



# Worker Guidebook

Individual Plan



**NEW HAMPSHIRE  
PAID FAMILY  
& MEDICAL LEAVE**



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Welcome to the New Hampshire Paid Family and Medical Leave (NH PFML) Plan, a first in the nation voluntary plan for NH employers and eligible NH workers.

This guidebook provides workers with general information about NH PFML insurance that is provided through the NH PFML individual plan.

**DISCLAIMER:** Like most group benefit programs, benefit programs offered by MetLife contain certain exclusions, exceptions, waiting periods, reductions, limitations, and terms for keeping them in force.



**NEW HAMPSHIRE  
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# 1 NH PFML Plan Overview

This Worker Guidebook provides information for workers who are enrolled in or interested in the NH PFML individual plan.

## 1.1. Introduction to NH PFML

NH Paid Family and Medical Leave (NH PFML) is a voluntary insurance plan where NH employers and eligible NH workers can choose whether to purchase paid family and medical leave insurance. NH PFML insurance provides up to 60% wage replacement for up to six (6) weeks per year for absences from work for covered common life events.

NH PFML is a voluntary insurance program. Employers are not required to provide NH PFML insurance to their workers and workers are not required to enroll in or purchase NH PFML insurance. To be eligible for NH PFML insurance, you must work for an employer with a location in New Hampshire and be designated as working for a NH employer, which means that your employer reports your wages to the state of New Hampshire for unemployment purposes.

NH PFML is available to all NH employers and NH workers through MetLife, the state's PFML insurance partner. NH PFML insurance is available to workers by participating in their employer's NH PFML group plan or by enrolling in the individual NH PFML plan if their employer does not provide NH PFML or an equivalent plan.

For more information about NH PFML insurance provided by an employer-sponsored NH PFML group plan, please refer to the [Worker Guidebook for Employer-Sponsored Group Plan](#)<sup>1</sup>.

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<sup>1</sup><https://www.paidfamilymedicalleave.nh.gov/resources>

## 2 NH PFML Individual Plan Design

### 2.1. Plan Overview

The NH PFML individual plan is a group policy sponsored by the State of New Hampshire available through MetLife, the state's NH PFML insurance partner. The NH PFML individual plan consists of individual NH workers pooled together to make NH PFML accessible if their employer does not sponsor a NH PFML group plan, or an equivalent benefit plan.

Workers are encouraged to talk with their employer if they have any questions and to see whether their employer is sponsoring NH PFML coverage.

The NH PFML individual plan includes:

- Paid Family and Paid Medical leave together in a single insurance policy
- 60% of wage replacement benefits up to the Social Security wage cap for qualifying reasons
- Up to 6 weeks of wage replacement benefits (not including the elimination period) per benefit year
- Leave that can be taken all at once or in partial days with a minimum of 4-hour increments
- A one-time 7-month waiting period before a claim may be submitted
- An elimination period of a single unpaid work week before benefits may be paid, if applicable
- Premiums of no more than \$5 per week/\$260 a year

## 2.2. Worker Eligibility

You are eligible for the NH PFML individual plan if:

- You work for an employer with a location in New Hampshire and are designated as working for a NH employer, which means that your employer reports your wages to the state of New Hampshire for unemployment purposes.
- Your employer does not offer a NH PFML group plan or benefits that are equivalent to NH PFML.

You are not eligible for the NH PFML individual plan under these circumstances:

- You do not work for an employer with a physical location in New Hampshire
- Your employer offers NH PFML or an equivalent plan
- You are covered under another PFML state plan

You may not be eligible for the NH PFML individual plan if:

- You are self-employed, a sole proprietor, or an independent contractor (see [2.2.2 Self-Employed and Sole Proprietors](#))
- You are a remote worker and not designated as a NH worker or your employer does not have a physical location in New Hampshire

Eligibility will be verified by MetLife during the enrollment process.

If you have questions about eligibility, you are encouraged to talk with your employer or call the MetLife Customer Solution Center at 1.866.595.PFML (7365).

### 2.2.1. Employer Equivalent Plan Guidelines

Eligible NH workers may enroll in the NH PFML individual plan if their employer does not offer a NH PFML group plan or benefits that are equivalent to NH PFML.

To be considered an equivalent plan, your employer's benefits must include all the following items:

- Coverage for all qualifying events (see [2.3 Qualifying Common Life Events](#))
- 60% wage replacement benefits up to the Social Security wage cap for all qualifying leave reasons
- A minimum of six (6) weeks of benefits for all qualifying leave reasons

I am eligible for the NH PFML individual plan when:

- ✓ My employer has a physical location in New Hampshire
- ✓ I am designated as working for a NH employer
- ✓ My employer does not offer NH PFML insurance or have similar benefits for all the same qualifying life events.

- Ability to take leave continuously, intermittently or on a reduced schedule with a minimum of four (4) hours of missed time for each covered day plan.

During the NH PFML enrollment verification process, your employer will be asked to complete the [MetLife Equivalent Plan Evaluation and Certification Checklist](#)<sup>2</sup> to help determine if they offer equivalent benefits before eligibility for enrollment in the NH PFML individual plan can be determined. Employers are encouraged to share this checklist with their workers to notify them that NH PFML or equivalent benefits are being provided. MetLife may reference this form during the enrollment process.

### 2.2.2. Self-Employed and Sole Proprietors

Self-employed and sole proprietors can enroll in the NH PFML individual plan if they work for themselves, pay themselves W-2 compensation and do not employ any other person.

However, if a sole-proprietor employs more than one person and pays W-2 compensation to themselves and their workers, they are considered an employer and can purchase a group policy.

If a sole-proprietor uses business profits as income, MetLife will require proof of wages (as with W-2 workers) to define the average weekly wage needed to calculate NH PFML insurance benefits.

## 2.3. Qualifying Common Life Events

NH PFML insurance provides participating NH workers with 60% of their average weekly wage (up to the Social Security wage cap) for up to six (6) weeks per year if they cannot work due to these covered common life events:

Paid Family Leave	Paid Medical Leave
<ul style="list-style-type: none"> <li>• For a worker to bond with a child during the first year following birth or placement for adoption or fostering</li> <li>• For a worker to care for a family member with a serious health condition</li> <li>• Any qualifying urgent demand or need arising out of the fact that the worker's spouse, child, or parent is a covered military service member on covered active duty</li> <li>• For a worker to care for a covered military service member with a serious injury or illness if the eligible worker is the service member's spouse, child, parent or next of kin</li> </ul>	<ul style="list-style-type: none"> <li>• A worker's own serious health condition when insured disability* coverage does not apply, including childbirth</li> </ul> <p>* Please contact MetLife for additional details on what qualifies as disability insurance.</p>

<sup>2</sup> [https://www.paidfamilymedicalleave.nh.gov/sites/g/files/ehbemt681/files/documents/nh-pfml-equivalent-plan-checklist\\_0.pptx](https://www.paidfamilymedicalleave.nh.gov/sites/g/files/ehbemt681/files/documents/nh-pfml-equivalent-plan-checklist_0.pptx)



Under NH PFML, a serious health condition is defined as:

- Conditions requiring inpatient care
- Incapacity for more than three (3) days with continuing treatment by a health care provider
- Incapacity relating to pregnancy or prenatal care
- Permanent or long-term incapacity
- Certain conditions requiring multiple treatment, and
- Chronic serious health conditions that may prevent a person from working for a minimum of four (4) hours, for example, a person with epilepsy may not be able to work due to an epileptic episode

## 2.4. Qualifying Family Members

The NH PFML individual plan defines the following as family members:

- Your child, including biological, adoptive, foster, or stepchild, legal ward, or child of a person standing in loco parentis who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical disability
- Your child's spouse or domestic partner
- Your spouse or a domestic partner
- Your parent, including biological, adoptive, foster, or stepparent, or legal guardian; or your spouse or domestic partner
- Your grandparent, including biological, adoptive, foster, or step grandparent
- For military exigency, next of kin and military caregiver definitions align with the Family Medical and Leave Act (FMLA).

## 2.5. Waiting Period

The NH PFML individual plan includes a one-time 7-month waiting period that must be satisfied before benefits begin. You are eligible to receive wage replacement for qualified leaves of absence once the waiting period is satisfied. During the 7-month waiting period, you are not eligible to receive NH PFML benefits. The 7-month waiting period begins once a NH PFML individual plan certificate is issued.

Examples:

Example 1: Susan Johnson gave birth to a new child on March 1 and needed to take time to recover from childbirth. Because her coverage was purchased on January 1st, her one-time waiting period lasted until July 31st, at which time she was eligible to receive NH PFML wage replacement. As PFML can be taken to bond with your newborn or adopted child during the year following birth or adoption there was still plenty of time for Susan to utilize PFML.

On August 15, Susan took leave to bond with her child. Because her one-time waiting period ended, and it was still within 12 months of the child's birth, she was eligible to receive NH PFML wage replacement.

Remember, the waiting period only needs to be satisfied once. Susan maintained her PFML individual coverage into the following year and on January 10th, Susan took leave to care for her mother with a serious health condition. Because her one-time waiting period had been fulfilled, she was eligible to receive her 6 weeks of NH PFML wage replacement immediately.

Example 2: John Smith broke his leg on August 31st and had to have surgery. Because his coverage was purchased on January 1st and his one-time waiting period ran from January 1st to July 31st, he was eligible for NH PFML wage replacement without having to wait.

## 2.6. Elimination Period

The NH PFML individual plan includes an unpaid elimination period equivalent to one (1) work week that must be met by you once per benefit period before a claim may be paid.

# 3 Enrollment and Premium Payment

## 3.1. Enrolling in the NH PFML Individual Plan

Enrollment in the NH PFML individual plan is held during the state’s 60-day annual open enrollment period. Dates for the current open enrollment period are posted on the NH PFML website, <https://www.paidfamilymedicalleave.nh.gov/>.

If your employer chooses to sponsor a group NH PFML insurance plan through MetLife after you have enrolled in the NH PFML individual plan, you will receive a letter from MetLife alerting you that your individual coverage will end and your employer’s NH PFML group coverage will begin. Any premiums paid by you in advance will be pro-rated and refunded to you.

If you have more than one job with an eligible employer, you may enroll in the NH PFML individual plan for each employer to protect your wages earned from each job. You may need to use NH PFML from one job and not another.

## 3.2. Premium Calculation and Payment

The amount of the premium you pay for the NH PFML individual plan is determined during the enrollment process. Per state law, the cost for NH PFML individual plan insurance will not be more than \$5 per week.

Once enrolled, MetLife premiums will be due on a quarterly basis. Payments can be made by check or electronically. Instructions are included in the billing statement.

Large employers are defined as having 50 or more NH workers

Small employers are defined as having less than 50 NH workers

### 3.2.1. Payroll Deductions for Premium Payment

Your employer may deduct your insurance premium from your paycheck and remit it to MetLife.

- If you work for a large employer, your employer is required to withhold your premium through payroll deduction. Your employer will receive the MetLife NH PFML premium bill and will be responsible for remitting your premium to MetLife.
- Small employers are not required to remit your premiums through payroll deduction. If you work for a small employer, you will receive a billing statement to remit payment directly to MetLife.

You are encouraged to discuss premium remittance with your employer prior to enrolling in the NH PFML individual plan, and to confirm the employer contact information that MetLife will use during your enrollment process to verify your eligibility.

If you have questions about your NH PFML billing statement, please call the MetLife Customer Solution Center at 1.866.595.PFML (7365).

### 3.3. NH PFML Coverage when Changing Jobs

You are required to notify MetLife upon changing employers to update your employment information. MetLife will contact your new employer for employment verification, plan status, claims administration and/or premium payments.

If you change jobs, ask your new employer if they offer NH PFML insurance or equivalent benefits:

- You may retain your coverage in the NH PFML individual plan if your new employer does not sponsor a NH PFML group plan or equivalent benefits.
- You will not be able to retain your individual plan insurance if your new employer sponsors a NH PFML group plan or provides equivalent benefits. In that case, you should enroll in your new employer's NH PFML group plan within 30 days of hire.

# 4 NH PFML Claims and Benefits

## 4.1. Submitting a Claim

You are responsible for submitting a claim directly to MetLife for NH PFML insurance benefits, however, your employer and MetLife play key roles in processing your claim.

To submit a NH PFML claim:

- ✓ Call 1-866-595-PFML (7365)
- ✓ Visit the web at <https://pflclaim.com/nhclaim.php>
- ✓ Mail a paper claim form to NH FPML Claims, PO Box 822, Mt. Laurel, NJ 08054
- ✓ Fax a paper claim form to 1-800-728-7028

Your employer is obligated to address your questions, direct you to MetLife for assistance, and provide MetLife with your work schedule, wage and leave information, and other benefits information in support of processing your claim.

Both you and your employer will be notified of your claim decision and any next steps.

- You may submit a claim for more than one qualifying event within the benefit period.
- You can submit your NH PFML claim up to 30-days in advance but no later than 20 days from your first date of absence.

Detailed instructions for submitting a claim and additional information about the claims and appeal process can be found in the following resources: [NH PFML Claims and Appeal Process](#)<sup>3</sup> and the [NH PFML Filing a Claim Quick Reference](#)<sup>4</sup>.

You are encouraged to call the MetLife Customer Solution Center at 1.866.595.PFML (7365) with any questions.

#### 4.1.1. Claims for Intermittent Leave

You may submit a claim for benefits that are taken intermittently with at least four (4) hours in each absence. The total amount of time must equal no more than six weeks of leave in a benefit period.

##### Example:

John needs time off to care for his mother who had a stroke. He will need intermittent leave to help with her recovery. His mother's physician signed a certification showing John may take intermittent leave 2 days a week for 3 months. MetLife would approve a claim for a full 3-month certification as follows: 2 days/week = 8 days/month x 3 months for a total of 24 days minus the first 7 days of leave are unpaid to meet the elimination period = 17 days of wage replacement benefit

#### 4.1.2. Claims for Benefits for Leave from Multiple Jobs

If you have NH PFML coverage for more than one job, you should contact MetLife to discuss the details of your leave and determine whether you will need to submit one or multiple claims.

## 4.2. Benefit Payment

Benefit payments are issued weekly by mail or electronically. Electronic deposits can be requested by contacting the MetLife Customer Solutions Center at 866-595 PFML (7365).

The benefit amount you receive under the NH PFML individual plan will vary based on 60% of your average weekly wage (up to the Social Security annual wage cap) and will be calculated as of the first date of a qualifying leave.

Your average weekly wage is determined by your earnings (including salaries, bonuses, commissions, etc.) in the base period. The base period is defined as the last four completed calendar quarters immediately preceding the first day of leave taken.

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<sup>3</sup> <https://www.paidfamilymedicalleave.nh.gov/sites/g/files/ehbemt681/files/documents/nh-pfml-claims-and-appeal-process.pdf>

<sup>4</sup> <https://www.paidfamilymedicalleave.nh.gov/sites/g/files/ehbemt681/files/documents/nh-pfml-filing-a-claim-quick-reference.pdf>

#### Example Benefit Calculation:

John's salary is ~\$82,000. His average weekly wage is \$1,576; the last 4 completed quarters (Jan. 1–Dec. 31, 2022), including his base salary and extra wages. His NH PFML benefit would be 60% or \$946.15 for a full week of leave.

## 4.3. Roles and Responsibilities Regarding Claims

Below are the responsibilities expected of you, your employer, and MetLife when you intend to submit a claim for benefits. MetLife will stay connected to you and your employer during the claim process but understanding your tentative return to work date or intermittent leave schedule is critical to managing your claim properly.

### 4.3.1. Your Responsibilities

1. You are encouraged to notify your employer of your intention to submit a NH PFML claim
2. Contact MetLife to submit your NH PFML claim
3. Partner with MetLife to obtain any requested information needed to support your NH PFML claim
4. Partner with MetLife and your health care provider (HCP) to provide required information, as needed, for your ongoing NH PFML claim
  - a. Report intermittent NH PFML absences to your employer
  - b. If your absence schedule changes, notify MetLife and your employer
5. Report intermittent NH PFML absences to MetLife within seven (7) calendar days after leave is taken
6. Report your actual return-to-work date to your supervisor/manager
7. Report your actual return-to-work date to MetLife

### 4.3.2. Your Employer's Responsibilities

1. Assist you when contacting MetLife, if needed
2. Assist you with leave coordination and coordination of benefits
3. Provide requested information to MetLife to assist in establishing your claim, as applicable:
  - ✓ Eligibility information
  - ✓ Job description
  - ✓ Work schedule and wages
  - ✓ Employer sponsored paid benefits for similar qualifying events or for the same leave dates
  - ✓ Other information as requested

4. Coordinate with you regarding Paid Time Off, other employer-sponsored benefit usage, and other unpaid leave, if applicable
5. Submit a NH PFML claim on your behalf, if needed
6. Report return-to-work plans or your actual return to work date to MetLife

#### 4.3.3. MetLife's Responsibilities

1. Send a claim acknowledgment packet to you within 48 hours of claim intake
2. Conduct a comprehensive worker intake interview to confirm details of your claim
3. Review claim facts and promptly notify you of any missing information to support your NH PFML claim
  - ✓ Make two (2) call attempts within two (2) days
4. Notify your employer of a new claim or leave submission
  - ✓ Contact your employer for eligibility or employment information, as needed
5. Request medical information from your HCP, or ask you to assist in sending medical information to support your leave, if applicable
6. Communicate your NH PFML claim decision to you and your employer
7. Administer benefits for continuous, intermittent, or reduced work schedule leaves
8. Discuss next steps and set expectations, including benefit payments for leaves taken intermittently or on a reduced schedule

## 4.4. Benefit Taxability

NH PFML makes no changes to existing federal and applicable state tax reporting requirements. NH PFML insurance benefits may be taxable at the federal level. They are not taxable at the state level, as NH does not have state income tax.

As the Internal Revenue Services (IRS) has not yet provided taxation rules for paid family leave (PFL) or paid medical leave (PML), MetLife follows the insurance industry standard for NH PFML taxes. That is, the portion of the premium you pay for PML will be taxed, and the benefit you receive may not be taxed. For the PFL portion of the premium you pay, taxes may not be automatically withheld, but can be if you so choose.

If you choose to request voluntary tax withholding, you will need to submit a W-4S tax form to the MetLife claims team for taxes to be withheld. Please contact your employer for additional guidance on insurance benefit tax practices.



# 5 Your Employer's Responsibilities

Your employer has responsibilities regarding NH PFML, in accordance with the provisions of NH HB2 (Chapter 91, Laws of 2021) and its referenced RSAs, however, certain responsibilities are determined based on whether your employer is considered a large or small employer under NH PFML.

All employers are obligated to:

- Ask new hires if they have purchased individual NH PFML coverage to understand any payroll deductions that may be needed
- Address worker questions about the NH PFML program
- Direct workers to MetLife to file a claim
- Participate in the claims process by providing MetLife with work schedules, wage and leave information, and other benefits information in support of coordinating benefits
- Prevent discrimination or retaliation against any worker who has NH PFML individual plan coverage or when using their NH PFML benefits

## 5.1. Health Benefit Continuation

Large employers are required to continue to provide health insurance to their workers during leave; however, workers are responsible for any worker-shared costs associated with health insurance benefits. Small employers are not required to continue health insurance benefits but may choose to do so.

You are encouraged to discuss benefit continuation with your employer prior to taking leave.

Large employers are defined as having 50 or more NH workers

Small employers are defined as having less than 50 NH workers

## 5.2. Claims Support

You submit claims directly to MetLife to receive NH PFML benefits, however, your employer is required to provide MetLife with your work schedule, wage and leave information, and other benefits information to support the processing of your claim.

You are encouraged to discuss questions about your NH PFML coverage with your employer or call the MetLife Customer Solution Center at 1.866.595.PFML (7365).

## 5.3. Job Protection

Job restoration provisions under the federal Family and Medical Leave Act (FMLA) may apply to employers that sponsor NH PFML insurance for their workers.

Workers are strongly encouraged to coordinate NH PFML leave with their employer and discuss the status of their position prior to taking leave.

## 6 Coordination with Other Benefits

NH PFML insurance is designed to coordinate with other types of leave and worker benefits in the following manner:

- If a worker qualifies and is receiving Short-Term Disability (STD)\* or Long-Term Disability (LTD) benefits, they will not qualify for NH PFML insurance benefits for the same days absent
- If a worker is eligible to receive Workers' Compensation (WC), they will not qualify for NH PFML insurance benefits
- NH PFML insurance will run concurrently with federal FMLA when a worker is eligible for qualifying leave under both programs
- Any other paid benefit coordination is based on employer policy, NH statute and rules of the MetLife agreement

\*Please contact MetLife for additional details on what qualifies for disability insurance.

Under the NH PFML individual plan, workers may be required to use employer-paid accrued leave before accessing their NH PFML insurance, except for the elimination period.

Workers may choose to 'top up' the NH PFML benefit with their remaining employer-paid accrued leave. MetLife will work with employers to coordinate dates of any available company leaves that directly overlap with NH PFML.

Further examples of benefit coordination with NH PFML might include:

Leave reason	NH PFML		Federal FMLA*	Company or Statutory
	NH PML	NH PFL		
<b>Worker has a serious health condition and needs to take time off work intermittently</b>	Yes	No	Yes	Maybe (sick leave or medical leave)
<b>Worker gives birth to a new child and needs to take time to recover from childbirth</b>	Maybe (If no disability insurance)	No	Yes	STD
<b>Worker has a serious health condition and needs continuous leave from work</b>	Maybe (If no disability insurance)	No	Yes	STD-continuous or reduced leave schedule with partial disability  No intermittent leave
<b>Worker is injured at work</b>	No	No	Yes	Workers' Compensation
<b>Worker is taking leave to bond with a newborn, or fostering or adopting a child</b>	No	Yes	Yes	Maybe (Parental/ Bonding Leave)
<b>Worker needs to care for a grandparent or domestic partner with a serious health condition</b>	No	Yes	No	Sick leave, Paid Time Off (PTO)
<b>Worker needs to care for child, spouse, parent with a serious health condition</b>	No	Yes	Yes	Sick leave, Paid Time Off (PTO)

\*Federal Family and Medical Leave Act (FMLA) is applicable if the employer has 50 or more workers within a 75-mile radius and the worker has worked at minimum 1,250 hours and for 12 months for the employer.

## 6.1. How NH PFML Differs from FMLA

NH PFML does not alter or expand the protections and provisions under FMLA. FMLA allows workers to take up to 12 weeks of unpaid, job-protected time away from work to address their own or a family member's serious health condition, bonding with a new child, and for reasons related to a family member's military service.

FMLA defines family member as a parent, child, or spouse, however, NH PFML expands the definition of family to include domestic partners and grandparents.

Job protection when a worker takes leave under FMLA requires an employer to reinstate a worker when they return from leave to the same or an equivalent position. An equivalent position includes the same pay and work schedule as the previous position. When an employer or worker enrolls in a NH PFML insurance plan, the NH PFML claim will run concurrently to an FMLA claim and provide six (6) or twelve (12) weeks of wage replacement benefits to complement the worker's unpaid FMLA.

There could be situations where a worker qualifies for NH PFML wage replacement and does not qualify for leave under FMLA, or vice versa. Approval for a claim for FMLA or for NH PFML does not mean the other benefit is approved. Each must be reviewed individually.



## EXAMPLES

A worker requests benefits to care for their domestic partner's child who is recovering from a broken bone. The worker would qualify for paid leave under NH PFML but would not qualify for federal FMLA.

A worker with a small company (less than 50 workers) has accrued wages and employment status that qualifies them for NH PFML benefits, but that worker has worked for their employer for less than three (3) months. In this situation, the worker may qualify for paid leave benefits under NH PFML but not federal FMLA and job protection from their employer.

## 6.2. How NH PFML Differs from NH Pregnancy Leave

NH PFML does not change or alter existing protections and requirements contained in the state's "Law Against Discrimination" (NH RSA 354-A). This law requires employers with at least six (6) workers to provide pregnancy disability leave to all workers. A worker who is temporarily unable to work due to pregnancy, childbirth, or related conditions, may take time off for as long as is they are disabled. When they can return to work, the worker must be restored to the same position or a comparable one, unless this is impossible or unreasonable for the employer due to business necessity.

NH PFML insurance plan benefits and NH pregnancy leaves should run concurrently if the worker does not have access to disability benefits. If a worker's period of disability ends before she exhausts NH PFML benefits, she could remain out on leave until she exhausts NH PFML benefits, as NH PFML benefits cover both a worker's serious health condition and bonding time with a child. If a worker's period of disability ends before she is eligible for NH PFML benefits, a worker could later take NH PFML when she becomes eligible for benefits if within a child's first year, as NH PFML benefits cover bonding time with a child.

For more information concerning NH Pregnancy Leave law see [Pregnancy Discrimination information from the NH Commission for Human Rights](#).

## 6.3. How NH PFML Differs from Short-Term Disability

Although every policy is different, STD insurance\* coverage typically provides wage replacement for illness or injury of the worker that meets the definition of disability. NH PFML insurance provides wage replacement for a worker's own serious health condition when disability insurance does not apply, including childbirth, and for several other qualifying events such as for child bonding due to birth, adoption or fostering, serious health condition(s) of a family member, qualifying need arising from military deployment or service or caring for a qualifying military service member.

NH PFML coverage is broader than STD but is limited to six (6) weeks and is shared with other qualifying reasons. This means that if NH PFML benefits are used to care for a family member, a worker could be without coverage for themselves. Therefore, NH PFML is not a replacement for STD, and STD is not a replacement for NH PFML. STD and NH PFML complement each other if a worker has a serious health condition.

\*Please contact MetLife for additional details as to what qualifies for disability insurance.



### EXAMPLE

A worker who is on leave for four (4) weeks due to out-patient surgery would likely be covered under STD. If the worker is required to leave work early to attend four (4) weeks of physical therapy (PT) before receiving their physician's approval to return to full time duty, the intermittent leave for PT would be covered under NH PFML, and not under STD.

# 7 Resources

This Guidebook and its referenced resources are available on the NH PFML website [Resources](#) page.

1. [NH PFML Worker Toolkit, Employer Sponsored Group Plan](#)
2. [NH PFML Equivalent Plan Evaluation and Certification Checklist](#)
3. [NH PFML Claims and Appeal Process](#)
4. [NH PFML Filing a Claim Quick Reference](#)

## 8 Definitions

NH PFML insurance uses key words with specific definitions to describe benefits and insurance coverage. Below are some of the common terms used within this guidebook. For a complete list of applicable terms, be sure to review your NH PFML insurance policy and/or certificate.

Accrued Paid Leave means leave earned by or otherwise provided by an employer, and that a worker may use for a qualifying reason including, but not limited to, sick leave, annual leave, vacation leave, personal leave, compensatory leave, paid time off, a disability policy or program of the employer, or a paid family, or medical leave program of the employer.

Average Weekly Wage means the total wages earned by the covered worker over the base period, divided by the number of weeks in that period.

Base Period means the last four completed calendar quarters immediately preceding the first day of leave taken

Benefit Period means a “rolling” 12-month period measured backward from the date of your approved NH PFML claim.

Child means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is:

- under 18 years of age; or

- 18 years of age or older and incapable of self-care because of a mental or physical disability.

Covered Service Member means:

- a current member of the armed forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or
- a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

Domestic Partner means each of two people, one of whom is a covered worker, who are of the same or opposite sex and have a mutually dependent relationship so that each has an insurable interest in the life of the other. Each person must be:

- 18 years of age or older.
- unmarried.
- the sole domestic partner of the other.
- sharing a primary residence with the other and



- not related to the other in a manner that would bar their marriage in the jurisdiction in which they reside

MetLife may require domestic partner declaration attesting to the existence of an insurable interest in one another's lives be completed and signed by the worker.

Elimination Period means the period of approved leave during which benefits are not payable. Only one elimination period is required each benefit year. The unpaid elimination period may not exceed seven days and is representative of one average work week.

Employer means any individual or type of organization located in New Hampshire, which has in its employ one or more individual's performing services for it within the State.

Employee also referred to as 'worker' means a person performing services for any employer with a physical location in NH in exchange for wages under any contract of hire written or oral, express, or implied.

Family Member means any of the following:

- Child including biological, adoptive, foster, or stepchild, legal ward, or child of a person standing in loco parentis who is under 18 years of age or 18 years of age or older and incapable of self-care because of a mental or physical disability
- Child's spouse or domestic partner
- Spouse or a domestic partner
- Parent including biological, adoptive, foster, or stepparent, or legal guardian of the worker or the worker's spouse or domestic partner
- Grandparent including biological, adoptive, foster, or step grandparent

FMLA means the federal Family and Medical Leave Act.

Grandparent means a biological, adoptive, step or foster grandparent.

Intermittent Leave means leave taken in separate periods of time due to a single qualifying reason, rather than for one continuous period. Examples of intermittent leave include leave taken on an occasional basis for medical appointments or leave taken several days at a time spread over a period of months. Next of Kin means the Armed Forces member's nearest blood relative, other than the covered Armed Forces member's Spouse, Parent, Child, in the following order of priority: blood relatives who have been granted legal custody of the Armed Forces member by court decree or statutory provisions, brothers and sisters, aunts and uncles, and first cousins, unless the covered Armed Forces member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave.

Parent means the biological, adoptive, foster parent, or stepparent or legal guardian of the worker or the worker's spouse or domestic partner.

Qualifying Exigency means a need arising out of the covered Worker's spouse, child, or parent's active duty service or notice of an impending call or order to active duty in the Armed Forces, including, but not limited to, providing for the care or other needs of the military member's child or other family member, making financial or legal arrangements for the military member, attending counseling, attending military events or ceremonies, spending time with the military member during a rest and recuperation leave or following return from deployment or making arrangements following the death of the military member.

Reduced Leave Schedule means a leave schedule that reduces a worker's usual number of hours per workweek, or hours per workday.

Spouse means a worker's lawful spouse, including the covered worker's domestic partner.

Wages means the amount of income received by the insured through employment, including salaries, commissions and bonuses, and tips. Wages do not include benefits such as formal sick pay plans, individual and group disability income insurance plans, and retirement plans.

Worker means a person performing services for any employer with a physical location in NH in exchange for wages under any contract of hire written or oral, express, or implied.