Client Alert

Delaware - The Healthy Delaware Families Act

WHAT'S NEW: The Healthy Delaware Families Act employer and employee contribution requirements became effective on January 1, 2025.

WHY IT MATTERS: The Maine Paid Family Leave law ("PFML"), provides eligible workers with up to twelve (12) weeks of paid leave per year to care for their own serious health condition, to care for a sick family member or bond with a newborn, adopted child, or foster child.

The Healthy Delaware Families Act requires employers with 10 or more employees in Delaware to provide parental leave, and employers with 25 or more employees in Delaware to provide parental leave, family caregiving leave, medical leave, and leave for qualified exigencies to "covered employees." "Covered employees" are those who have been employed for at least one year and at least 1,250 hours with a single employer.

Under the law, "covered employees" may be eligible to take up to:

- 12 weeks of leave per year to care for a new child,
- 6 weeks of leave every 24 months to care for a family member with a serious health condition,
- 6 weeks of leave every 24 months to address a personal serious health condition or injury, or
- 6 weeks of leave every 24 months to assist during the overseas deployment of a loved one.

Employees may not exceed 12 weeks of total combined leave per year.

The leave time will be funded by less than 1% of the employee's weekly salary. However, employers may require employees to contribute to half the cost.

Employers should set up an account using Delaware LaborFirst, which is the system used to manage Delaware Paid Leave. Once registered, employers are automatically enrolled.

Employers need not provide benefits under the Act, until January 1, 2026. However, contributions to the program will begin on January 1, 2025.

WHAT EMPLOYERS SHOULD DO: Employers should set up an account using Delaware LaborFirst by following instructions sent out by Engage's Payroll Team or by going directly to the Delaware LaborFirst website https://labor.delaware.gov/laborfirst/.

Please reach out to your Engage Human Resources partner if you have any questions concerning this alert or other HR-related matters.