On June 28, 2018, Governor Baker signed a bill approving Paid Family and Medical Leave, which affects all employers with employees who work in Massachusetts. Here is an overview of the new law and how it affects you.

What is Massachusetts Paid Family and Medical Leave (MA PFML)?
Paid Family and Medical Leave is a statewide program that provides you paid time off:

**Medical Leave:**
- For your own serious health condition, including pregnancy or recovery from childbirth

**Family Leave:**
- To care for a family member with a serious health condition
- To bond with a new child (within 12 months of birth or placement of child via foster care or adoption)
- For a qualifying military exigency
- To care for a family member who is a covered service member

Covered family members include: spouse, domestic partner, child (must be under 18 unless incapable of self-care because of a mental or physical disability), parent, parent-in-law, grandparent, grandchild and sibling. Please note that child and parent relationships include biological, adoptive, foster and individuals who stood in loco parentis for an employee as a minor child or a child for whom the employee is standing in loco parentis.

When is the MA PFML program effective?
Employers began making payroll deductions to fund the employee share of contributions on October 1, 2019. Contribution information is outlined further on the next page.

Beginning January 1, 2021, paid family leave benefits will be available to you to take leave in order to bond with a new child and to address needs relating to a family member who is a covered service member of the armed forces; and paid medical leave benefits will be available to you to take leave as a result of your own personal serious health conditions.

Paid family leave benefits will be available for the care for any family member with a serious health condition beginning July 1, 2021.

Who is eligible for benefits?
You must meet the same standard requirements that exist for unemployment compensation, including earning 30 times the weekly unemployment benefit that you are eligible to receive and earning a minimum of $4,700 over the last four calendar quarters. For detailed eligibility requirements, please visit https://www.mass.gov/paid-family-and-medical-leave-for-workers.
What are the benefits?
Under this program, you may take up to 12 weeks of paid family leave, 20 weeks of paid medical leave, or up to 26 weeks of leave to care for a family member who is a service member. The combined maximum of PFML leave you may take in a benefit year is 26 weeks.
The amount of benefits you are eligible to receive vary based on the following criteria:
• If you earn less than or equal to 50% of the state average weekly wage (currently $1,431.66 per week), your benefit will be 80% of your average weekly wage.
• If you earn more than 50% of the state average weekly wage, your benefit will be the underlying 80% benefit described above plus an additional 50% of your average weekly wage that exceeds 50% of the state average weekly wage.
• Please note that PFML benefits are subject to a maximum weekly benefit cap of $850 through December 31, 2021.

Is this leave job protected?
You are entitled to job protection while on leave. During your covered leave your employer must still cover employment-related health insurance benefits as if you had continued working.

What are the anticipated contributions for this benefit?
Your total contribution rate has been initially set at 0.75% of your wages, up to the current Social Security wage cap ($137,700 for 2020). The overall employee contribution rate is approximately 0.378% of wages and the employer contribution rate is approximately 0.372% of wages.
For medical leave, you are responsible to contribute approximately 0.248% of your wages (equating to 40% of the medical leave contribution). Unless exempt, your employer is responsible for the remaining 0.372% of wages.
For family leave, your employer can deduct 100% of the contribution required from the employee’s wages (approximately 0.13% of wages).
For every $100 you earn, $0.38 will be deducted for the covered contribution share ($0.13 to cover your family leave contribution, $0.25 to cover your medical leave contribution).
Beginning October 1, 2021, the contribution rate will be adjusted annually, which shall take effect on the following January 1.
Note: while the state sets maximum employee contribution rules, your employer may have elected to fully cover, reduce or to defer your contributions to a future date. Contact your employer with questions regarding payroll deductions.

Is this new leave part of the Family Medical and Leave Act (FMLA)?
No, this is a separate benefit with different eligibility rules and employer requirements than the FMLA, but it will run concurrently with FMLA.

What is the process to submit a claim?
Your employer has elected to privately-insure your paid family & medical leave coverage through Lincoln Financial Group. As such, you will need to direct PFML claims and questions to Lincoln rather than to the state plan.
Prior to submitting your claim request to Lincoln, you must provide at least 30 days’ notice to your employer of your intent to take leave. This notice must include your expected leave start date, anticipated length of the leave and your expected date of return. If you are unable to provide 30 days’ notice due to unforeseen circumstances, you must provide notice as soon as practicable.
Lincoln will intake your PFML claim alongside any other Lincoln-administered disability or leave programs you may also qualify for. Further instruction and any required claim forms will be provided by your employer closer to the effective date of the plan.