



ABSENCE ADVISORY

REGULATORY UPDATES FROM
AFLAC'S LIFE, ABSENCE AND
DISABILITY SOLUTIONS DIVISION



JANUARY 2025

We are pleased to share the January 2025 Absence Advisory, along with information related to state and other paid leave legislation.

TOP NEWS INSIDE

- [Colorado.](#)
- [Maine.](#)
- [New York.](#)
- [Oregon.](#)
- [General fraud reminders.](#)



COLORADO

2025 EMPLOYEE HEADCOUNT

It's that time of year for employers to update their headcount for the Colorado Family and Medical Leave Insurance (CO FMLI) program. This is required for employers with Colorado employees, including those with a private CO FMLI policy. The only exception to this requirement is local government employers that have voted to opt out of the CO FMLI program. To determine headcount, please review the CO FMLI Division's information by visiting [Important FMLI Matters](#).

In the [My FMLI+ Employer portal](#), employers will have a task on their dashboard to update their headcount, which is due by Feb. 28, 2025. If the headcount is not updated by the deadline, then the CO FMLI Division will assume employers have 10 or more employees.

Third-party administrations are not able to complete the task on behalf of the employers. Employers must log in to the [My FMLI+ Employer portal](#) to complete the task themselves.

For resources or more information, please visit the [CO FMLI website](#).

MAINE

The following is a message provided by Maine's Department of Labor, Paid Family and Medical Leave program:

"Beginning Jan. 1, 2025, with the first payroll with a pay date in January, any employer with at least one Maine-based employee has obligations under Maine's new Paid Family and Medical Leave (PFML) law that includes starting payroll withholdings for their employees. Employers with 15 or more employees will contribute 1% of wages and may deduct up to half of the contribution from the employees' wages. Employers with fewer than 15 employees will contribute 0.5% of wages and may deduct the entire amount from the employees' wages.

Employers will begin their first quarterly wage reporting and premium payments beginning April 1, 2025, and all are due by April 30, 2025. Employers can review [this informational document](#) to ensure they are prepared.

Maine's new PFML portal launched on Jan. 6. This online system allows employers to register their business information, designate a payroll processor, file quarterly wage reports and remit quarterly premium contributions. All employers must register on the portal to begin wage reporting in April 2025. The portal will also allow self-employed individuals and tribal governments to elect coverage."

For resources or more information, please visit the [Maine Department of Labor website](#).

NEW YORK

WEBINAR REPLAY

New York State Workers' Compensation Board held a webinar for New York Paid Family Leave (NY PFL). The webinar reinforced an overview of NY PFL along with reminders about New York Disability and Workers' Compensation. You can access the recording [here](#).

Locate additional information at the [NY PFL website](#). You can also visit the [employer page](#) for additional resources, including employer forms, fact sheets and past webinars.

OREGON

PERMANENT ADMINISTRATIVE RULEMAKING ORDER

The following was communicated by the Oregon Employment Department on Jan. 2, 2025:

"On Dec. 27, 2024, the Oregon Employment Department filed a Permanent Administrative Order regarding administrative rules for Paid Leave Oregon that focused on confidentiality, benefits (definitions, verification, communications, etc.) and self-employment. The first three rules were made to align with [Senate Bill 1515](#).

OAR 471-070-0930 – Confidentiality: Permissible disclosures

Amended to clarify the department's ability to share the claimant's weekly benefit amount with the employer in order to comply with ORS 657B.

OAR 471-070-1000 – Benefits: Definitions

Amended to add or update the definitions for ‘Care,’ ‘Child,’ ‘Foster Care’ and ‘Pre-placement Leave.’

OAR 471-070-1100 – Benefits: Application for benefits

Amended clarifying the options and verification requirements for family leave.

OAR 471-070-1120 – Benefits: Verification of a serious health condition

Amended to add the requirement to include claimant’s date of birth and to clarify that a serious health condition must be verified either through a diagnosis or description of symptoms and treatment.

OAR 471-070-1320 – Benefits: Communication to employers and employee application for benefits

Amended to clarify that the Oregon Employment Department will provide an employee’s potential weekly benefit amount to the employer. It also changes the time frame for employers to respond to a notice from the department from 10 to five calendar days.

OAR 471-070-1420 – Benefits: Leave periods and increments

Amended to specify that pre-placement leave can only be taken on an intermittent basis.

OAR 471-070-2030 – Self-employed: Income, contribution payments and reporting requirements

Amended to add the requirement for self-employed individuals to report any changes or adjustments to their tax returns to the Oregon Employment Department.

OAR 471-070-1115 (Adopted Administrative Rule) – Benefits: Verification of pre-placement leave

Describes the family leave verification requirements for leave taken before a child’s placement through foster care or adoption.”

For more information, please visit the [Paid Leave Oregon website](#).

PRE-PLACEMENT LEAVE & PRIVATE PLAN REPORTS

The following was previously published in our [April 2024 edition](#) and is being provided as a reminder:

Beginning Jan. 1, 2025, per [Senate Bill 1515](#) (2024), eligible employees will be able to take pre-placement leave under Paid Leave Oregon. This new leave allows employees to take time off before an adoption or foster care placement for activities such as:

- Counseling sessions.
- Court appearances.
- Legal consultations.
- Physical examinations.
- Home studies.
- Related travel to another state or country.
- Other tasks essential to completing the legal process of an adoption or foster placement.

Employees can only take pre-placement leave on an intermittent basis and are entitled to job protection if they have been employed for at least 90 days.

If Aflac is administering your Paid Leave Oregon private plan, changes were made to ensure we are compliant.

Employers with equivalent plans must report information to Paid Leave Oregon annually. These reports will include information about the benefit use and financial reporting. The Oregon Employment Department is making changes to the report from the previous year. You can locate the current reporting template [here](#).

For more information, please visit the [Paid Oregon Leave website](#).

GENERAL FRAUD REMINDERS

Employers play a key role in preventing insurance fraud. If an employer receives a state or carrier form requesting information regarding an employee's hours worked or wages earned, among other elements, but has not received notice that an employee is taking a leave or planning to take a leave, be sure to confirm the leave with the employee or employee's manager. This helps public and private administrators verify that an employee is eligible for the benefits.

State agencies are strengthening fraud detection methods and are applying those methods to new and existing claims by validating the identity of individuals. Many states require claimants to upload identification as part of the application process. Another way they are combating fraud is to also send requests for information through the mail or online portals in which the employee can set up multifactor authentication.

STATE	CONTACT INFORMATION	TELEPHONE
California	https://askedd.edd.ca.gov/ (select the Report Fraud category)	866.229.6297
Colorado	https://famli.colorado.gov/individuals-and-families/get-help-from-famli/report-famli-fraud	866.263.2654
Connecticut	For employer fraud: https://www.ctpaidleave.org/contactus (in the drop-down menu, select Report Suspected Fraud)	877.499.8606
Hawaii	Hawaii District Office State Office Building 75 Aupuni St., Room 108 Hilo, HI 96720	808.586.8947 or 808.586.9200
Massachusetts	https://www.mass.gov/info-details/reporting-paid-family-and-medical-leave-benefits-fraud	857.366.7201

STATE	CONTACT INFORMATION	TELEPHONE
New Jersey	https://www.nj.gov/labor/myleavebenefits/help/contact/	609.292.7060
New York	https://ig.ny.gov/workers-comp-complaint	800.367.4448
Oregon	https://paidleave.oregon.gov/resources/fraud	833.854.0166
Puerto Rico (may not have a dedicated address or phone number)	Department of Labor and Human Resources PO Box 195540 San Juan, PR 00919-5540	787.754.5850
Rhode Island	https://dlt.ri.gov/individuals/temporary-disability-caregiver-insurance/tditci-fraud Email: dlt.uitdifraud@dlt.ri.gov	401.462.1522
Washington	https://paidleave.wa.gov/app/uploads/2020/05/FraudComplaintForm_FINAL_032520.pdf Email: paidleave@esd.wa.gov	833.717.2273
Washington, D.C.	Email: does.opfl@dc.gov	202.899.3700

If you have an Aflac private plan, please contact Aflac to report suspected fraud.



These are educational materials only. Employers should consult their own counsel for obligations for state-mandated leave and disability programs. Products and services are provided by Continental American Insurance Company. In New York, products and services are provided by American Family Life Assurance Company of New York. In California, coverage is offered by Continental American Life Insurance Company. Products may not be available in all states and may vary depending on state law.

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