

Are You Ready for New York State Paid Family Leave?



Beginning in 2018, New York State is set to implement the most comprehensive paid family leave plan in the nation. Is your business ready?

Overview

New York's Paid Family Leave program provides wage replacement to employees to help them bond with a child, care for a close relative with a serious health condition, or help relieve family pressures when someone is called to active military service.

Employees are also guaranteed to be able to return to their job and continue their health insurance. If they contribute to the cost of your health insurance, you must continue to pay your portion of the premium cost while on Paid Family Leave. Employees may take the maximum benefit length in any given 52-week period. The maximum benefit is eight weeks during the first year, 10 weeks during the second and third years, and 12 weeks the fourth and subsequent years. The 52-week clock starts on the first day the employee takes Paid Family Leave.

Paid Family Leave coverage will be included under the disability policy all employers must carry. The premium will be fully funded by employees through payroll deductions.

The New York Department of Financial Services issued rates on June 1, 2017, for the new PFL benefit, which have been set at 0.126% of an employee's weekly wage with the maximum contribution not to exceed the statewide average weekly wage, which is currently \$1,305.92 per

week. The highest contribution will be \$1.65 per week.

For example, in 2018, an employee who makes \$1,000 a week would receive a benefit of \$500 a week (50% of \$1,000). Another employee who makes \$2,000 a week would receive a benefit of approximately \$648, because this employee is capped at one-half of New York State's Average Weekly Wage (NYSAWW) — currently \$1,296. Half of that amount is the \$648 benefit. The Average Weekly Wage (AWW) is set every year after a comprehensive analysis by the New York State Department of Labor.

Eligibility

Every full-time or part-time private employee in New York State will be eligible for Paid Family Leave. Participation in the program is not optional for employees. If you are a public employer, you may opt into the program. Public employees who are represented by a union may be covered if Paid Family Leave is collectively bargained.

An employee must be employed full-time for 26 weeks or part time for 175 days to be eligible for a Paid Family Leave Benefit.

Employees do not have to take all of their sick leave and/or vacation before using

paid family leave. An employer may permit you to use sick or vacation leave for full pay, but may not require you to use this leave.

There are three key scenarios in which PFL can be used:

- *Leave for Birth, Adoption, or Foster Care*
- *Caring for a Close Relative with a Serious Health Condition*
- *Active Duty Deployment*

Paid Family Leave and DBL

PFL will be covered under your DBL policy. Both benefits must be provided by the same carrier. They are both mandatory for covered employees.

Employees cannot collect both at the same time and combined the PFL and DBL cannot amount to more than 26 weeks during any 52 consecutive calendar weeks.

For a more detailed timeline, description of PFL scenarios, and a printer-friendly version of this information please visit our website or contact **Stephanie Donovan** sdonovan@walshins.com.

For additional information on PFL, please visit <https://www.ny.gov/programs/new-york-state-paid-family-leave>

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Welcome New Hires

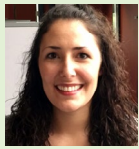


John Brady

Agency Producer, Rochester

Within this role, John will focus on business development

for our commercial and personal insurance teams. John joins us from the carrier side of the business, previously holding multiple positions at Nationwide Insurance focusing on sales, underwriting, claims and product management. John has his CPCU (Chartered Property & Casualty Underwriter), (CIC) Certified Insurance Counselor CLCS (Commercial Lines Coverage Specialist), and AIC (Associate in Claims) designations, as well as his NY State P&C Broker's license, Life & Health license, Series 6, 63 & 26 licenses.



Aubrey Gerber

Commercial Division Account Executive, Rochester

Within this role, Aubrey will be responsible for providing successful resolutions of complex insurance issues to small and midsize businesses from a variety of industries. Aubrey joins us from FNRM/ Key Insurance & Benefits services where she began her insurance career as a commercial lines technician and was later promoted to account manager. Aubrey worked primarily on processing renewals, making policy changes, and answering coverage questions for existing clients.



Karen Peterson

Commercial Division Account Executive, Rochester

Within this role Karen will focus on large commercial accounts. Karen brings over 20 years of commercial insurance experience and joins Walsh Duffield from Brown & Brown where she served as the commercial lines department manager and more recently senior account manager.

SUCCEED MANAGEMENT: WHY THIS PROGRAM IS FOR YOU!

All businesses face risks that could negatively impact their operations. Unexpected issues arising from an inefficient workforce, regulatory non-compliance or injuries to your staff, customers or visitors can cost your organization money and ultimately threaten its' future. Through self-assessment and planning, businesses can help minimize their inherent risks and take control of these potential extra costs before they happen.

Succeed Management is a secure online platform that can assist organizations who want to proactively manage their risk exposures and develop effective workplace safety programs to reduce losses. Thousands of organizations use the Succeed Risk Management Center as a holistic solution to improve their risk management programs, implement web-accessible employee safety training programs, increase efficiencies, and lower the frequency and severity of claims and associated costs.

This program offers valuable tools to track Certificates of Insurance, Workforce Training, Safety Data Sheets, and Incident Reporting. Succeed Management's Risk

Management Library is comprised of customizable documents in both English and Spanish addressing the best practices of topics ranging from HIPPA to Lifting Safety and so much more.

Human Resources and Department Managers have benefited from Succeed Management's award-winning HR resource center which allows them to stay compliant with federal and state labor laws and other relevant regulations. They can access industry-specific templates for Job Descriptions, Return to Work Programs, Behavioral Based Safety Programs and Performance Reviews. This content is powered by HR360, Inc. which features attorney-reviewed tools, guidelines and forms to address every-day and unique HR issues.

The best part of the Succeed Management program is that it is free for Walsh Duffield customers! If you are interested in learning more about this powerful risk management tool, please don't hesitate to contact **Theresa Crisp - 716.362.7387** tcrisp@walshins.com for a more in-depth review of the services available.

RETIREMENT PLAN FIDUCIARIES: DOL CONFLICTED ADVICE RULE

What is it?

The Department of Labor Fiduciary Rule seeks to address conflicts of interest related to retirement advice. With the new rule, the DOL has expanded the definition of a fiduciary, as it pertains to retirement advice. Two of the key expansions are (1) one-time advice is now considered a fiduciary act and (2) the rule extends application to IRAs and HSAs, including advice to take a rollover from a retirement plan.

What does it mean to be a fiduciary, again?

Simply, a fiduciary must act solely in the best interest of the participant. The fiduciary duties include duty of care, prudence, loyalty, good faith, confidentiality and disclosure.¹

What does this mean to me as a plan sponsor?

The application of the Fiduciary Rule impacts the relationships that you have with your service providers. If a service provider violates their fiduciary duties, they will have engaged in a prohibited transaction. The new DOL Fiduciary Rule outlines several prohibited transaction exemptions (PTEs) that service

providers may rely on to avoid acting as a fiduciary.

What should I do?

1. Understand if your current service providers are acting in a fiduciary capacity.
2. If they are not acting in a fiduciary capacity, identify which PTE they are relying on.
3. Assess the fees that are being paid for the services received to ensure they are reasonable.
4. Consider whether your plan and participants would benefit from service providers that will act in a fiduciary capacity.

If you'd like help in reviewing your plan's current arrangements and understanding how the DOL impacts your plan and participants, contact Lisa Petronio at 716-362-7372 or lisap@srpretire.com.

The investment professionals at Walsh Duffield /Strategic Retirement Partners provide fiduciary services to retirement plans.

¹ https://www.law.cornell.edu/wex/fiduciary_duty

HEALTH AND WELLNESS - IN THE COMMUNITY



At Walsh Duffield we live a culture of wellness, and take every opportunity to provide new and fun healthy initiatives to keep our team safe and well. Our wellness team has been busy keeping us on track as we approach summer with the Corporate Challenge as well as our inaugural "Bike to Walsh" day. We also sponsored this year's "Healthiest Employers" event to support all of those in the community who take employee wellness as seriously as we do!



THINKING ABOUT DRIVING FOR A RIDESHARING COMPANY?

Ridesharing is finally here in WNY! Through apps such as Uber or Lyft, ridesharing is a service that arranges one-time shared rides on very short notice.

Are you considering becoming an Uber or Lyft driver to make a little extra cash? Make sure you understand the insurance risks first! There are still a lot of uncertainties about auto coverage with ridesharing, but here is what we know to-date! As a rideshare driver, you may experience incomplete coverage in your auto insurance while driving with a transportation network company (TNC).

Typically, drivers experience a gap in coverage while the rideshare app is on, but you have not accepted a passenger. This means there may be a period of time where your coverage is limited through your personal auto insurance or the commercial auto policy of the TNC.

It's simple: you want to be protected at all times you are driving your vehicle. If something happens on the road and you have incomplete coverage, it can be devastating. Talk to your personal lines agent to make sure you fully understand when you are and are not covered as a rideshare driver.

What creates incomplete coverage?

RIDESHARE APP OFF

COVERED BY SAFECO AUTO POLICY



You are driving the vehicle for personal use with your TNC app off.

RIDESHARE APP ON AND AVAILABLE

YOU MAY NOT BE FULLY COVERED**



You turn on your rideshare app and are available to drive for your TNC.

RIDESHARE APP ON AND MATCHED WITH PASSENGER

PROVIDED BY THE TRANSPORTATION NETWORK COMPANY (TNC)



The TNC app makes a passenger match, and you drive to pick up your passenger.

The passenger gets in your vehicle, and you drive them to their destination.

Source: SafeCo Insurance

Inside Walsh Duffield

Welcome New Hires



Alison Scaringi

Commercial Division Account Executive, Buffalo

Within this role, Alison will be focusing on small and medium-sized business accounts. Alison joins us from Liazon Corporation where she worked as an implementation project administrator and most recently a carrier operations specialist, where she worked to manage relationships and workflows between carriers and her internal team.



Timothy Stanton

Agency Producer, Avon

Tim previously spent 11 years in a leadership role at the Landon Agency, which became a part of the Don Allen agency in 1986 and is now known as Walsh Duffield. Tim joins us from Stanton Associates, where he focused on Insurance placement and risk management. Within this role, Tim will focus on business development within Avon and the surrounding communities.

Special Recognition



Charmaine Derenda was honored as the "2017 Claims Professional of the Year"

by the Insurance Women of Buffalo, Inc. This award is given

annually by the Insurance Women of Buffalo, recognizing an individual for their superior claims service and dedication to agency clients. Charmaine has been in the industry for 30 years and has been a part of the Walsh Duffield team since 2000, handling all commercial claims. In addition to being an active member of the Insurance Women of Buffalo, Charmaine is a part of the Buffalo Claims Association. Congratulations on this well-deserved achievement Charmaine!



Phone: 585.267.8714

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“Partnering with Walsh Duffield has allowed me to expand my capacity to write business with more companies and give my clients more options.”

Employee Profile:

Patrick Quinn - President, Walsh Quinn Agency LLC.

Patrick Quinn joined Walsh Duffield in July of 2014 and is currently the President of the Walsh Quinn Agency LLC. He is responsible for client services and new business development in both personal and commercial lines of insurance. Following several years in hotel management with the Sheraton Corporation, Patrick began his insurance career with the Stuart G Smith Agency in 1989 after completing the Aetna Prime Agent program and was tasked with growing the agency's personal lines business. Patrick purchased the agency from Mr. Smith in 2007 upon his retirement and continued to operate the agency in Brighton, NY. Seven years later, Patrick

partnered with Walsh Duffield and to form the Walsh Quinn Agency. “Treating clients as you yourself would expect to be treated” has been a practice for Patrick throughout his career. We want to be certain that our clients are covered properly to the best of our ability. Patrick graduated from SUNY Cortland with a Bachelors degree in Management Science. He has been involved for many years in youth sports coaching soccer and hockey. He also volunteers with the Chili Fire Department and once served as Chief and President of the department. Patrick and his wife, Marie, reside in Chili, NY and have two sons, Christopher and Ryan.

