](https://PaidFamilyLeave.ny.gov/forms)

### REQUIRED FORMS

To request leave for a qualifying military event, you'll need the following forms:

- *Request for Paid Family Leave (Form PFL-1)*
- *Military Qualifying Event (Form PFL-5)*

### REQUIRED DOCUMENTATION

You will need to verify your family member's service with one of the following:

- Covered active duty orders.
- A letter from the military unit documenting impending call or order to covered duty.
- Documentation of military leave signed by the approval authority for the military member's Rest and Recuperation.

If leave is requested to meet with a third party, you must provide documentation of the meeting that includes the following:

- The name, address and contact information of the individual or entity with whom you are meeting.
- A description of the meeting.

The last page of *Form PFL-5* has a template you can use to document these meetings.

2

## COMPLETE & ATTACH

### FORM PFL-1

*Form PFL-1* has sections that need to be completed by you and by your employer.

Fill out your section, make a copy and give the form to your employer to fill out *Part B*.

Your employer is required to return *Form PFL-1* to you within three business days. If there is a delay, you do not have to wait to proceed. Send the *Form PFL-1* that you have filled out, along with the rest of your request package, directly to your employer's insurance carrier.

### FORM PFL-5

Complete *Form PFL-5* and attach copies of your required documentation.



3

## SUBMIT WITHIN 30 DAYS

You must submit your completed request package to your employer's insurance carrier within 30 days after the start of your leave to avoid losing benefits.

Mail or fax your *Form PFL-1* and *Form PFL-5*, and all required documentation to your employer's insurance carrier.

To find out who your employer's insurance carrier is, you can:

- Look for the Paid Family Leave poster in your workplace.
- Ask your employer.
- Look it up using the employer coverage search application on [wcb.ny.gov](https://wcb.ny.gov).

If you cannot find your employer's insurance carrier, call the Paid Family Leave Helpline for assistance: **(844) 337-6303**

The Helpline is available Monday through Friday, 8:30 a.m. to 4:30 p.m.

In most cases, the insurance carrier must pay or deny benefits within 18 days of receiving your completed request or your first day of leave, whichever is later. Your request cannot be considered incomplete solely because your employer did not fill out *Part B* of *Form PFL-1* within three business days.

**It is YOUR responsibility to submit the forms to the insurance carrier. It is NOT your employer's responsibility.**

**CLAIM-RELATED DISPUTES:** If the carrier denies or fails to timely pay your benefits, or you have any other claim-related dispute, you may request to have the carrier's actions reviewed. More information can be found at [nyspfla.namadr.com](https://nyspfla.namadr.com).

**PROTECTION AGAINST DISCRIMINATION OR RETALIATION:** Complaints about employer discrimination or retaliation are resolved by a Workers' Compensation Board Law Judge after a hearing. If you believe that your employer has discriminated or retaliated against you for taking or requesting Paid Family Leave, visit [PaidFamilyLeave.ny.gov/protections](https://PaidFamilyLeave.ny.gov/protections) or contact **(844) 337-6303**.

For more information, visit [PaidFamilyLeave.ny.gov](https://PaidFamilyLeave.ny.gov) or call **(844) 337-6303**.



**Paid Family Leave**