



Title: Family Caregiving Leave and Qualifying Exigency Leave - Payroll Deductions and Benefits

Related Policy Number: JB-HR-26-002

Effective Date: January 1, 2026

1. Pension Service Credit

- FCGL or QEL benefits paid by the Delaware Department of Labor (DDOL), Division of Paid Leave will not be considered pension-creditable compensation. This is consistent with how Worker's Compensation is treated.
- Pension contributions will be based on wages paid through an employee's paycheck.
- Employees who supplement their FCGL or QEL benefits with available and accrued leave will continue to receive pension service credit for those pay periods during which they supplement.
- If an employee does not supplement their leave and therefore does not receive compensation through their paycheck for a pay period, they will not receive pension service credit for that time. Consistent with existing pension rules, the employee may be eligible to purchase leave without pay at retirement.

2. Health, Dental, and Vision Insurance

- Under the State of Delaware's Group Health Insurance Plan (GHIP), coverage may continue for employees on approved FCGL or QEL as long as the payment of premiums is made per the [GHIP Eligibility and Enrollment Rules](#).
- Payment of premiums is deducted from the employee's paycheck.
- If an employee does not have sufficient pay from which payment of the premiums can be deducted, the employee may waive coverage or submit payment for the premiums directly to their HR department. The employee's HR department will provide the employee with the schedule of premium payments.
- If a premium payment is not received by the due date, benefits will be canceled effective the first of the month for which payment was due.
 - If the employee is on FCGL/QEL concurrently with FMLA, the State's obligation to maintain health coverage ceases if an employee's premium payment is more than 30 days late. If a payment is not received within the 30-day grace period, the employer will submit a retroactive cancellation to the first (1st) of the month for which the payment was due.

- If the employee is not on FMLA concurrently with their FCGL/QEL, the employee must submit payment by the first (1st) of each month to continue coverage. If payment is not received by the due date, the employer will submit a cancellation effective the first of the month for which payment was due.
- If coverage is waived or canceled, the employee may re-enroll in coverage upon their return to work.
- Employees on approved FCGL or QEL are eligible for state share, as long as the payment of premiums is made.
- In accordance with PFML regulations, an employee who fails to return to work at the conclusion of their FCGL or QEL shall be responsible for repayment of any premium amount paid by the State on behalf of the employee under the GHIP.

3. State Group Universal Life (GUL) Insurance and Accident & Critical Illness Insurance

- Coverage may continue for employees on approved FCGL or QEL, as long as the payment for premiums is made. Premiums are deducted from the employee's paycheck. If an employee goes six (6) consecutive pays (3 months) with no premium deductions, the employee will be billed directly by the vendor for the duration of the leave.

4. Flexible Spending Account (FSA)

- Employees may be eligible to adjust their annual election(s) and should consult with their HR department prior to going on FCGL or QEL.

5. Pre-Tax Commuter Benefit Program

- Employees may be eligible to adjust their coverage and should consult with their HR department prior to going on FCGL or QEL.

6. Deferred Compensation Retirement Plans

- Contributions to a DEFER 457b are deducted from the employee's paycheck, as long as the employee has sufficient pay from which the DEFER contribution can be deducted.
- If an employee does not have sufficient pay from which the DEFER contribution can be deducted, the entire deduction will not be taken out of the paycheck.
- The employee may elect to stop, start, or change their DEFER contributions at any time by logging into their account at delawaredefer.com.

Note: If employees have other payroll deductions and benefits not listed in this document, they should reach out to their HR department with questions.