

2009 State Disability Guide

State and year of enactment	Title of law and agency	Weekly disability income	Duration of benefits	Waiting period	Employee contribution	Employer contribution	Employers covered	Eligibility: minimum earnings	Types of plans allowed
California 1948	Unemployment Compensations Disability Benefits: Employment Development Department 800 Capitol Mall Sacramento, CA 95814 800-480-3287	55 percent of average weekly earnings in highest quarter of base period. \$50 minimum; \$959 maximum.	52 weeks per disability.	7 days	1.1 percent of wages up to a cap of \$90,669 (\$997.36 annual maximum).	All employers who pay more than \$300 in wages in any calendar quarter and employ one or more employees.	Employers with one or more employees and a quarterly payroll of \$100 or more.	\$300 in wages during base period.	State or private voluntary, insured or self-insured. Voluntary plans must exceed minimum requirements of statute in at least one respect and majority of employees must consent in writing.
Hawaii 1969	Temporary Disability Insurance Law: Department of Labor and Industrial Relations Disability Compensation Division 830 Punch Bowl Street Honolulu, HI 96813 808-586-9188	58 percent of weekly wage. Minimum of \$14; maximum of \$510.	26 weeks disability per 52 weeks.	7 days	Up to half of plan costs. Maximum, .5 percent of wages not to exceed \$4.39 per week. (Taxable wage base is \$877.69 per week).	Employer may pay entire cost or balance of cost.	All employers with one or more employees.	\$877.69 in wages in 4 completed calendar quarters prior to 1st day of disability, with 14 weeks in covered employment, 20 hours or more of paid work in each week.	Private, insured, or self insured or acceptable collectively bargained sick leave plan. No state plan exists. Plan must provide statutory benefits judged by Disability Compensation Division to be equivalent of statutory benefits.
New Jersey 1948	Temporary Disability Benefits Law: Department of Labor and Industry Division of Unemployment and Disability Insurance CN387 Trenton, NJ 08625-0387 609-292-7060	2/3 of average weekly wage, to a maximum of 66 2/3 percent of statewide average for preceding calendar year. No minimum; maximum of \$546 per week. Changes annually.	26 weeks per disability.	7 days but payment is retroactive after 3 consecutive weeks of benefits paid.	.5 percent of first \$28,900 annual earnings; maximum contribution of \$144.50. Changes annually.	Balance of cost.	All employers of one or more employees. Program is optional for state entities.	\$143 in each of 20 weeks of covered employment during preceding 52 weeks, or earnings of \$7,200 or more in preceding 52 weeks.	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.
New York 1949	Disability Benefits Law: State of New York Workers Compensation Board Disability Benefits Bureau 100 Broadway – Menands Albany, NY 12241-0005 518-474-6680 800-353-3092	50 percent of average weekly wage. Maximum of \$170; minimum of \$20 or employees average weekly wage if less.	26 weeks per disability during any consecutive 52 week period.	7 days (if unemployed, 1st day disqualified for unemployment compensation.	.5 percent of first \$120 in weekly wages. Maximum of \$.60 per week.	Balance of cost.	All employers who have employed 1 or more employees for at least 30 days. An employer becomes "covered" 4 weeks after the 30th day of employment; employer liability continued for 4 weeks after an employee's termination of employment.	4 weeks covered employment. Unemployment must meet requirements for unemployment insurance.	State or private, insured or self-insured. Private plan must provide benefits determined to be at least as favorable as those of state plan.
Puerto Rico 1968	Disability Benefits Act: Department of Labor and Human Resources, Bureau of Employment Security Prudencio Rivera Martinez Bldg, 505 Munoz Rivera Ave Hato Rey, PR 00918 787-754-5353	65 percent of weekly earnings. Minimum of \$12 per week; maximum of \$113 (\$55 for agricultural workers).	26 weeks disability benefit per year. Vacation pay and sick leave payments are excluded from maximum.	7 days unless hospitalized.	.6 percent of first \$9,000 in wages.	Same as employee contribution. Employer may choose to pay a portion of the employee contribution.	Any employer who during any day of the current or preceding calendar year, has/had 1 or more employees in employment.	\$150 in wages during base year.	State or private, insured or self-insured. Private plan must be as liberal as state plan. Management and majority of employees must agree on plan.
Rhode Island 1942	Temporary Disability Insurance Act: Department of Labor and Training TDI Division PO Box 20100 Cranston, RI 02920 401-462-8420	4.62 percent of wages in the base period quarter in which wages were the highest. Maximum of \$671 per week. Additional \$10 per week or 7 percent of the employee's benefit rate, if greater for each dependent under 18, up to 5 children.	Up to 30 weeks of benefits or until benefits equal 36 percent of base period wage.	7 days, reimbursed after 28 consecutive days of disability.	1.3 percent up to a taxable wage base of \$54,400.	None mandated.	All employers except federal and state governments and employers of domestic workers who earn more than \$1000 per calendar quarter. Program is optional for local government.	\$8,880 in either base period or alternate base period. If employee did not earn this amount, then still eligible if employee earned: 1. At least \$1,480 in 1 of the base quarters, and 2. Total base period wages of at least 1.5 times highest single quarter earnings, and 3. Total base period wages of at least \$2,960.	State plans only.