

# STATUTORY STATES

STATES	NEW JERSEY 1948	RHODE ISLAND 1942	CALIFORNIA 1946	HAWAII 1969	PUERTO RICO 1968	NEW YORK 1949
<b>Title of Law and Agency</b>	Temporary Disability Benefits Law; Dept. of Labor and Industry, Div. Of Unemployment and Disability Insurance, C.N. 957, Trenton 08625-0387; (609) 292-2121	Temporary Disability Insurance Act, Dept. of Employment Security, 101 Friendship St., Providence 02903 (401) 462-8420	Unemployment Compensation Disability Benefits; Employment Development Dept., 800 Capitol Mall, Sacramento 95814 (909) 383-4176	Temporary Disability Insurance Law; Dept. of Labor and Industrial Relation, P.O. Box 3769, Honolulu 96812 (808) 586-9188	Disability Benefits Act: Dept. of Labor and Human Resources, Bureau of Employment Security, Prudencio Rivera Martinez Bldg., 505 Munoz Rivera Ave., San Juan PR 00918 (787) 754-5774	Disability Benefits Law; Workers' Comp Bd., 100 Broadway, Menands, Albany 12241 (518)473-7323
<b>Weekly Disability Income</b>	2/3 of average weekly wage, to a maximum of 50% of statewide average for the preceding calendar year. No minimum. Maximum \$502 per week in 2007.	Maximum \$607 per week, minimum \$66.00. An additional 7% of the claimants benefit rate is paid for each dependent child under 18 up to a maximum of 5 children dependent allowance	Maximum \$840.00 per week, minimum \$50.00. Benefits are paid by schedule and are based on the wages in the calendar quarter of the base period in which the employee was paid the most.	58% of weekly wage; minimum of \$14; maximum of \$460.00 (benefit 2004)	\$5.00 + 60% of weekly earnings. Minimum of \$12 per week; maximum of \$113 (\$55 for agricultural workers).	50% of average weekly wage, maximum of \$170; minimum of \$20 or employee's weekly wage if less.
<b>Duration of Benefits</b>	26 weeks per disability	Up to 30 weeks per year, or until benefits equal 36% of base period wage	52 weeks per disability	26 weeks disability per 52 weeks	26 weeks disability in any period of 52 calendar weeks. Vacation and sick leave payments are excluded from maximum.	26 weeks disability per 52 weeks.
<b>Waiting Period</b>	7 days, but payment is retroactive after 3 consecutive weeks of benefits have been paid.	7 days	7 days unless hospitalized or treated in a hospital of surgical center. However, waiting period waived if disabilities extend beyond 21 days.	7 days	7 days unless hospitalized.	7 days. (If unemployed, 1 <sup>st</sup> day disqualified for unemployment compensation.)
<b>Employee Contribution</b>	.5% of the first \$26,600 (Year 2007) earnings; maximum contribution of \$133.00	1.4% of the first \$50,600/year earned in covered employment.	2006, employees had to contribute 0.08% of first \$79,418 of annual wages.	Dependent on employer contribution, .5% of wages not to exceed \$3.14 or 1/2 of cost in 1999.	.3% of first \$9,000 in wage	.5% of first \$120 in weekly wages. Maximum \$.60 per week.
<b>Employer Contribution</b>	Balance of cost	None mandated	None mandated	Employer may pay entire cost or balance of cost.	Same as employee contribution.	Balance of cost.
<b>Employers Covered</b>	All employers of 1 or more employees. Program is optional for state entities.	All employers except federal and state governments and employers of domestic workers worn earn more than \$1000 per calendar quarter. Program is optional for local government.	All employers who pay more than \$100 in wages in any calendar quarter and employ one or more employees.	All employers of 1 or more employees, program is optional for state entities.	Any employer who, during any day of the current or preceding calendar year, has/had 1 or more employees in employment.	All employers who have employed 1 or more employees for at least 30 days. An employer becomes "covered" 4 weeks after the 30 <sup>th</sup> day of employment; employer liability continues for 4 weeks after an employee's termination of employment.
<b>Eligibility: Minimum earnings</b>	\$143. in each of 20 weeks of covered employment during preceding 52 weeks or earnings of \$7,200 or more in preceding 52 weeks.	\$8,100 total base period wages or \$1,350.00 in one quarter plus total wages equal to 1.5 times high quarter wages plus total base period wages of \$2,700	\$300 in wages during base period.	\$400 in wages in last 52 weeks prior to 1 <sup>st</sup> day of disability, with 14 weeks in covered employment, 20 hours or more of paid work in each week.	\$150 in wages during base year.	4 weeks in covered employment. Unemployed must meet requirements for unemployment insurance.
<b>Types of Plans Allowed</b>	State or private, insured or self-insured. Private plan must be as liberal as state plan; and if employees contribute to premium, must be approved by majority of employees.	State Plans only.	State or private voluntary, insured or self-insured. Voluntary must exceed minimum requirements of statute in at least on respect, and majority of employees must consent in writing.	Private, insured or self-insured, or acceptable collectively bargained sick leave plan. No state plan exists. Plan must provide statutory benefits or benefits judged by Disability Compensation Division to be equivalent of statutory benefits.	State or private, insured or self-insured. Private plan must provide same or better benefits than state plan. Management and majority of employees must agree to plan.	State or private, insured or self-insured. Private plan must provide benefits determined to be at least as favorable as those of state plan.