

State Disability Plans and Procedures**New York Disability Benefits Law (NY DBL)****Q. Who manages my NY DBL benefits?**

- A.** MetLife is the carrier for the NY DBL plan for ADP TotalSource. You may file your claim for Disability benefits by calling MetLife at **877-ADPTS01** or **877-237-8701**, Monday through Friday from 8 a.m. – 11 p.m. ET or through the MyBenefits website: mybenefits.metlife.com/ADPTotalSource.

If you are enrolled in an Employer paid and/or Voluntary Short Term Disability (STD) plan, MetLife will also initiate your claim for NY DBL benefits. In the event you are eligible for more than one type of benefit (Employer paid STD, Voluntary STD and NY DBL), the same Claim Specialist will manage your claims together.

Your Claim Specialist will manage your claim(s) from start to finish. They will inform you of your eligibility, decisions made on your claim(s) and of your benefit amounts and payment information.

If you are enrolled in Employer paid Short Term Disability or the 60% Employee paid Voluntary Short Term Disability, the Disability Claims Specialist will reduce the benefit payments by the calculated NY DBL benefit amount. If you are enrolled in the 20% Employee paid Voluntary Short Term Disability plan, you will receive the benefits from your Voluntary Plan in addition to your NY DBL benefits.

Q. Who is eligible for the plan?

- A.** Worksite employees who are physically working or localized in the State of New York are covered.
- A.** Worksite employees who are working in the State of New York must meet the following eligibility requirements:
- Remain in employment of a covered employer for four (4) or more consecutive weeks.
 - Part time worksite employees must be covered, regardless of the number of hours worked, provided that they are regularly in the employment of a single employer on a work schedule that is less than the employer's normal work week. Worksite employees must wait 24 calendar days and become eligible on the 25th day.
 - NY DBL benefits are weekly benefits for injury or illness that are not work related.

Q. How long does a worksite employee remain covered by the plan after termination?

- A.** NY DBL requires that covered worksite employees remain covered under their former employer's plan for a 4-week period following termination of employment unless they are subsequently employed within that time by another "covered employer". If a claimant switches employment during the probation period they do not have to start a probation period again.

Note: A termination of employment cannot serve to terminate Disability benefits currently being paid.

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Q. What is the NY DBL benefit amount?

A. NY DBL benefits are 50% of a claimant's average weekly wage, but no more than the maximum allowed. The current maximum Disability amount is \$170.00 per week, and the minimum Disability amount is \$20.00 per week.

Note:

- The average weekly wage is based on the last eight (8) weeks of employment.
- If counting the last week in which the Disability began lowers the benefit rate, it is not included in determining the average weekly wage.

Q. What is the NY DBL benefit period?

A. The unpaid Elimination Period is 7 days and the Maximum Benefit Period of 26 weeks is either per Disability or during any consecutive period of 52 weeks.

When determining available time remaining in a 52 consecutive week period, any time approved for New York Paid Family Leave (NY PFL) in the same timeframe must be considered. A worksite employee is eligible for a combined total (NY DBL and NY PFL) of 26 weeks of benefits within a 52 consecutive week period.

Q. Is my NY DBL benefit taxable?¹

A. The portion of your NY DBL benefit funded by your employer or by you on a post-tax basis, will not be taxable to you.

Q. How does salary continuation or salary subsidy affect my NY Disability claim?

A. Salary continuation or subsidized pay may affect your NY DBL claim. Although NY DBL claims cannot be reduced by any other income, your worksite employer may seek reimbursement from MetLife if they pay salary continuation or subsidized pay. If the worksite employer is providing salary continuation or subsidy, they should report it to MetLife during the initial claim email verification process in order to receive reimbursement for the NY DBL benefit amount.

If the worksite employer does not inform MetLife they are providing salary continuance or subsidy, MetLife will issue the benefit directly to you. Once MetLife begins paying benefits, the benefit payee cannot be changed retroactively. The worksite employer may pursue repayment from you for any salary continuation or subsidy not reimbursed by MetLife.

Q. How does the worksite employer get reimbursed for NY DBL benefits when issuing salary continuance?

A. If the Employer paid NY DBL benefits to a worksite employee, the worksite employer can be reimbursed by MetLife. The worksite employer must respond to MetLife during the initial claim filing email verification process stating they require reimbursement and provide the pay through dates. MetLife will then issue the reimbursement to the worksite employer on a monthly basis for the prior calendar month.

Example: Benefits payable 8/1 – 8/31 will be issued to the employer in September.

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NY DBL benefits will be made payable to the worksite employee unless the worksite employer has requested otherwise through an email response. MetLife can make the NY DBL benefits payable to the employer from the 8th day for a maximum of 26 weeks if:

- The employer is paying salary continuation/subsidy time benefits to the worksite employee and requests reimbursement of
- NY DBL benefits from MetLife.
- The employer specifies the salary continuation time period with start and stop dates (if a stop date is applicable) prior to payment of benefits.
- If the salary continuation ends prior to the 26-week maximum, MetLife will pay the balance of the additional NY DBL benefits directly to the worksite employee, provided they are still certified as Disabled.
- If the employer fails to request reimbursement, MetLife will not pay the worksite employer the NY DBL benefits for the period of salary continuation. The NY DBL benefits will be issued directly to the claimant.
- MetLife will make 2 attempts in 3 business days to reach the worksite employer. If there is no response, the benefit will be issued directly to the claimant. This is not reversible.

Q. Does Paid Time-Off/Vacation/Sick Time affect my NY DBL benefit?

A. PTO will not affect your NY DBL benefit. An worksite employer may not receive reimbursement for Vacation/PTO/Sick time. MetLife will pay the NY DBL Benefit from the 8th day to the worksite employee receiving Vacation/PTO/Sick time.

Q. Is there a penalty for late filing for NY DBL benefits?

A. Yes. If A.) a claim is filed 30 days or later from the date of Disability and B.) you have not returned to work at the time the claim is initiated, benefits will not be denied, but there is a penalty. Benefits will commence retroactive back 14 days from the date the claim was initiated.

Example:

Date of Disability - 3/3

New York State Disability filed - 6/12

Benefits will begin - 5/30 (14 days retro from 6/12)

Benefits will not be payable if the claim was received 26 weeks or later from the date the Disability incurred (due to New York requirements).

State Disability Plans and Procedures**Hawaii Temporary Disability Insurance (HI TDI)****Q. Who manages my HI TDI benefits?**

A. MetLife offers administration of HI TDI benefits through our vendor, TRISTAR Claims Management Services.

Under the HI TDI law, state Disability benefits must be administered with checks issued from HI. MetLife cannot (according to the law) file or administer any HI TDI fully insured claim.

If you are enrolled in an Employer paid Short Term Disability plan and work in the state of Hawaii, your Employer paid and/or Voluntary Short Term Disability claim will be created when you file your claim(s) for STD benefits with MetLife by contacting **877-ADPTS01** or **877-237-8701**. MetLife will then refer the HI TDI claim to TRISTAR Claims Management Services who will manage the HI TDI claim from that point.

If you are not enrolled in an Employer paid Short Team Disability and/or Voluntary Short Term Disability plan and work in the state of Hawaii, contact can be made directly with TRISTAR Claims Management Services, not MetLife.

If you are enrolled in an Employer paid STD plan or a 60% Voluntary STD plan, the entire HI TDI benefit will be a reduction to the STD benefit. If you are enrolled in a 20% Voluntary STD plan, you will receive the benefits from your Voluntary plan in addition to your HI TDI benefit. TRISTAR Claims Management Services will communicate HI TDI benefit amounts directly to MetLife.

Q. What contact will I have with TRISTAR Claims Management Services?

A. Your HI TDI Claim Specialist will send you a claim packet with a request for information needed (a completed TDI-45 claim form) to approve your HI TDI claim. They will provide you with their contact information, which is also noted below.

TRISTAR Claims Management Services

Attn: TDI Claims

P.O. Box 135030

Honolulu, HI 96801

Phone: (808) 470-0860 Extension: 5101

Fax: (562) 495-6687 or Fax to Email: icsfax@tristargroup.net

Email: tdi.fi@tristargroup.net

Hours of Operation: Monday – Friday, 9:00am – 4:00pm Hawaii Standard Time (HST)

Q. Who is eligible for the plan?

A. Worksite employees must meet the following eligibility requirements:

- Must have at least 14 weeks of Hawaii employment (part time, intermittent or full time), of which you were paid for 20 hours or more and earned at least \$400 during the 52 weeks immediately before the Disability. The 14 weeks can be with multiple employers and does not need to be consecutive.
- The claimant must have been actively employed on the day immediately preceding the date of Disability or if they were separated from their job the Disability must have

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occurred within two weeks from the separation date. Current employment includes the period the claimant is receiving vacation, sick leave pay, TDI benefits or workers' compensation benefits for temporary total Disability.

- The injury or illness is not caused by the claimant's job.
- The injury or illness prevents the claimant from performing their regular duty.

Q. What is the HI TDI benefit amount?

A. The HI TDI benefit rate is 58% of the worksite employee's average weekly wage, rounded to the next highest dollar, up to the maximum weekly benefit amount of \$798 in 2024.

For worksite employees whose average weekly wage is less than \$26, the HI TDI weekly benefit is equal to the average weekly wage but not more than \$14. If it is \$26 or more, the weekly benefit amount is 58% of the average weekly wage rounded to the next higher dollar up to a maximum of \$798.00 in 2024. Wages in excess of \$1,374.78 will not be included in the computation of the weekly benefit amount.

Q. What is the HI TDI benefit duration?

A. The benefit payment duration is 26 weeks for any period of Disability or during any benefit year. No HI TDI benefits shall be payable during the first seven (7) calendar days of any period of Disability.

Q. Is there a penalty for late filing for HI TDI benefits?

A. Yes. The law requires that a claim be filed within 90 days from the date of Disability or as soon thereafter as reasonably possible. If the claim is filed after 90 days, the claimant may lose part of the benefits, unless it can be shown that the claimant could not have reasonably filed the claim within the required time period, and the claim was filed as soon thereafter as reasonably possible. No benefits will be paid if you file more than 26 weeks after your Disability begins.

For more information regarding the MetLife PFML Statutory programs, please refer to the Statutory Leave Benefit Guide or visit our website at www.metlife.com/PFML.

Any discussion of taxes is for general informational purposes only and does not purport to be complete or cover every situation.

MetLife, its agents, and representatives may not give legal, tax or accounting advice and this document should not be construed as such. Clients should confer with their qualified legal, tax and accounting advisors as appropriate.

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. Ask your MetLife group representative for costs and complete details.

The information presented in this summary is not legal advice and should not be relied upon or construed as legal advice. It is not permissible for MetLife or its employees or agents to give legal advice. The information in this summary is for general informational purposes only and does not purport to be complete or to cover every situation. You must consult with your own legal advisors to determine how these laws will affect you.