

HELP!!! How Do I Navigate Multiple Leave Laws?

Three Steps to Save Your Sanity as State Leave Laws Grow

By [Chrystine M. Heier, CEBS, LIA](#)

President, Sullivan Benefits

November 2020

If you're an employer with operations in multiple states, you're probably already familiar with the complexities of different state employment laws, mandated sick and disability benefits and other legislation that directly affect your organization financially, administratively and operationally. Layer on top of that new state paid family and medical leave laws that vary in terms of qualifying events, covered family members, accrual rates, available time off, notice requirements, funding options and more - you've just imposed more challenges on top of an already dizzying array of compliance and administrative burdens.

What's an Employer Supposed to Do?

1. **Be aware of and understand the nuances of which state and local disability, sick time, family, medical and other leave and employment laws apply to your organization;** make sure to review your employee base to determine what state, local or federal laws apply to your organization and gain an understanding of what each law requires.
2. **Identify areas within your existing benefits that may warrant adjustment or coordination including internal policies, procedures, documents (don't forget handbooks) and compliance requirements;** you may find little to no changes need to be made, or only modest revisions are required.
3. **Communicate, communicate, communicate** to help your employees and managers understand changes and how all your benefits integrate and fit within your overall benefits philosophy and how they will receive them.

As you navigate increasingly challenging compliance and benefits administration waters, keep your focus on coordinating your benefits with state, local and federal leave laws and ensuring legal compliance. And keep in mind, as additional states continue to adopt new leave and employment laws you need to regularly review your internal practices to ensure you are taking all steps to maintain compliance. To do this, you need to take advantage of all the tools and resources available to you through your Broker/Consultant partner, Attorney or Law Firm specializing in employment law, Payroll/Benefits Administration provider, Insurers, Third Party Administrators and more.

Resources

- Currently nine states (Including Massachusetts and Connecticut) and the District of Columbia have paid family and medical leave laws in place with more on the way. **A Better Balance Work and Family Legal Center** maintains an [up to date overview](#) of these current laws.
- For Sullivan Benefits Clients, we provide **Comply through ThinkHR** that focuses on Federal and State specific legislation. You can drill down on specific states and see what legislation has been released – [this example shows 11 alerts in 5 New England States](#) within the past 6 months and users can click on any alert and learn more about each specific law, such as the [August Alert in Massachusetts](#) regarding the release of the final MAPFML regulations.



- **Your Disability Insurer**; not only do most offer Massachusetts Paid Family and Medical Leave private plans, many also offer leave administration services (state, federal and even employer specific leave). ***By engaging your disability insurer to administer your leave program you are able to streamline, centralize and integrate disability and all your leave administration under one roof leading to efficiencies, better compliance and a more positive employee experience. We fully support this type of holistic approach and are helping several clients now with integrations for January 1st – if you are interested in considering this option for your organization, please contact any member of the [Sullivan Benefits Team](#) today to explore your options and to learn more about how you can gain easier access to your data and drive your disability and leave programs towards better outcomes.***
- [Ask Jan](#) is a great return to work resources providing free, expert, and confidential guidance on workplace accommodations and disability employment issues
- [Congressional Research Service Report on Paid Family and Medical Leave in the United States](#), 2/19/20.
- Department of Labor [Leave Benefits](#)
- [Disability Management Employer Coalition](#) provides focused education for individuals managing absence management. Legislative and educational content is available for free and membership provides access to face-to-face conferences, webinars and other helpful tools and resources.
- **Monthly newsletters** including our own Monthly Benefits Bulletin and our **Legislative Alerts** at both the federal and state level to help arm you with information ahead of time to help you will minimize the risk of error.
- [Society for Human Resource Management \(SHRM\)](#) which includes employment law updates, state and local updates, [coordinating leaves of absence](#) and more dedicated to helping HR, Executives and Management maximize their human capital.

Now, more than ever, is the time to make compliance a priority. Recognize that new legislation is created and revised continuously and you need to set forth a consistent effort to keep up with changes in benefits and employment law. No matter how you decide to approach it, make sure you are dedicating adequate time, effort and resources to overall HR compliance. **And don't forget we are here to help you navigate the waters from education, compliance and communications to outsourced administration with a third party!**

Questions?

Please reach out to any member of the [Sullivan Benefits Team](#) with any questions, requests for materials or more information. We're here to help you simplify the complexities of leave administration and achieve better outcomes in your workforce productivity and employee well-being.

This document not intended to be exhaustive nor should any discussion or opinions be construed as legal advice; contact your legal counsel for legal advice.