

State Disability Insurance Laws – New York

A small number of states, including New York, require employers to provide disability benefits coverage to employees for non-work-related illnesses or injuries. The chart below summarizes information regarding New York's requirements for disability insurance benefits.

PROGRAMS	FUNDING	BENEFITS
Employers must provide disability benefits coverage to employees for an off-the-job injury or illness.	Coverage for disability benefits can be obtained through a disability benefits insurance carrier who is authorized by New York's Workers' Compensation Board (Board) to write those policies. Another option for large employers is to become authorized by the Board to self-insure. An employer is allowed, but not required, to collect contributions from its employees to offset the cost of providing benefits. An employee's contribution is computed at the rate of 0.5 percent of his or her wages, but no more than 60 cents per week. Under an arrangement in which employees are required to contribute, the employer must add a contribution to make up the balance of the cost of the insurance.	New York's disability benefits law provides weekly cash benefits to replace, in part, wages lost due to injuries or illnesses that do not arise out of or in the course of employment. Disability benefits are also paid to an unemployed worker to replace unemployment insurance benefits lost because of illness or injury. Disability benefits include cash payments only. Medical care is the responsibility of the claimant. Cash benefits are 50 percent of a claimant's average weekly wage, but no more than the maximum benefit allowed, currently \$170 per week. Benefits are paid for a maximum of 26 weeks of disability during 52 consecutive weeks. For employed workers, there is a seven-day waiting period for which no benefits are paid. Benefit rights begin on the eighth consecutive day of disability. An employer must supply a worker who has been disabled for more than seven days with a Statement of Rights (Form DB-271S) within five days of learning that the worker is disabled.

MORE INFORMATION

More information on New York's disability insurance law is available through New York's [Workers' Compensation Board](#).

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