



New Year, New Laws, Same Panic: Your 2026 Compliance Survival Guide

Compliance Services



Presenters



Deana Ramos
Compliance Services Specialist



Jenny Li
Compliance Services Specialist



Larkin is recognized by SHRM to offer Professional Development Credits (PDCs) for SHRM-CP or SHRM-SCP recertification activities. This program has been approved for 1.0 recertification credit by the HR Certification Institute.

Today's Agenda

- Current Laws Spotlight
- Proposed Laws on the Horizon
- The Direction of PFML Benefits
- Moving Forward
- Questions and Answers

Disclaimer: This webinar and accompanying materials are provided by The Larkin Company for general informational purposes only. While we strive to offer accurate information regarding the disability and/or accommodation laws covered, these laws are complex and subject to change. The content presented should not be relied upon as a substitute for professional legal advice. Attendees are strongly encouraged to consult with qualified legal counsel to address specific organizational needs or individual circumstances. The Larkin Company is not a licensed legal professional and expressly disclaims any liability for decisions made or actions taken based on the information shared during this webinar.

01

**Current Laws
Spotlight**



Updates Overview

Highlights

- Pregnancy related leave laws
- Expanded eligibility under existing laws
- Additional leave reasons under existing laws
- PFML programs going live in 2026 - MN (Contributions and benefits both begin on 01/01/26), ME, and DE

NOVEMBER	
11/04/25	MA PFML releases updated employee notice to be provided to employees by 12/02/25
11/04/25	CT PL releases updated employer notice, effective immediately
11/04/25	DC PFL releases updated employee notice to be posted by 02/01/26
OCTOBER	
10/30/25	WA PFML contribution rates increased, effective 01/01/26
10/27/25	The Social Security Administration increases the taxable wage base to \$184,500 for 2026
10/27/25	NJ TDI and FLI contribution rates increased, effective 01/01/26
10/27/25	CA SDI confirms contribution rate increase, effective 01/01/26
10/14/25	DC PFL maximum weekly benefit rates increased, effective 09/29/25
10/13/25	WA passes bill to amend PFML program, effective 01/01/26
10/01/25	MA PFML confirms contribution rates and maximum weekly benefit rates increase, effective 01/01/26
10/01/25	CT PL confirms contribution rates remain the same through 2026 and maximum weekly benefit rates increase, effective 01/01/26
September	
09/09/25	CA releases updated DE 2511 brochure for PFL, effective immediately

2026 CA EDD Updates

Weekly Benefit Amount

- Maximum weekly benefit: \$1,765
- 70% of earnings, 90% for low wage earners

Contribution Rate

- Contribution rate - 1.3% (increase from 1.2%)
- Taxable wage ceiling - still removed for 2026



Larkin has more than 25 years of experience in designing and administering voluntary plans. Reach out to a Larkin Client Success Manager for details on setting up a plan.

Social Security Administration Updates

2026

- Cost of Living Adjustment - 2.8% (increase from 2.5%)
- Taxable wage base - \$184,500 (increase from \$176,100)



Many state benefit programs cap their contribution rates at the Social Security wage base, or use it to calculate the maximum weekly benefit of their program:

- CO
- CT
- MA
- MD
- ME
- NH
- OR
- WA
- VT

Current Changes

IN EFFECT 07/01/25



Vermont

Parental and Family
Leave Act

Expanded leave coverage:

- Pregnancy (including recovery or miscarriage), bonding with a child up to 1 year (including adoption and foster care), placement of a child 18 years or younger, qualifying exigency, safe leave, and bereavement leave

10+ employees: 12 weeks parental leave, bereavement, safe leave, qualifying exigency

15+ employees: 12 weeks all of the above + family leave

- 2 of the 12 weeks available may be used for bereavement leave

Expanded family members:

- Employee's spouse, civil union or domestic partner; child (including biological, adopted, foster, step, legal ward, or of the spouse/domestic partner); parent, legal guardian, grandparent, grandchild, siblings (including biological, adopted, foster, step, of the employee or their spouse/civil union/domestic partner); an individual whom the employee provides caregiving responsibilities similar of a parent-child relationship; a person whom the employee stands or stood in loco parentis prior to the person turning 18 years of age

Current and Upcoming Changes



New York City
Earned Safe and Sick
Time Act

IN EFFECT 06/02/25

Covered employers must provide 20 hours of paid prenatal leave

- Aligns with New York state's requirement for employers to provide paid prenatal leave that went live 01/01/25
- Pay stub requirement to show amount of paid prenatal leave accrued, used within the pay period, and remaining available



Colorado
Family and Medical
Leave Insurance

IN EFFECT 01/01/26

FAMLI will provide up to 12 *additional* weeks of leave for a parent whose child is receiving care in a neonatal intensive care unit (NICU)

- Employees could be entitled to 24 weeks total, e.g., 12 weeks of bonding then 12 weeks of NICU leave

Upcoming Changes

IN EFFECT 01/01/26



New Hampshire

New leaves related to pregnancy & military spouses

Leave to attend pregnancy related medical appointments

- Employers with 20 or more employees must provide up to 25 hours of unpaid leave for:
Medical appointments for childbirth; postpartum care, or; the employee's child's pediatric medical appointments within the first year of the child's birth or adoption
- Total duration can be shared if both parents are employees of the same employer

Family Military Leave

- **Unpaid, job-protected leave:** Ensures job security for families during military conflicts & protection from layoff during spouse's mobilization for up to 1 year and 1 day
 - Covered employer:** 50 or more employees at the same location in NH
 - Covered employee:** Spouse of a military service member involuntarily mobilized in support of war, national emergencies, or contingency operations
- Same duration of reemployment rights as under USERRA

Upcoming Changes

IN EFFECT 01/01/26



Washington

Paid Family and
Medical Leave

Expanded Protections

- Employee's length of service requirement decreased to 180 calendar days for job protected leave under WA PFML (current requirement is working 1,250 hours and 12 months of service)
- Covered employer requirement decreasing to those with 25 or more employees in 2026 (currently 50 or more employees)
- Minimum duration of claim benefit payments reduced to 4 consecutive hours (currently 8 hours)
- Group health insurance continuation during any period of an employee's job protected leave under WA PFML (currently only applicable if leave overlaps with FMLA)

Leave Usage & Other Updates

- Provisions to prevent employees from consecutive use of FMLA and WA PFML leave (known as "stacking") instead of concurrent usage if employers wish to do so
- Employers must provide a written notice of reinstatement to employees whose leaves exceed 2 typical work weeks or a combined intermittent leave duration exceeding 14 typical work days
- Expanded definition of a healthcare provider to include naturopathic physicians (effective February 16, 2025)

Upcoming Changes

IN EFFECT 06/01/26



Illinois

Family Neonatal
Intensive Care Leave Act

Employers must provide unpaid NICU leave for employees while a child is a patient in a NICU

- Leave is based on employee count:
 - 16-50 employees:** 10 days
 - 51 or more employees:** 20 days
- “Child” means an employee’s son or daughter, whether biological, adopted, a foster child, stepchild, a legal ward, or a child of a person standing in loco parentis
- Employees eligible for FMLA must first exhaust this leave entitlement prior to NICU leave (FMLA and NICU leave do not run concurrently)
- Leave may be continuous or intermittent, in minimum 2 hour increments
- Reasonable verification can be required to confirm the length of stay in a NICU
 - No confidential information protected by HIPAA or other law can be requested

Anticipated Changes to PWFA

Final Rule published April 19, 2024. Effective June 18, 2024



- EEOC now has a quorum
- Possible removal of specific conditions from coverage, such as:
 - Menstruation
 - Infertility
 - Abortion
 - Menopause
- EEOC Acting Chair Andrea Lucas has stated, *“Menstruation, infertility, menopause, and the like are not caused or exacerbated by a particular pregnancy or childbirth – but rather the functioning, or ill-functioning, of the female workers’ underlying reproductive system.”*

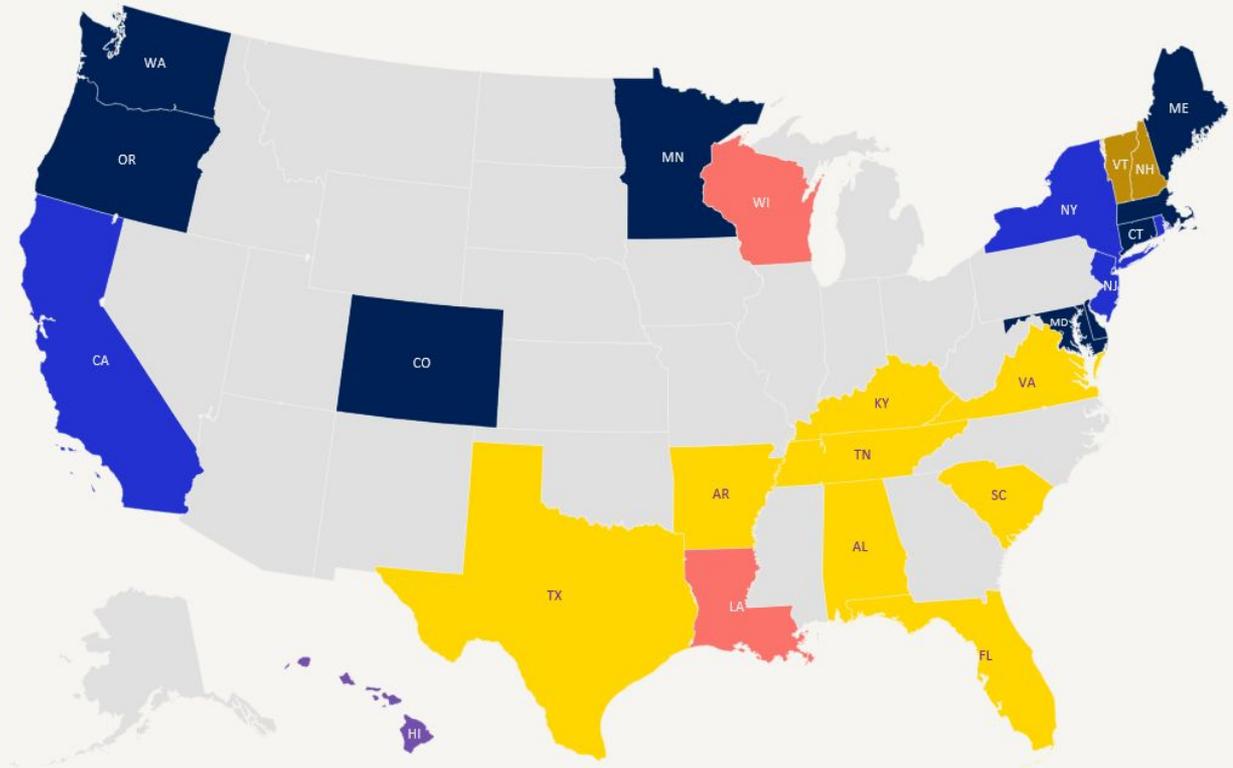


02

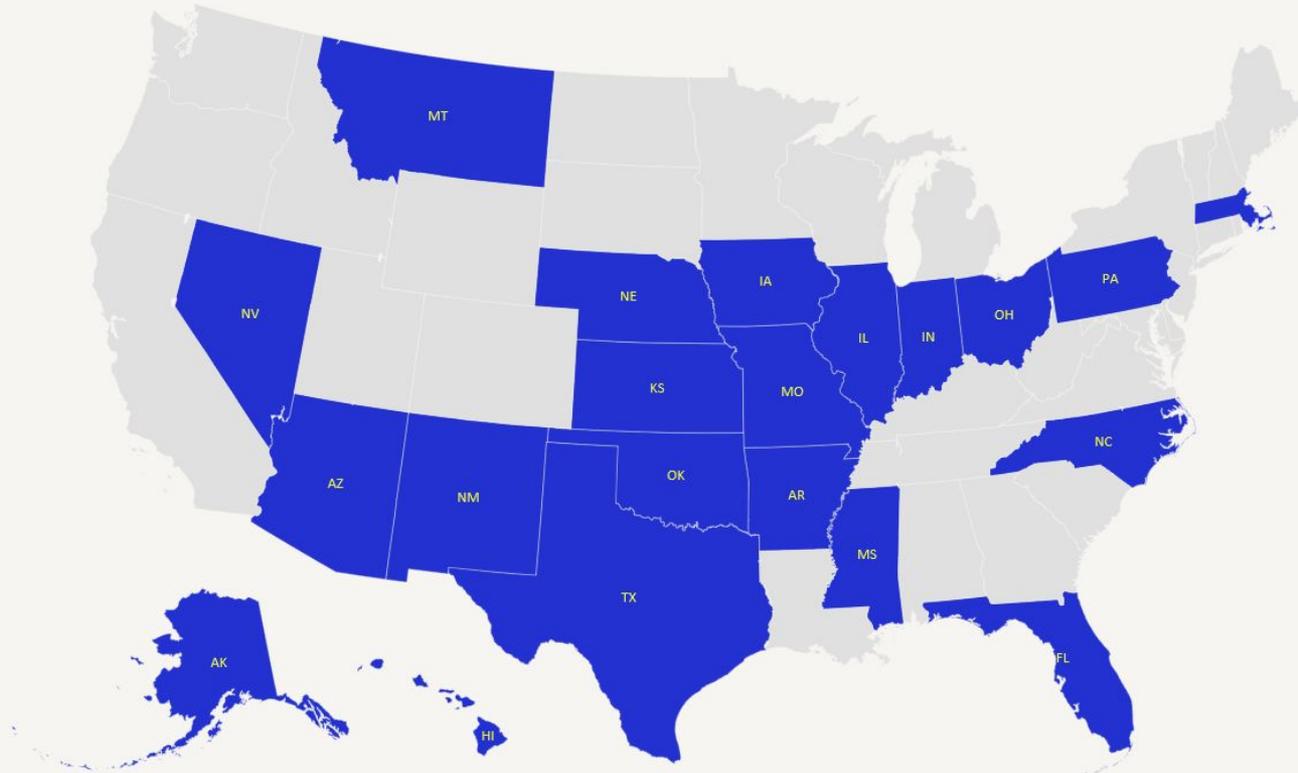
Laws on the Horizon

States With Current PFML Laws

- Mandatory PFML
- Mandatory SDI and PFL
- Mandatory SDI
- Voluntary PFL
- Voluntary PFML
- Unpaid Leave Only



States With Proposed PFML Laws



New Laws Overview

IN EFFECT 01/01/26



Delaware

Paid Family and Medical Leave (DE PFML)

Employer Eligibility:

- **10-24 DE employees:** Parental Leave
- **25+ DE employees:** Medical, Parental, Family Care & Military

Employee Eligibility:

12 months of employment with current employer, 1,250 hours worked in the 12 months preceding the leave **and** at least 60% of time spent working physically in DE

Can claim up to 12 weeks total between all leave types:

- **12 weeks** for parental
- **6 weeks in a 24 month period** for medical (including pregnancy disability), family care, and military exigency

IN EFFECT 01/01/26



Minnesota

Paid Leave Law (MN PLL)

Employer Eligibility:

1 employee in the state of MN

Employee Eligibility:

Earned at least 5.3% of the state average annual wage, rounded down to the next lower \$100 during the base period *(the last 4 completed quarters prior to the leave)*

Can claim up to 20 weeks total between all leave types:

- **12 weeks** for medical and pregnancy disability
- **12 weeks** for parental, family care, exigency, & safety leave

New Laws Overview

IN EFFECT 05/01/26



Maine

Paid Family and Medical Leave (ME PFML)

Employer Eligibility:

1 employee in the state of ME

Employee Eligibility:

Earned 6x state average weekly wage within the first 4 calendar quarters prior to first day of leave

Can claim up to 12 weeks total between all leave types:

- **12 weeks** for pregnancy disability, medical, and organ donation
- **12 weeks** for parental, family care, qualifying exigency, safety leave, and bereavement

IN EFFECT 01/03/28



Maryland

Family and Medical Leave Insurance (MD FMLI)

Employer Eligibility:

1 employee in the state of MD

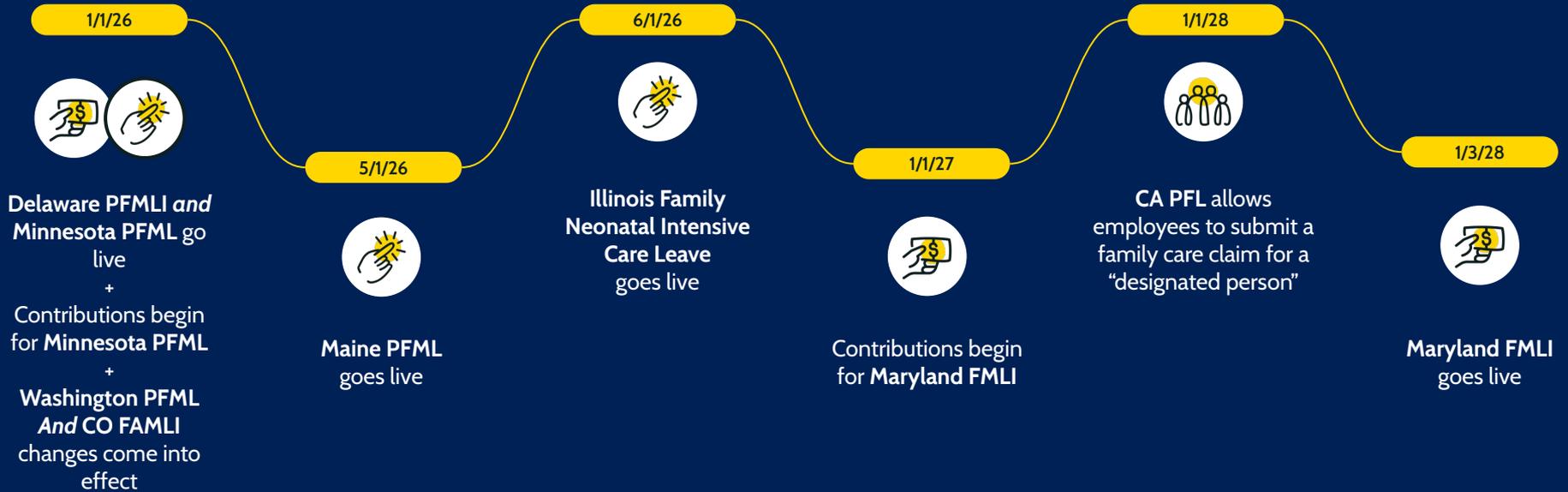
Employee Eligibility:

Worked 680 hours in MD within the first 4 calendar quarters prior to first day of leave.

Can claim up to 12 weeks *total between all leave types:

- **12 weeks** for parental, family care, medical, pregnancy disability, care of a service member, and military exigency
- ***12 additional weeks** for parental, if employee requires medical and parental leave in same year

Upcoming Laws Timeline



03

Direction of PFML



PFML Variations



Statutory Disability Insurance (SDI or TDI)

Provides a partial wage replacement for employees temporarily disabled and unable to work due to a non-occupational accident or illness

CA, HI, PR



Statutory Paid Family Leave (PFL)

Provides partial wage replacement for employees taking leave for family care reasons (e.g., bonding, care for a family member with a SHC, military, safe leave)

CA, NY, RI



Statutory Unpaid Family and Medical Leave (FML)

Provides a certain number of weeks of *unpaid* leave for employees who take leave for covered reasons (e.g., medical, bonding, care for a family member with a SHC)

CA, CT, OR

PFML Variations



Mandated

Mandated, statutory family and medical leave insurance programs

DE, MN, ME, WA, etc.



Voluntary

Non-mandatory family and medical leave insurance program that employers or individual employees may opt-in to

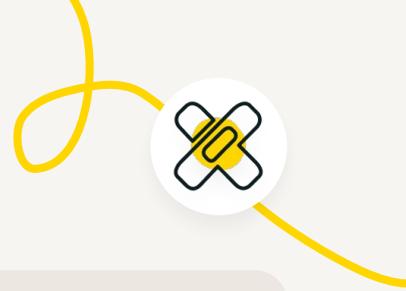
NH, VT



Opt-in Insurance

Non-statutory PFL products independent of a state-run program; Employers can purchase family leave insurance to add to an existing STD policy

AL, AR, FL, KY, TN, TX, VA



Paid Sick Leave

Many states and cities this year have enacted or amended their paid sick leave mandates

- Alaska and Nebraska's new laws went into effect in July and October, respectively
- Maine now allows up to 40 hours of unused paid leave to roll-over to the following year
- Michigan and Cook County, Illinois updated various rules concerning accrual, usage, payment, and policy communication
- Minneapolis, Minnesota aligned city and state law, effective 12/31/25
- Missouri repealed its law
- New York City added reasons for prenatal leave
- Oregon added blood donation as a reason
- Pittsburgh, Pennsylvania clarified employee rights and employer obligations (accrual and notice requirements + sick leave usage)
- Washington added reasons for child-care closures due to public emergencies for transportation network company drivers, for victims of a hate crime, and to prepare for or participate in immigration proceedings

Currently, only 17 states and the District of Columbia require employers to provide paid sick leave

Trends to Know

What we've seen this year, and what we could expect more of next year



Paid Sick Leave Expansion

- More covered reasons
- New states & cities with coverage
- Greater employee eligibility
- Roll-over and accrual



Additional Family Members

- Siblings (RI)
- An individual who regularly resides in the employee's home (WA)
- Committed Relationship (MI)
- Designated individuals and those of a "close association" (CA, MN)



Pregnancy Entitlements (prenatal, lactation, and NICU leaves)

- NYC - paid prenatal leave
- CO, IL - NICU leave
- NH, IL, NYC, PR, RI, & WA - pregnancy and lactation accommodations



Protections for victims of violence

- AK, CA, WA, NYC, MI, VT, etc.

04

Moving Forward



How To Stay Ahead of New Legislation



BECOME FAMILIAR

Prioritize resources when current laws change in order to stay compliant with existing laws

MAKE UPDATES

Some changes may call for you to make decisions to update any policies or forms to comply with new requirements



STAY IN THE LOOP

Upcoming laws may continue to evolve and change as they get closer to their effective dates. Carefully review changes to be aware of requirements and important dates

Overlapping Leave Laws and Benefits

Questions to untangle the complexities



Which PFML and unpaid leave laws is the employee eligible for?



What reasons would PFML and unpaid leave laws not run together?



What's the maximum number of weeks an employee can be on leave?



Does the state leave law allow optional stacking?



How will benefits coordinate?

Compliance Center

Stay informed with our Larkin resources:

- Checklist
- Newsfeed
- Statutory pay summary charts and more!

California - Leave Types, Benefit Amounts and Durations										
Leave Law	Interaction with Other Laws (FMLA, PDL, etc.)	Law Type	Employer Eligibility	Employee Eligibility	Job Protection	Group Health Continuation	Leave Types/Durations (leave year)	Pay Benefit	Waiting Period	Family Members (leave year)
California Family Rights Act (CFRA)	Interacts with Other Laws	Leave	5 employees and	12 months of employment with current employer, 1250 hours worked in the 12 months preceding the	Yes	Yes	12 weeks Medical, family care, parental, and military emergency leave.	N/A	N/A	Spouse, child, parent, parent-in-law, person in loco parentis, grandparent, sibling
Pay Laws - CFRA	None concurrently with federal FMLA.									



U.S Newsfeed

Newsfeed with the latest updates for U.S family and medical leave laws.

Washington

Law	WA PFML(Washington Paid Family and Medical Leave)	WA PFML(Washington Paid Family and Medical Leave)
Employer eligibility	Unprotected leave – 1 employee (WA) Protected leave – 50 employees (WA)	Unprotected leave – 1 employee (WA) Protected leave – 50 employees (WA)
	*Effective 01/01/26: 25 WA employees; 01/01/27, 15 WA employees; 01/01/28, 8 WA employees	*Effective 01/01/26: 25 WA employees; 01/01/27, 15 WA employees; 01/01/28, 8 WA employees
Update type	Workplace Poster Update	Weekly Benefit Amount
Employer actions	Update Posting	Update Pay Offsets
Status	Pending	Confirmed
Update ETA (Month/Date)	12/01	06/15
Effective date	01/01/26 (est.)	01/01/26 (conf.)
Done	<input type="checkbox"/>	<input type="checkbox"/>

Your personal notes

Resources

- [WA Paid Family and Medical Leave – PFML \(Leave and Pay Law\)](#)
- [WA PFML Registration](#)
- [WA PFML Employer Information](#)
- [Employer Guide for Reporting](#)

U.S. Summary Leave Resources

Consolidated resources for the federal and state family and medical leave laws.

Filter by Resource: Show All 

Search Resources:

Resource	Description
FMLA Policy Guidance	Guidance on best practice when developing FMLA leave policies, in...
Intermittent Leave Rules	The intermittent rules table is a summary of the rules and requirem... each federal and state family and medical leave laws, such as whet... intermittent leave is allowed, and any minimum increments.
Notice Requirements	The notice requirements table is a consolidation of the notice and... subject to for all federal and state family and medical leave laws.
PTO Requirements	The PTO requirements table provides an overview of vacation/paid... state family and medical leave laws during an employee's paid or un...
State Leave and Pay Summary Table	The summary table is a consolidation of all the federal and state leave laws for the US, covering whether they run concurrently with or separate to other applicable laws, eligibility criteria for employees and employers, job protection and group health continuation, reasons for and durations of leaves, and any pay benefits information if applicable.
Statutory Disability and Paid Family Leave Plan Summary	The disability and paid family leave plan summary table is a consolidation of statutory disability and paid family leave programs in the US, addressing benefit amounts, contribution funding, and coverage options.



U.S. Family and Medical Leave Laws

Select your state...

- ✓ U.S. Overview
- Federal (all states)
- Alabama
- Arkansas
- California
- Colorado

Employer

Some leave laws require displaying a poster or summary of the requirements.

Where the law requires, the applicable documents are:

Download 

California						
Leave Law	Law Type	Covered Employer	Handbook Required	New Hire	Employer Poster	Larkin Enclosures (poster or notice)
California Family Rights Act (CFRA)	Leave	5 employees (US)	Yes	N/A	Yes - See "Family Care and Medical Leave (CFRA Leave) and Pregnancy Disability Leave" in the "required" posters section.	Yes (required for birth parents) - See "Your Rights and Obligations as a Pregnant Employee" in the "required" posters section.
Pregnancy Disability Leave (PDL)	Leave	5 employees (US)	Yes	Yes	Yes - See "Your Rights and Obligations as a Pregnant Employee" in the "required" posters section.	Yes - See "Your Rights and Obligations as a Pregnant Employee" in the "required" posters section.
San Francisco Paid Parental Leave Ordinance (SF PPLO)	Pay (Employer Paid)	20 employees (Global)	Yes	Yes - Example PPLO Poster	Yes (i.e., PPLO Poster)	Yes - PPLO form (different from poster)
San Francisco Military Leave Pay Protection Act (SF MLPPA)	Pay (Employer Paid)	100 employees (Global)	Yes	N/A	Yes - SF MLPPA Poster	N/A
State Paid Family Leave	Pay	1 employee (CA)	N/A	Yes - PFL Provisions - form DE 2511	Yes UI, DI, PFL - use form DE 1857A Employees not covered by UI - use form DE 1858	Yes - PFL Provisions DE 2511
State Disability Insurance	Pay	1 employee (CA)	N/A	Yes - SDI Provisions - form DE 2515	Yes UI, DI, PFL - use form DE 1857A Employees not covered by UI - use form DE 1858	Yes - SDI Provisions DE 2515

ADDITIONAL INSIGHTS

The above handbook, new hire and employer notice/poster requirements, if applicable (see above the requirements for each state), only apply if you are considered a Covered Employer under each law (see "Covered Employer" field).

The Larkin Company has taken reasonable steps to ensure the accuracy of the information on this page, however we make no representation or warranty of any kind as to its accuracy or completeness. These resources should not be construed or substituted for legal advice. Accordingly, before taking any actions based upon such information provided herein, we encourage you to seek competent legal advice from a licensed attorney or appropriate professionals.

Any questions?

Prospective Clients: sales@thelarkincompany.com

Current Clients: Reach out to your Client Success Manager



Thank you



SDI Too High? Your Playbook for Voluntary Plans

While SDI remains high, let's see if a Voluntary Plan would be a better fit for you.



ADA & PWFA at Work: Clarity for Complex Cases

Clear framework to help you evaluate and respond to pregnancy-related, mental health, and other invisible disability cases that require reasonable accommodation.