

# OCTOBER 2022 DISABILITY INSURANCE (DI) FUND FORECAST

## INTRODUCTION

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This report provides the status of the DI Fund and includes information on the current and projected fund balance, disbursements, receipts, and contribution rates for the State Disability Insurance (SDI) program.

The DI program is a component of SDI and provides benefits to workers who are unable to work due to pregnancy or a non-work related illness or injury. California, Rhode Island, New Jersey, New York, and Hawaii are the only states, along with the Commonwealth of Puerto Rico, that provide DI for their workforce.

The SDI program includes the Paid Family Leave (PFL) program, which currently allows California workers to take up to eight weeks of paid leave each year to care for a seriously ill child, spouse, parent, domestic partner, grandparent, grandchild, sibling, or parent-in-law, or to bond with a new child.

Senate Bill (SB) 1123 [Chapter 849, Statutes of 2018], expanded the scope of the PFL program as of January 1, 2021 to include time off to participate in a qualifying exigency related to the covered active duty or call to covered active duty of the individual's spouse, domestic partner, child or parent in the armed forces of the United States. To date, the impact to the SDI Fund is negligible.

SB 951 [Chapter 878, Statutes of 2022], continues the current 70 / 60 percent wage replacement rates through December 31, 2024, increases the wage replacement rates to 90 percent for lower wage earners and 70 percent for all other covered workers beginning January 1, 2025, and increases the salary threshold for low wage earners. In addition, the taxable wage ceiling will be removed as of January 1, 2024, which will increase net worker contributions.

The basis for this forecast is the June 2022 Labor Market Information Division's economic outlook which primarily impacts DI covered employment, DI total wages, DI taxable wages, and net worker contributions.

## FUND BALANCE

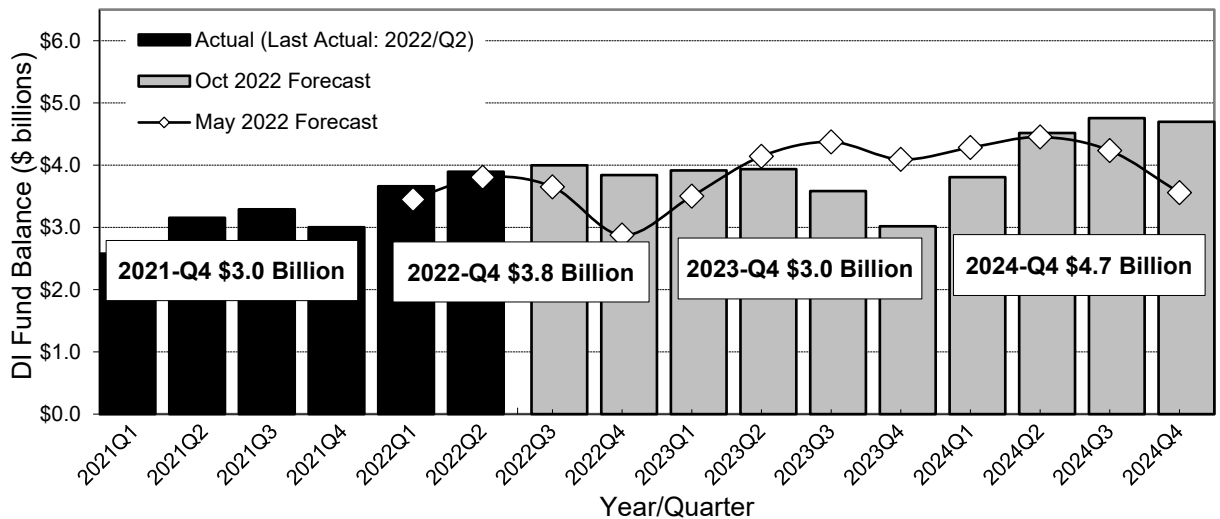
The DI Fund balance was \$3.0 billion at the end of 2021. The DI Fund balance is projected to be \$3.8 billion at the end of 2022, \$3.0 billion at the end of 2023, and \$4.7 billion at the end of 2024. The year over year increase in 2022 is primarily due to lower projected disbursements. The year over decrease in 2023 is primarily due to the decrease in the SDI contribution rate, from 1.1 percent in 2022 to 0.9 percent in 2023, which will decrease net worker contributions. Based on recently enacted legislation, SB 951, the Taxable Wage Ceiling will be removed as of January 1, 2024, increasing net worker contributions significantly.

The following chart shows the actual and projected quarterly DI Fund balance from 2021 through 2024.



The DI Fund balance is projected to be \$3.8 billion at the end of 2022.

### DI Fund Balance 2021 - 2024



## NET BENEFITS

Total SDI net benefits, including PFL, were \$9.0 billion in 2021 and are projected to increase to \$9.2 billion in 2022, \$9.7 billion in 2023, and \$10.4 billion in 2024.

Net benefits for PFL were \$1.5 billion in 2021, and are projected to increase to \$1.7 billion in 2022, \$1.8 billion in 2023, and \$1.9 billion in 2024.

Several factors have contributed to the net benefit projections, including legislative changes and the economic impacts of the pandemic. Legislative changes include SB 951 which extends the current 70 / 60 percent wage replacement rates through 2024, increases the threshold for low wage earners, and increases the wage replacement rates to 90 / 70 percent as of 2025. Also contributing to net benefit projections are the anticipated changes in the average weekly benefit amount (AWBA). The AWBA is forecasted based on its ratio to the maximum weekly benefit amount (MWBA). The SDI AWBA was \$720 in 2021, and is projected to increase to \$745 in 2022, \$765 in 2023, and \$801 in 2024.

The calculation of the MWBA is mandated by Sections 4453 (a) and 4653 of the California Labor Code (refer to page A2 of the Appendix – Weekly Benefit Amount for an explanation of the MWBA). The MWBA calculation is based on the U.S. Department of Labor’s state average weekly wage (SAWW) data.

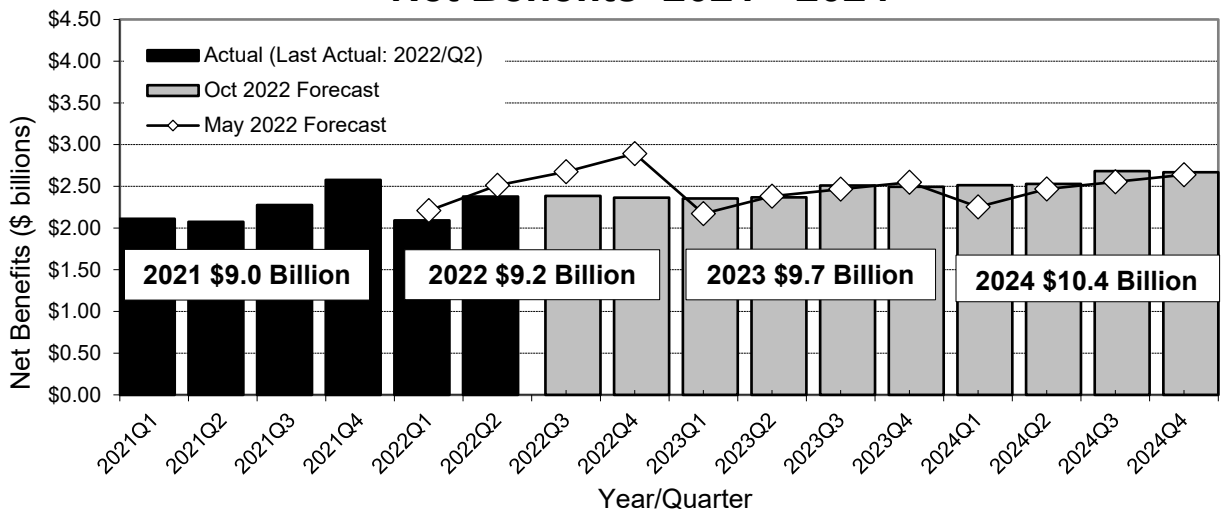
The MWBA was \$1,357 in 2021, \$1,540 in 2022, \$1,620 in 2023, and is projected to increase to \$1,698 in 2024. The 2023 MWBA increase was due to the significant increase seen in the 2022/Q1 SAWW.

Net benefits account for the majority of disbursements from the DI Fund. The other disbursements are for administration costs. The following chart shows actual and projected quarterly SDI benefit payment data, including PFL, from 2021 through 2024.



SDI net benefits are projected to be \$9.2 billion in 2022.

### Net Benefits 2021 - 2024



## CONTRIBUTIONS

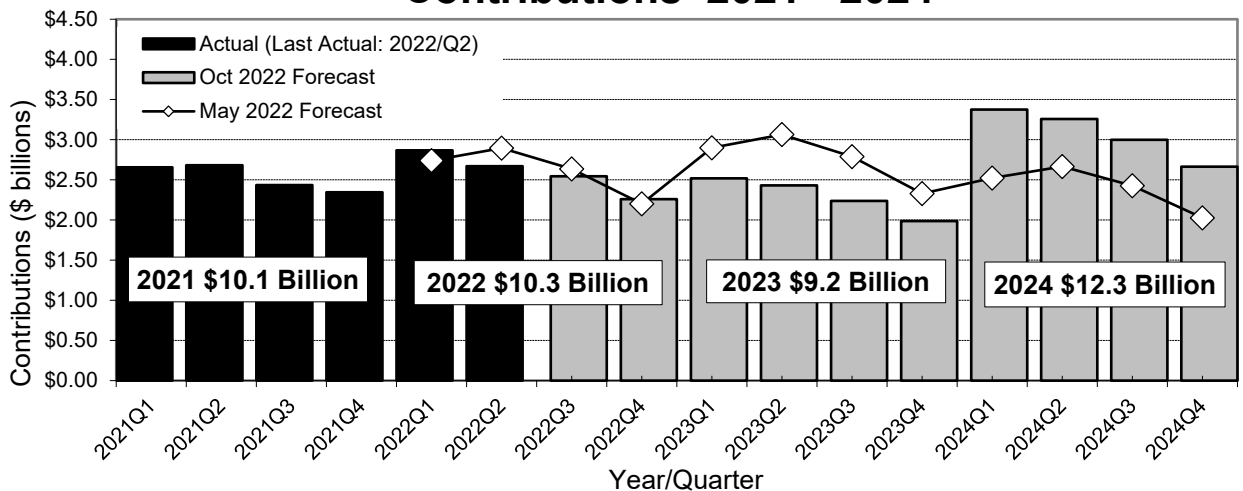
The SDI contributions were \$10.1 billion in 2021 and are projected to increase to \$10.3 billion in 2022, \$9.2 billion in 2023, and \$12.3 billion in 2024. The projected changes in SDI contributions are primarily due to SB 951 which removes the Taxable Wage Ceiling as of 2024 causing a significant increase in net worker contributions, as well as variations in the SDI contribution rate.

The SDI contribution rate was 1.2 percent for 2021, decreased to 1.1 percent in 2022, decreased to 0.9 percent in 2023, and is projected to remain at 0.9 percent in 2024. The statutory formula for calculating the SDI contribution rate helps to maintain an adequate DI Fund balance without having excess money in the fund (refer to page A4 of the Appendix – Tax Rate for an explanation of the SDI contribution rate).

The SDI program taxes cover eligible employees up to a ceiling, which is calculated by the formula in CUIIC Section 985. The taxable wage ceiling was \$128,298 in 2021, \$145,600 in 2022, and is projected to increase to \$153,164 in 2023. The increase seen in 2023 is due to the increase in the 2022/Q1 SAWW. Due to the SB 951, the Taxable Wage Ceiling will be removed as of 2024.

While contributions account for the majority of total receipts to the DI Fund, interest earnings, and other receipts are also included in the DI Fund balance (refer to page A1 in the Appendix under Total Receipts for an explanation of all receipts). The following chart shows the actual and projected quarterly contributions from 2021 through 2024.

### Contributions 2021 - 2024



SDI contributions are projected to be \$10.3 billion in 2022.

DISABILITY INSURANCE FUND  
FORECAST FOR CALENDAR YEARS 2022 – 2024

Table 1  
(Dollars in millions)

	2021	2022 (F)	2023 (F)	2024 (F)
<b>FUND SUMMARY</b>				
End of Calendar Year Fund Balance	\$3,004.1	<b>\$3,840.7</b>	<b>\$3,019.0</b>	<b>\$4,698.3</b>
<b>FUND EVALUATION</b>				
End of Calendar Year Fund Balance as a percent of Calendar Year Disbursements <sup>(1)</sup>	32.2%	<b>39.9%</b>	<b>29.8%</b>	<b>43.7%</b>
<b>RECEIPTS AND DISBURSEMENTS</b>				
Receipts Less Disbursements	891.1	<b>\$836.5</b>	<b>(\$821.7)</b>	<b>\$1,679.3</b>
Total Receipts <sup>(2)</sup>	\$10,215.6	<b>\$10,463.8</b>	<b>\$9,309.8</b>	<b>\$12,440.3</b>
Net Worker Contributions	\$10,118.4	<b>\$10,343.5</b>	<b>\$9,173.5</b>	<b>\$12,296.4</b>
Interest Income	\$7.4	<b>\$29.7</b>	<b>\$56.8</b>	<b>\$59.9</b>
Other Receipts	\$89.8	<b>\$90.6</b>	<b>\$79.5</b>	<b>\$84.0</b>
Total Disbursements <sup>(3)</sup>	\$9,324.5	<b>\$9,627.3</b>	<b>\$10,131.5</b>	<b>\$10,761.0</b>
Net Benefits <sup>(3)</sup>	\$9,037.5	<b>\$9,217.5</b>	<b>\$9,726.7</b>	<b>\$10,393.5</b>
Administration & Misc. Disbursements <sup>(4)</sup>	\$287.1	<b>\$409.8</b>	<b>\$404.8</b>	<b>\$367.5</b>

**(F) Forecast:** Last actual data is through the first quarter of 2022. Bolded numbers are estimates and components may not add to totals due to independent rounding.

Table 1 includes information related to DI and PFL.

- (1) The forecasted fund adequacy rates are subject to change in response to changes in the contribution rate that may occur according to the Director's discretion, as per CUI Section 984(d).
- (2) The basis for this forecast is the June 2022 Labor Market Information Division's economic outlook which primarily impacts DI covered employment, DI total wages, DI taxable wages, and net worker contributions. SB 951 [Chapter 878, Statutes of 2022] removes the taxable wage ceiling requirement as of January 1, 2024, which will increase net worker contributions.
- (3) SB 951 [Chapter 878, Statutes of 2022] continues the current 70 / 60 percent wage replacement rates through December 31, 2024, increases the wage replacement rates to 90 percent for lower wage earners and 70 percent for all other covered workers beginning January 1, 2025, and increases the salary threshold for low wage earners. SB 1123 [Chapter 849, Statutes of 2018], expands the scope of the PFL program to include time off to participate in a qualifying exigency related to the covered active duty or call to covered active duty of the individual's spouse, domestic partner, child or parent in the armed forces of the United States.
- (4) Senate Bill 84 [Chapter 50, Statutes of 2017], requires all funds that contribute to retirement contributions to repay interest and principal on the Surplus Money Investment Fund loan. Payments of \$6.5 million in 2022, 2023 and 2024 will be appropriated from the DI Fund for repayment of the cash loan funding the supplemental pension payment.

DISABILITY INSURANCE FUND  
FORECAST FOR CALENDAR YEARS 2022 – 2024  
Table 2

	2021	2022 (F)	2023 (F)	2024 (F)
<b>STATE PLAN CLAIMS DATA <sup>(1)</sup></b>				
First Claims Paid (FCP)	697,006	<b>649,000</b>	<b>660,000</b>	<b>675,000</b>
Weeks Paid per FCP	15.2	<b>16.2</b>	<b>16.2</b>	<b>16.2</b>
Weekly Benefit Amount				
Maximum/Minimum	\$1,357/\$50	\$1,540/\$50	\$1,620/\$50	<b>\$1,698/\$50</b>
Average	\$720	<b>\$745</b>	<b>\$765</b>	<b>\$801</b>
<b>COVERED EMPLOYMENT AND WAGES</b>				
Total Average Covered Employment <sup>(2)</sup>	18,308,691	<b>18,991,000</b>	<b>19,393,000</b>	<b>19,524,000</b>
Average Covered State Plan <sup>(2)</sup>	17,671,648	<b>18,341,000</b>	<b>18,728,000</b>	<b>18,855,000</b>
Average Covered Voluntary Plan <sup>(2)</sup>	637,043	<b>651,000</b>	<b>665,000</b>	<b>670,000</b>
Total Average Weekly Wage <sup>(3)</sup>	\$1,366	<b>\$1,413</b>	<b>\$1,482</b>	<b>\$1,546</b>
Average State Plan Wage <sup>(3)</sup>	\$1,205	<b>\$1,268</b>	<b>\$1,331</b>	<b>\$1,388</b>
Average Voluntary Plan Wage <sup>(3)</sup>	\$5,819	<b>\$5,472</b>	<b>\$5,741</b>	<b>\$5,983</b>
Total Covered Wages	\$1,305.5 (bil)	<b>\$1,400.4 (bil)</b>	<b>\$1,500.6 (bil)</b>	<b>\$1,575.5 (bil)</b>
Covered State Plan Wages	\$1,112.0 (bil)	<b>\$1,214.4 (bil)</b>	<b>\$1,301.3 (bil)</b>	<b>\$1,366.3 (bil)</b>
Covered Voluntary Plan Wages	\$193.5 (bil)	<b>\$185.9 (bil)</b>	<b>\$199.3 (bil)</b>	<b>\$209.3 (bil)</b>
State Plan Taxable Wages <sup>(4)</sup>	\$854.9 (bil)	<b>\$940.3 (bil)</b>	<b>\$1,019.3 (bil)</b>	<b>\$1,366.3 (bil)</b>
<b>TAX RATE (CONTRIBUTION RATE)</b>	1.20%	1.10%	0.90%	<b>0.90%</b>
<b>TAXABLE WAGE CEILING</b>	\$128,298	\$145,600	\$153,164	<b>No Limit</b>
<b>UNEMPLOYMENT RATE (Civilian)</b>	7.4%	<b>4.3%</b>	<b>3.7%</b> <sup>(2)</sup>	<b>3.9%</b> <sup>(2)</sup>

**(F) Forecast:** Last actual data is through the first quarter of 2022. Bolded numbers are estimates.

- (1) Information in this area does not include PFL. Table 3 provides a display of data related only to PFL.
- (2) The basis for this forecast is the June 2022 Labor Market Information Division's economic outlook which primarily impacts DI covered employment, DI total wages, DI taxable wages, and net worker contributions.
- (3) The Average Weekly Wage is calculated using estimated Covered Wages divided by Average Covered Employment divided by 52.2 (weeks per year).
- (4) SB 951 [Chapter 878, Statutes of 2022], removes the Taxable Wage Ceiling requirement beginning January 1, 2024. Therefore, State Plan Wages will be used as of 2024 and beyond.

Note: Components may not add to totals due to independent rounding.  
(bil) = Amount in billions.

PAID FAMILY LEAVE  
 FORECAST FOR CALENDAR YEARS 2022 – 2024  
 Table 3

	2021	2022 (F)	2023 (F)	2024 (F)
<b>PAID FAMILY LEAVE CLAIMS DATA</b>				
First Claims Paid (FCP)	276,306	<b>293,000</b>	<b>300,000</b>	<b>302,000</b>
Weeks Paid per FCP	7.0	<b>7.1</b>	<b>7.1</b>	<b>7.1</b>
Weekly Benefit Amount				
Maximum/Minimum	\$1,357/\$50	\$1,540/\$50	\$1,620/\$50	<b>\$1,698/\$50</b>
Average	\$787	<b>\$837</b>	<b>\$880</b>	<b>\$923</b>
<b>NET BENEFITS <sup>(1)</sup></b>	\$1,509.1 (mil)	<b>\$1,711.5 (mil)</b>	<b>\$1,847.3 (mil)</b>	<b>\$1,949.4 (mil)</b>

**(F) Forecast:** Last actual data through the second quarter of 2022. Bolded numbers are estimates.

- (1) SB 951 [Chapter 878, Statutes of 2022], continues the current 70 / 60 percent wage replacement rates through December 31, 2024, increases the wage replacement rates to 90 percent for lower wage earners and 70 percent for all other covered workers beginning January 1, 2025, and increases the salary threshold for low wage earners.

SB 1123 [Chapter 849, Statutes of 2018], expands the scope of the PFL program as of January 1, 2021 to include time off to participate in a qualifying exigency related to the covered active duty or call to covered active duty of the individual’s spouse, domestic partner, child or parent in the armed forces of the United States. The impact to the SDI Fund is negligible.

Table 3 provides a display of data related only to PFL.

Note: Components may not add to totals due to independent rounding.  
 (mil) = Amount in millions

# A P P E N D I X

## STATE DISABILITY INSURANCE (SDI) DEFINITIONS

The following definitions are informational only and arranged in order of their appearance in Tables 1 and 2. The law is the California Unemployment Insurance Code (CUIC) and the California Labor Code. Interpretations of the law are contained in opinions of the Attorney General, administrative and court decisions, and Title 22 of the California Code of Regulations.

### TOTAL RECEIPTS

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#### ***Net Worker Contributions:***

This amount represents total worker contributions, less refunds. For example, in 2022, total worker contributions are the amount collected as a result of employers withholding 1.1 percent of all wages for each employee, up to a maximum of \$1,601.60 (1.1 percent of \$145,600, the taxable wage ceiling). However, if an employee works for more than one employer, the total withheld in 2022 may exceed \$1,601.60. The employee would then be eligible for a refund of the amount exceeding \$1,601.60. Refunds are claimed as a credit on the California personal income tax return. Individuals not required to file personal income tax returns may file for refunds with the Employment Development Department.

#### ***Interest Income:***

This is interest earned on the State Treasurer's investment of DI funds. At any given time, about 99 percent of the DI Fund is invested. The total amount earned by such investments constitutes interest income.

#### ***Other Receipts:***

Receipts from Voluntary Plan assessments constitute the largest portion of "Other Receipts." A Voluntary Plan is an approved private plan. It may be substituted for the State Plan if the Voluntary Plan matches the State Plan's benefits, provides at least one greater benefit, and costs the employee no more than the State Plan. Employers and employee groups may establish Voluntary Plans with mutual consent of the employer and a majority of the employees. The Voluntary Plan assessment rate is 14 percent of the DI State Plan contribution rate. In 2022, with the State Plan tax rate at 1.1 percent, Voluntary Plan employers are assessed 0.00154 (14 percent of 0.011) of taxable wages. These assessments are used to reimburse the DI Fund for the amounts paid for administrative costs arising out of voluntary plan oversight. "Other Receipts" also includes reverted checks, which are monies that were not cashed by the claimant and are deposited back into the Fund.



## TOTAL DISBURSEMENTS

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### ***Net Benefits:***

This is the amount of benefits paid to claimants, less the amount of cancellations, refunds, or liens. Total benefits may be reduced for various reasons, including: death of claimants; repayment by claimants of benefits erroneously claimed; repayments to the DI Fund by other programs; and benefit checks not cashed.

### ***Administration and Miscellaneous Disbursements:***

All disbursements from the DI Fund that are not benefit payments fall into the administration category. This includes disbursements for salaries, equipment, supplies, rent, and utilities. Miscellaneous disbursements include Pro Rata, Victims Compensation Board payments, surcharge fees from the Board of Control Claims and Generally Accepted Accounting Principles (GAAP) reporting costs. Miscellaneous disbursements also includes SB 84 which requires all funds that contribute to retirement contributions to repay interest and principal on the Surplus Money Investment Fund loan.

## STATE PLAN CLAIMS DATA

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### ***First Claims Paid:***

These are the first benefit payments mailed to each claimant who has fulfilled non-monetary, monetary, and medical requirements and who has filed a claim certifying the onset of a disability.

### ***Weeks Paid Per First Claims Paid:***

The average number of weeks that benefits are paid for each first claim paid.

### ***Maximum Weekly Benefit Amount:***

This is the amount payable per week for the period of a disability. The maximum weekly benefit amount (MWBA) increases by an amount equal to the percentage increase in the state average weekly wage as compared to the prior year. The MWBA was \$1,357 in 2021, \$1,540 in 2022, \$1,620 in 2023, and is projected to increase to \$1,698 in 2024. Section 4453(a) of the California Labor Code reads: "...the limits specified in this paragraph shall be increased by an amount equal to the percentage increase in the state average weekly wage as compared to the prior year. (The) 'state average weekly wage' means the average weekly wage paid by employers to employees covered by unemployment insurance as reported by the United States Department of Labor for California for the 12 months ending March 31 of the calendar year preceding the year in which the injury occurred."

The following table compares the MWBA and the average weekly benefit amount (AWBA) for CY 2014 – 2024:

YEAR	MWBA	AWBA
2014	\$1,075	\$483
2015	\$1,104	\$493
2016	\$1,129	\$513
2017	\$1,173	\$540
2018	\$1,216	\$588
2019	\$1,252	\$626
2020	\$1,300	\$678
2021	\$1,357	\$720
2022	\$1,540	\$745(E)
2023	\$1,620	\$765(E)
2024	\$1,698(E)	\$801(E)

(E) = Estimate

For periods of disability commencing on and after January 1, 2018, but before January 1, 2025, a claimant's WBA is fifty dollars (\$50) if the base period high quarter wage (HQW) is less than \$929. If the HQW is \$929 or more and is less than one-third of the state average quarterly wage, the WBA is equal to 70 percent of the HQW divided by 13, or  $((\text{HQW} \times .70)/13)$ . If the HQW is one-third of the state average quarterly wage or more, the WBA is either 23.3 percent of the state average weekly wage or 60 percent of the HQW divided by 13, or  $((\text{HQW} \times .60)/13)$ , whichever amount is higher.

## COVERED EMPLOYMENT AND WAGES

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### ***Total Average Covered Employment:***

Employers count the number of employees on their payrolls during the week, which includes the 12th day of the month. Quarterly and annual averages are taken from these counts.

### ***Total Average Weekly Wage:***

To derive the average weekly wage, total wages are divided by covered employment, and the result is then divided by the number of 5-day work weeks in the period. The number of work weeks varies from 12.8 to 13.2 in a quarter and from 52.1 to 52.3 in a year.

### ***Total Covered Wages:***

Covered wages are wages earned by employees subject to the SDI provisions defined in Part 2 of the CUIC. Total covered wages include tips, commissions, bonuses, and the reasonable cash value of all remuneration payable to an employee in any medium other than cash.

### ***State Plan Taxable Wages:***

The portion of covered wages from which SDI contributions are taken.

### ***Tax Rate:***

The rate at which workers' contributions are determined.

Senate Bill (SB) 83 [Chapter 24 Statutes of 2019] changed the factor used in the statutory formula for worker contributions from 1.45 to 1.3 times the amount disbursed from the Disability Insurance Fund in the California Unemployment Insurance Code (CUIC) Section 984 (a)(2)(A) effective July 1, 2019.

The statutory formula for calculating the SDI Contribution rate considers fund conditions and cost rate with a year-ending date of September 30 as follows:

$$\frac{1.30 \times \text{Disbursements} - \text{Fund Balance}}{\text{State Plan Taxable Wages}}$$

An ad hoc Advisory Committee, comprised of labor and employer representatives, worked with the Department and independent actuaries to develop this experience-based contribution formula to maintain a prudent reserve, reflect benefit costs, and avoid excessive volatility and instability.

Based on section 984(a)(3) of the CUIC, the rate of worker contributions shall not exceed 1.5 percent or be less than 0.1 percent. The rate of worker contributions shall not decrease from the rate in the previous year by more than two-tenths of one percent. Per section 984(d) of the CUIC, the Director may, at his or her discretion, increase or decrease, by not to exceed 0.1 percent, the rate of worker contributions determined by the above formula.

***Taxable Wage Ceiling:***

This is the upper limit of wages in a calendar year subject to SDI contributions. Section 985 of the CUIIC requires the taxable wage ceiling to be four times the MWBA multiplied by 13 and divided by 55 percent:  $((4 \times \text{MWBA} \times 13) / .55)$ .

The taxable wage ceiling was \$128,298 in 2021, \$145,600 in 2022, and is \$153,164 in 2023. SB 951 [Chapter 878, Statutes of 2022], removes the Taxable Wage Ceiling requirement beginning January 1, 2024. Therefore, State Plan Total Wages will be used as of 2024 and beyond.

***Unemployment Rate (Civilian):***

The number of unemployed persons in California expressed as a percentage of the total number of persons in the California civilian labor force.

*The DI Fund Forecast report can be accessed at the following website:*  
[http://www.edd.ca.gov/About\\_EDD/Quick\\_Statistics\\_Overview.htm](http://www.edd.ca.gov/About_EDD/Quick_Statistics_Overview.htm)