

# LEGISLATIVE BRIEF

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## State Disability Insurance Laws – New York

State disability insurance benefits are also called temporary disability insurance benefits and short-term disability insurance benefits. The chart below summarizes information regarding New York's requirements, compiled from the agencies responsible for administration of the benefits.

PROGRAMS	FUNDING	BENEFITS
<p><b>Disability Benefits</b></p> <p>Employers must provide disability benefits coverage to employees for an off-the-job injury or illness.</p> <p><a href="http://www.wcb.ny.gov/content/main/offthejob/IntroToLaw_DB.jsp">http://www.wcb.ny.gov/content/main/offthejob/IntroToLaw_DB.jsp</a></p>	<p>Coverage for disability benefits can be obtained through a disability benefits insurance carrier who is authorized by the New York State Workers' Compensation Board (Board) to write those policies. Another option is for large employers to become authorized by the Board to self-insure.</p> <p>An employer is allowed, but not required, to collect contributions from its employees to offset the cost of providing benefits. An employee's contribution is computed at the rate of one-half of 1 percent of his or her wages, but no more than 60 cents per week.</p>	<p>Disability benefits are temporary cash benefits paid to an eligible wage earner when he or she is disabled by an off-the-job injury or illness. New York's Disability Benefits Law provides weekly cash benefits to replace, in part, wages lost due to injuries or illnesses that do not arise out of or in the course of employment. Disability benefits are also paid to an unemployed worker to replace unemployment insurance benefits lost because of illness or injury.</p> <p>Disability benefits include cash payments only. Medical care is the responsibility of the claimant. It is not paid for by the employer or insurance carrier. Cash benefits are 50 percent of a claimant's average weekly wage, but no more than the maximum benefit allowed, currently \$170 per week.</p> <p>Benefits are paid for a maximum of 26 weeks of disability during 52 consecutive weeks. For employed workers, there is a seven-day waiting period for which no benefits are paid. Benefit rights begin on the eighth consecutive day of disability. An employer must supply a worker who has been disabled more than seven days with a Statement of Rights (<a href="#">form DB-271S</a>) within five days of learning that the worker is disabled.</p>



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