



Your employee rights under this Delaware Paid Family and Medical Leave (DE PFML) plan insured by Unum

DE PFML provides covered individuals with wage replacement and job protection during leave for qualifying family and medical reasons. It works in conjunction with the federal Family Medical Leave Act (FMLA), which allows employees to take unpaid, job-protected leave with continued medical benefits. Beginning January 1, 2026, Delaware workers can take paid job-protected leave. The Delaware Department of Labor, Division of Paid Leave enforces the provisions of DE PFML as required by law under the Healthy Delaware Families Act.

Covered individuals may take:

- Up to 12 work weeks of paid leave in a 12-month period for the birth, adoption or foster placement of a child with the covered individual.
- Up to six workweeks of paid leave in a 24-month period:
 - For the covered individual's own serious mental or physical health condition that prevents them from working;
 - To care for the covered individual's spouse, child or parent with a serious mental or physical health condition; and
 - For qualifying reasons relating to the overseas deployment of the covered individual's spouse, child or parent who is a military servicemember.

A covered individual cannot take more than 12 weeks total of DE PFML leave in a 12-month period. Covered individuals have the right to use this leave in one block of time. When medically necessary or otherwise permitted, a covered individual may take leave intermittently in separate blocks of time or on a reduced schedule by working less hours each day or week. Covered individuals will accrue time back once it has been used. Please ask your specialist if you have questions about future time available.

Approved leaves are paid. Currently, covered individuals are entitled to receive 80% of their average weekly wage while on approved leave, up to \$900 per week. If your average weekly wage is less than \$100 per week, then you are entitled to receive the full amount of your wage. Average weekly wage consists of all income received from an employer including base salary, commissions, tips and bonuses.

Am I eligible to take paid leave?

You are a covered individual eligible for paid leave if all of the following apply:

- You work for a covered employer;
- You have worked for your employer for at least 12 months;
- You have at least 1,250 hours of service with your employer during the 12 months before your leave ("hours of service" are hours actually worked and does not include time off for vacation, illness or any other leave);
- You worked in Delaware for at least 60% of those 1,250 hours; and

You work for a covered employer if:

- You work in Delaware for an employer (except the federal government) that has at least ten employees; and
- Your employer's business does not close for more than 30 consecutive days in a 12-month period.

A small number of workers are not considered employees under DE PFML. Those individuals not covered under this state-mandated program are casual/seasonal employees working for the state of Delaware, the Department of Education or for an entity covered by state employee benefits.

What type(s) of leave is my employer required to provide?

Your employer is providing you with parental, medical, and family caregiver/qualified exigency leave and has elected to offer DE PFML through an approved private plan. Employers can require employees to contribute up to half of the cost through payroll deductions beginning January 1, 2026. Your employer cannot ask an employee to contribute any more than what they would have paid under the state-mandated DPL insurance program; however, an employer may choose to pay some or all of the employee contribution. The state-mandated DPL insurance program is funded by less than 1% of an employee's weekly wages. Unum is responsible for managing your claim and coordinating benefit payments.

DE PFML does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights. Please visit de.gov/paidleave for more information.

How do I request paid leave?

Generally, to request leave you must:

- Follow your employer's normal policies for requesting leave;
- Give notice to your employer at least 30 days before your need for leave; or
- If providing advanced notice is not possible, notify your employer as soon as possible.
- Call Unum when you are ready to file your paid leave claim.

To apply for Paid Leave with Unum, you can submit a completed claim form online, by mail or fax.

Mail: The Benefits Centers, P.O. Box 100158, Columbia, SC 29202-3158

Fax: 1-800-447-2498

Online: [www.unum.com/claimant] or [Unum Total Leave: <https://portal.unum.com>]

If you have questions, call 1-800-858-6843

What will Unum do?

Unum will review your request for DE PFML benefits and will verify your eligibility with your employer, determine your weekly benefits and duration of benefits and coordinate payment of those benefits either directly to you or through your employer. If Unum administers any additional benefits for your employer, such as Short Term Disability or FMLA, then these benefits will also be evaluated alongside your request for DE PFML. A Unum specialist will handle your request and communicate all updates on required information, request decision and benefit details and be available for any questions you have throughout the process.

Can I appeal Unum's decision?

If your claim is denied, you can appeal the decision by sending a written request to Unum at the above address within ten days from the date of the receipt of written notice of the claim decision.

If you disagree with Unum's decision on reconsideration, you have the right to appeal Unum's decision directly with the Delaware Family and Medical Leave Insurance Appeal Board within 30 days of the issuance of Unum's determination. Please see https://laborfiles.delaware.gov/main/pfl/Appeal_Form.pdf for information on how to file an appeal with the Insurance Appeal Board.

What if I disagree with the average weekly wage used to calculate my benefit?

You can appeal the decision by sending a written request to Unum at the above address within ten days from the date of receipt of the written notice of the claim decision.

What if I have more than one employer?

You may have DE PFML under a separate plan for each employer and must apply for benefits under each plan separately. For example, if one of your employers requires you to file with Unum for DE PFML, then the DE PFML benefit from Unum will be calculated using only earnings from that one employer. Each plan is required to pay benefit amounts that are equal or greater than the benefits offered under the state plan. However, employees may not receive income-replacement benefits in excess of the employee's most recent wages. If you feel the benefit amount provided by your employer's private plan is not equal to or greater than the benefits offered under the state plan, send a written request to Unum ten days from the date of receipt of the claim decision.

What does my employer need to do?

If you are eligible for paid leave, your employer must:

- Maintain confidentiality of your or your family members' private medical information;
- Allow you to take job-protected time off work for a qualifying reason;
- Continue your group health insurance plan coverage while you are on leave on the same basis as if you had not taken leave. If you pay a portion of the cost of your group health insurance, you are still required to pay your portion while on paid leave; and
- Allow you to return to the same job, or a virtually identical job with the same pay, benefits and other working conditions, including shift and location, at the time of your leave.

Your employer cannot interfere with your rights under the act or threaten or punish you for exercising your rights under this law. For example, your employer cannot retaliate against you for requesting paid leave or cooperating with a Division of Paid Leave investigation. If your employer is not following the law, you have the right to bring a civil suit in court or to file a complaint directly with the Delaware Division of Paid Leave. You can find more information on how to file a complaint at https://laborfiles.delaware.gov/main/pfl/Delaware_LaborFirst_Filing_Appeals_and_Complaint_Form.pdf.

How is my information protected?

Health information related to family, medical or parental leave that you choose to share with Unum is confidential and can only be released with your permission, unless the release is required by law.

Where can I find more information?

For general information about the Healthy Delaware Families Act, call 302-761-8375 or visit www.de.gov/paidleave. If you believe your rights under the Healthy Delaware Families Act have been violated, you may file a complaint with the Delaware Department of Labor, Division of Paid Leave or file a private lawsuit against your employer in court.

For more information about your coverage under the approved Unum private plan, refer to the Certificate of Coverage, which can be obtained from your employer, or call 1-800-858-6843 or visit www.unum.com.