



## ABSENCE ADVISORY

REGULATORY UPDATES FROM  
AFLAC'S GROUP LIFE, ABSENCE AND  
DISABILITY SOLUTIONS DIVISION



AUGUST 2025

We are pleased to share the August 2025 Absence Advisory, along with information related to state and other paid leave legislation.

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## CONNECTICUT

On June 30, 2025, Connecticut's governor signed emergency certification bill HB7288 into law, extending the state's Paid Family and Medical Leave insurance program to cover school employees who don't hold a professional certification. The law makes these provisions effective beginning Oct. 1, 2025.

Section 234-237 of the law addresses Paid Family and Medical Leave for certain school employees. As it stands under current law, nonpublic school employees and public school operators are not covered by the Paid Family and Medical Leave insurance program. The new bill extends the state's Paid Family and Medical Leave insurance program to cover school employees whose positions do not require professional certification under the law for teachers and superintendents. Under the bill, the description "public school operators" includes local or regional boards of education, interdistrict magnet school operators, noncertified employees of nonpublic elementary or secondary schools or certain magnet schools, charter schools, academies or cooperative agreements. For more information, please visit [Connecticut HB7288](#).

## DELAWARE

On July 30, 2025, Delaware's governor signed House Substitute Bill 128. This amendment to the Delaware Paid Family and Medical Leave (PFML) program addresses numerous areas of the program such as private plans, details around benefits coordination and powers of the department. These amendments are set to take effect on Jan. 1, 2025.

Some of the major changes to the program that will have an impact on private plans include that claimants are now required to disclose whether they owe child support obligations, as those funds are deductible from any eligible benefits. The Paid Family and Medical Leave insurance program is now to be considered the primary payor and all other income replacement benefits must coordinate with the program. Private plan applications will open on a quarterly, rolling basis starting in 2026 instead of only once per year during the last quarter of the year.

Claim documentation for employers isn't required to be submitted to the department unless the claim is subject to an appeal, complaint, audit or specific inquiry from the department. And finally, an employer cannot require an employee to use their unused accrued paid time off before assessing PFML benefits.

For more details related to these amendments, please visit [Delaware-2025-HB128-Draft](#).

## MAINE

Effective Sept. 24, 2025, Maine has amended its required earned paid leave law to increase the number of hours of paid time off an employee must be able to accumulate year over year. The law entitles employees to accrue up to 40 hours of earned paid leave in one year of employment. With the amendments, any time not used from the preceding year will carry over into the next year. However, it will not impact an employee's ability to accrue up to an additional 40 hours in the new year. For example, if the employee had not used time in 2025, the employee would carry over 40 hours to the next year plus accrue up to an additional 40 hours in 2026.

Employers may continue to limit the amount of the earned paid leave taken to 40 hours in a year; however, employers may choose to also allow greater usage.

Additional rulemaking in the coming months may provide additional clarification. In the meantime, employers should continue to review and update their internal policies and provide timely and appropriate updates/training to management as it applies to their company. For more information, visit [Earned Paid Leave Amendments \(LD 55\)](#).

## NEW HAMPSHIRE

Effective Jan. 1, 2026, New Hampshire employers will be required to provide certain employment protections for employees who are spouses of military service members who are involuntarily mobilized in support of war, national emergency or contingency operations. If leave is granted due to the involuntary mobilization of the employee's spouse, the leave would be unpaid, and no benefits or accrual of benefits are required to be provided during the leave unless the employer chooses to do so.

Terms	Definitions
<b>Covered employer</b>	Any person, company, corporation or organization that employs 50 or more individuals at the same location in New Hampshire. When calculating the number of employees, the employee count of separate employers shall not be combined, regardless of common ownership.
<b>Covered employee</b>	Any individual employed by an employer in New Hampshire.
<b>Involuntary mobilization</b>	The ordering, calling up or activation of members of the uniformed services under 10 U.S.C.A. or 32 U.S.C.A., including state active duty, in response to a declaration of war, national emergency or contingency operation.
<b>Spouse</b>	A person legally married to a member of the uniformed services.

Protections for this law are for the same duration of time the employee's spouse would have reemployment rights under 38 U.S.C. Section 4312.

Employee requirements	Employer requirements
<b>Notice to their employer of their spouse's involuntary mobilization within 30 days of their spouse receiving official notice of such mobilization.</b>	Employers are required to provide their employees with written acknowledgment of the notice of deployment, explicitly confirming adherence and terms of reemployment.
<b>Upon the spouse's completion of mobilization, the employee is required to report to or submit a timely application for reemployment to their employer.</b>	Employers shall be required to reemploy the employee in the position he or she held, or in a position of like seniority, status and pay for which he or she is qualified. However, covered employers may choose not to reemploy the employee if the employer certifies that its circumstances have so changed as to make reemployment impossible or unreasonable as defined by 20 C.F.R. Section 1002.139.
<b>Involuntary mobilization</b>	The ordering, calling up or activation of members of the uniformed services under 10 U.S.C.A. or 32 U.S.C.A., including state active duty, in response to a declaration of war, national emergency or contingency operation.

Employers should continue to review and update their internal policies and provide timely and appropriate updates/training to management, as applies to their company.

For more information, please visit [New Hampshire House Bill 225-FN](#).

## NEW YORK

In March 2020, New York put into place New York State's COVID-19 Paid Leave law allowing employees to take job-protected paid leave for their own or a minor dependent child's quarantine or isolation. This quarantine leave legislation expired on July 31, 2025. Employees may still use New York disability and paid family leave for other permitted uses but are no longer eligible for COVID-19-specific paid leave under this legislation. For more information, please visit [New York State Paid Family Leave](#).

## WASHINGTON

On May 17, 2025, the governor of Washington State signed an amendment to HB 1213, an act relating to expanding protections for workers in the state's Paid Family and Medical Leave program; amending RCW 50A.05.020, 50A.10.030, 50A.15.020, 50A.20.010, 50A.30.010, 50A.24.010, 50A.35.101 and 50A.35.020; and adding new sections to Chapter 50A.24 RCW. The provisions of this act go into effect on Jan. 1, 2026. Sections that impact paid family and medical leave are:

- Section 1 RCW 50A.05.020(6)(a) was amended and states that the department shall conduct regular outreach regarding employer responsibilities under the title (premium collection, notice requirements, employment protection, available grants, etc.).
- Section 1 RCW 50A.05.020(6)(b) was amended and states that the department may conduct periodic audits of employer file records for the purpose of assisting with and otherwise enforcing compliance with this title.
- Section 4 RCW 50A.15.020(c) has been amended to reduce the minimum claim duration from eight hours to four hours.
- Section 5 RCW 50A.20.010(2) was amended and states that the commissioner will develop a new written statement of employee rights that private carriers will need to convert for any employer with a voluntary plan.
- Section 11 RCW 50A.35.010(h) was amended to remove from Section 7 RCW 50A.30.010(5)(h); the requirement for employees to meet the previous nine month and 965 hours preceding leave to be eligible for employment restoration upon returning from leave. Any employee who began employment with an employer at least 180 days before taking leave, regardless of their FMLA eligibility, is entitled to employment restoration provisions of the act. Jan. 1, 2026 employers with 25 or more employees are eligible to these provisions. Starting Jan. 1, 2027, an employer with 15 or more employees are eligible. Starting on Jan. 1, 2028, and thereafter, an employer with eight or more employees are eligible.

For more detailed information related to these amendments, please read [1213-S2.PL.pdf](#).



These are educational materials only. Employers should consult their own counsel for obligations for state-mandated leave and disability programs. Products and services are provided by Continental American Insurance Company. In New York, products and services are provided by American Family Life Assurance Company of New York. In California, coverage is offered by Continental American Life Insurance Company. Products may not be available in all states and may vary depending on state law.

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AGC2500973

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