



# Delaware Paid Family and Medical Leave (DE PFML)

An employee guide



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**Paid family and medical leave is a mandatory program in Delaware.**

This guide includes helpful information about what paid family and medical leave is, who's eligible, and how it coordinates with other leave plans.

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# What is DE PFML?

Delaware Paid Family and Medical Leave (DE PFML) is a statewide program that allows eligible employees to take paid time off for medical, family, parental, or military exigency leave.

## Medical leave



### Recover from a serious health condition or injury

<b>What is a qualifying event?</b>	Your own serious health condition, illness, or injury that causes you to be unable to work
<b>What counts as a serious health condition?</b>	A serious health condition means an illness, injury, impairment, or physical or mental condition that: <ul style="list-style-type: none"><li>• Requires inpatient care or continuing care</li><li>• Involves a period of incapacity, multiple treatments, or disability due to pregnancy</li></ul>

## Parental leave



### Bond with a child following a birth, adoption, or foster care placement

<b>What is a qualifying event?</b>	Bonding with a new child after a birth, adoption, or foster care placement, beginning on the date of placement
<b>When does leave have to be taken?</b>	Must be completed within 12 months of birth, adoption, or foster care placement

## Family leave



### Provide care for a family member with a serious health condition

<b>What is a qualifying event?</b>	Caring for a family member with a serious health condition
<b>Who counts as a family member?</b>	Covered family members are defined on Page 5.
<b>What counts as a serious health condition?</b>	An illness, injury, impairment, or physical or mental condition that includes but is not limited to: <ul style="list-style-type: none"><li>• Requiring inpatient care or continuing care</li><li>• Involving a period of incapacity, multiple treatments, or disability due to pregnancy</li></ul>

## Military exigency leave



### Assist with a family member's military deployment

<b>What is a qualifying event?</b>	If the employee's parent, spouse, son, or daughter is on a military deployment
<b>Why may leave be taken?</b>	To attend military events and related activities such as: <ul style="list-style-type: none"><li>• Official ceremonies, programs, events, and informational briefings</li><li>• Family support or assistance programs</li><li>• Certain child care and related activities arising from the military member's covered active duty</li></ul>



## Definition of family member

### Family member means, with respect to an applicant:

1. Spouse
2. Child (includes biological, adopted, foster, step, legal ward, or a child of a person standing in loco parentis. The child must be under 18 years of age or 18 or older and incapable of self-care due to a mental or physical disability.)
3. Parent (includes biological, adopted, foster, step, legal ward or person standing in loco parentis. The child must be under 18 years of age or 18 or older and incapable of self-care due to a mental or physical disability.)

# Am I eligible for DE PFML?

You're eligible if you've been employed for at least 1,250 hours in the state of Delaware with your employer during the previous 12-month period and worked for that employer for at least 12 months.



# How do DE PFML benefits work?

## What's the coverage amount?

You may take up to 12 weeks per year for any combination of family, medical, military exigency, or parental leave. Here's more information:

- Care for a new child (parental leave): up to 12 weeks per year (one application year)
- Care for a family member with a serious health condition: up to six weeks every 24 months (two application years)
- Medical leave for the employee: up to six weeks every 24 months (two application years)
- Time needed while a family member is on a military deployment: up to six weeks every 24 months (two application years)

## Waiting period for benefits

You'll have no waiting period, but you'll need to satisfy all eligibility requirements before benefits begin.

## Calculating your weekly benefit amount

Your benefit is calculated based on your average weekly wage (AWW) during the four completed calendar quarters immediately before you filed your claim.<sup>1</sup>

1. Take your AWW and multiply by 80%.
2. If the result is above the state maximum benefit amount, your benefit will be limited to the maximum allowed.

## What's the maximum benefit amount?

The maximum weekly benefit is capped at \$900 in 2026 and 2027 and may be adjusted annually.

<sup>1</sup> If four completed calendar quarters are not available, your benefit will be based on the AWW from the three most recent completed quarters before your claim was filed.

### Example benefit calculation

The employee in this example earns an AWW of \$1,000. Here's how the benefit would be calculated:

<b>1</b>	<b>Employee's AWW =</b>	\$1,000 =	<b>\$1,000</b>
<b>2</b>	<b>Employee's AWW x 0.80 =</b>	\$1,000 x 0.80 =	<b>\$800</b>
<b>Weekly benefit payment:</b>			<b>\$800</b>

The employee in this example earns an AWW of \$1,500. Here's how the weekly benefit would be calculated:

<b>1</b>	<b>Employee's AWW =</b>	\$1,500 =	<b>\$1,500</b>
<b>2</b>	<b>Employee's AWW x 0.80 =</b>	\$1,500 x 0.80 =	<b>\$1,200</b>
<b>3</b>	<b>Compare Step 2 with maximum benefit</b>	\$1,200 > \$900 =	<b>\$900</b>
<b>Weekly benefit payment:</b>			<b>\$900</b>

### Is intermittent leave an option?

Yes. Intermittent or reduced schedule leave in minimum one-day increments may be permitted if your employer has elected to offer this option.

### Does DE PFML offer job protection?

Yes. DE PFML offers job protection.

### Will my health insurance be continued?

Your employer must continue health coverage during a paid leave if you continue to make required healthcare premium contributions.

### What if I have multiple jobs?

You may have simultaneous coverage when you have multiple employers and at least one of them offers DE PFML benefits through a private plan. When you go on leave, you must apply separately under each of your plans. Each plan will pay a prorated benefit amount based on the average number of workdays you work per week for that particular employer.

# How does DE PFML coordinate with other programs?

## How does DE PFML work with STD benefits?

DE PFML and short-term disability (STD) both provide paid leave benefits for eligible employees but differ in a few key ways:

DE PFML	STD
Mandatory benefit for most Delaware employees	Employer-sponsored benefit that your company may choose to provide
Can be taken on either a continuous or intermittent basis	Typically requires a continuous period of disability
Zero-day waiting period for benefits	Waiting periods differ depending on an employer's plan.
Provides benefits to care for a personal injury or illness; care for a seriously ill family member; bond with a newborn, adopted, or foster child; and for family member's military deployment	Provides benefits for your own disability

Both programs provide benefits for leave reasons such as an employee's injury, illness, or pregnancy. However, they have different criteria to qualify for these benefits, and your health event may qualify for benefits under one program but not the other.



An offset, or reduction, will be applied to your STD claim when you qualify for both STD and DE PFML.

## Does DE PFML coordinate with company-paid leave?

If your employer offers a company-paid leave program that provides coverage for leave reasons similar to DE PFML, benefits under your employer's program and DE PFML will coordinate according to your policy. You must meet eligibility requirements under each program independently, and, at times, you may be eligible for one program and not the other.

## Do DE PFML and FMLA coordinate?

The federal Family and Medical Leave Act (FMLA) and DE PFML are distinct programs with differing eligibility requirements and qualification processes. However, because these programs are similar, your leave may qualify for both FMLA and DE PFML at the same time. When this happens, you'll use available FMLA and DE PFML concurrently for that period. The programs differ in the following ways:

DE PFML	FMLA
Paid benefit	Not a paid benefit
Provides job protection	Provides job protection
Applies to most private employers with 10 or more employees in Delaware	Applies to all public and private employers with 50 or more employees
<p>You're eligible for benefits after 12 months of employment with your employer, if:</p> <ul style="list-style-type: none"> <li>You worked 1,250 or more hours in the 52-week period preceding your leave</li> <li>Your employer employs more than 10 workers in Delaware (parental leave)*</li> <li>Your employer employs more than 25 workers in Delaware (all other leave reasons under DE PFML)</li> </ul>	<p>You're eligible for benefits after 12 months of employment with your employer, provided:</p> <ul style="list-style-type: none"> <li>You worked 1,250 or more hours in the 52-week period preceding your leave</li> <li>You work in a location with 50 or more employees within a 75-mile radius of your worksite at the time a leave is requested</li> </ul>
<ul style="list-style-type: none"> <li>You're entitled to up to a combined 12 weeks of paid leave in a year.</li> <li>Up to six weeks in 24 months for medical leave</li> <li>Up to six weeks in 24 months for family leave</li> <li>Up to 12 weeks in 12 months for parental leave</li> <li>Up to six weeks in 24 months for military deployment</li> </ul>	<p>You're entitled to 12 weeks of leave, excluding care of a covered service member, which is eligible for up to 26 weeks of leave.</p>
Leave may be taken on a continuous or intermittent basis, with a minimum increment of one workday.	Leave may be taken on a continuous or intermittent basis, with the employer determining the allowable minimum increment of time.



While it's likely that your leaves may qualify for both DE PFML and FMLA, eligibility under each program will be assessed independently.

## How do accrued PTO and vacation time work with DE PFML?

An employer may not require the use of unused accrued paid time off (PTO) before accessing DE PFML benefits. The employer and employee may agree to use PTO to supplement DE PFML benefits.

### Side-by-side overview of leave plans

Plan	DE PFML	FMLA	STD
<b>Eligibility</b>	Employees of Delaware private employers with 10+ Delaware employees	Employees of private employers with 50+ employees	U.S. employees of employers that offer the plan
<b>Purpose</b>	<ul style="list-style-type: none"> <li>Employee's own serious health condition</li> <li>Bond with a newborn, adopted, or foster child</li> <li>Care for a family member with a serious health condition</li> <li>For leave related to a family member's military deployment</li> </ul>	<ul style="list-style-type: none"> <li>Care for a personal injury or illness</li> <li>Care for a seriously ill family member</li> <li>Bond with a newborn, adopted, or foster child</li> <li>Attend to family matters following call to active duty</li> <li>Care for a covered service member</li> </ul>	Employee's own disability
<b>Benefits</b>	Paid and job protection	Unpaid job protection	Paid
<b>Duration</b>	Up to 12 weeks, some differences based on leave reason apply.	12 or 26 weeks in a 12-month period	Typically, up to 13 or 26 weeks, depending on the employer's plan

### Putting it all together

This example shows how DE PFML could coordinate with other leave plans following the birth of a child:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
<b>DE PFML</b>																		
<b>EP<sup>1</sup></b>	<b>STD<sup>2</sup></b>																	
<b>FMLA</b>																		

<sup>1</sup> EP = elimination period.

<sup>2</sup> Up to eight weeks with cesarean section.

# How much does DE PFML cost?

You're typically required to contribute toward the cost of DE PFML. Your employer will notify you of your financial responsibility.



# How do I submit a claim?

## Providing notice to your employer

If you plan to take qualified paid leave, you're expected to provide notice to your employer at least 30 days in advance for foreseeable events or as soon as possible for unforeseen leave.

## Reporting a claim to Lincoln Financial

You can submit your DE PFML claim:

### Online

1. Log in to **LincolnFinancial.com** or the **Lincoln Financial Mobile app**, available for download on the Apple or Google app stores.
2. Select **Register** under New Users.
3. On the create an account webpage, enter and select **Validate**.
4. Enter your personal information in the corresponding fields.
5. Create a username and password by entering the required information, then select **Register**.
6. Review the web agreement and, if you agree, select **Accept** to complete your registration. You must accept to register successfully.
7. From the home screen, select **Start a Claim or Leave** and follow the prompts to start your claim.

We'll assign a claims specialist within one business day of receipt to review the claim. You or your employer will be contacted to gather the required certification or additional information, if needed. The claims specialist will also assess concurrent STD claims, if applicable.

### Phone

Submit paid family and medical claims by calling Lincoln at **888-408-7300**.

You'll need to have the following information ready:

- Personal information: name, Social Security number, birthdate, address, contact information
- Employer information: employer name
- Leave information: reason for leave, estimated dates of leave

# What happens next

When we receive your claim, we'll assign a claims specialist who will review the claim and contact you to gather additional information and discuss the required certification or documentation. Your claims specialist will also assess claims you may have submitted for STD.

If you're approved for an intermittent leave claim, you'll be responsible for reporting your time to Lincoln. If we administer your company's FMLA program, you should report intermittent time through your employer's standard process. If Lincoln doesn't administer your company's FMLA program, you should submit an intermittent time sheet or contact your claims specialist by telephone. Intermittent time should be reported as it's taken.



# Whom do I contact?

<b>Claims submission</b>	DE PFML and STD claim forms, medical records, and documentation <b>Phone:</b> 888-408-7300 <b>Mail:</b> The Lincoln National Life Insurance Company Disability and Life Claims P.O. Box 2578 Omaha, NE 68172-9688 <b>Web:</b> LincolnFinancial.com
<b>Claims inquiries</b>	Your claim will be assigned to a claims specialist whom you can contact for more information.  You may also log in to <b>LincolnFinancial.com</b> for claim information.



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