

Massachusetts Paid Family and Medical Leave

Questions and answers

On June 28, 2018, Governor Baker signed a bill approving paid family and medical leave that affects most employers with employees who work in Massachusetts. Here's an overview of the new law and how it affects you.

What is Massachusetts Paid Family and Medical Leave (MA PFML)?

MA PFML 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 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 a spouse, domestic partner, child, parent, parent-in-law, grandparent, grandchild, and sibling. Child and parent relationships include biological, adoptive, foster, and those who stood in loco parentis for an employee as a minor child or a child for whom the employee is standing in loco parentis.

How do you submit a claim?

Your employer has elected to insure your paid family and medical leave coverage privately through Lincoln Financial. This means you'll need to direct MA PFML claims and questions to Lincoln instead of the state.

Before 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.

When did the MA PFML program become effective?

Employers began making payroll deductions to fund the employee share of contributions on October 1, 2019. Contribution information is outlined on the next page.

On January 1, 2021, paid family leave benefits became available, allowing you to take leave 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. Paid medical leave benefits will be available to you to take leave as a result of your own personal serious health conditions.

Beginning July 1, 2021, paid family leave benefits were expanded to allow for the care of a covered family member with a serious health condition.

Who is eligible for benefits?

To be eligible, you must have earned 30 times the weekly PFML benefits that you would be eligible to receive and earning a minimum of \$6,300 over the last four calendar quarters. For detailed eligibility requirements, please visit mass.gov/topics/paid-family-and-medical-leave-in-massachusetts.

If you are unable to provide 30 days' notice due to unforeseen circumstances, you must provide notice as soon as possible. Lincoln will intake your MA PFML claim alongside any other Lincoln-administered disability or leave programs you may also qualify for.

Your employer will provide more information and guidance to help you begin your MA PFML claims.

What are the available benefits?

Under MA PFML, 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 MA PFML duration you may take in a benefit year is 26 weeks.

The amount of benefits you're eligible to receive varies based on the following criteria:

- If you earn less than or equal to 50% of the state average weekly wage (AWW), which is currently \$1,922.48 per week, your benefit will be 80% of your AWW.
- If you earn more than 50% of the state AWW, your benefit will be the underlying 80% benefit described above plus an additional 50% of your AWW that exceeds 50% of the state AWW.
- The maximum weekly benefit will be \$1,230.39 through December 31, 2026, and may increase in future calendar years.

Does MA PFML offer job protection?

Yes, you're entitled to job protection while on leave. During a covered leave, your employer must offer employment-related health insurance benefits as if you're working.

Is this a new leave part of the Family and Medical Leave Act (FMLA)?

No, MA PFML is a separate benefit with different eligibility rules and employer requirements than FMLA, but runs concurrently with FMLA.

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