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Navigating regulatory changes

Massachusetts Paid Family & Medical Leave Act (“MA PFML”)

Background

The MA PFML was signed into law on June 28, 2018, with some benefits becoming available to employees on January 1, 2021. All employers (with some exceptions) will be required to provide MA PFML coverage to their employees. Most employees will be eligible to receive benefits.

MA PFML is a statewide program that will allow eligible employees paid time off for various reasons, including:

- Recovering from an employee’s own serious health condition;
- Caring for a family member with a serious health condition;
- Bonding with a new child (through birth, foster care or adoption);
- Attending to a qualifying military event;
- Caring for a family member who is an injured service member.

Covered family members include spouses, domestic partners, children, parents, parents-in-law, grandparents, grandchildren and siblings.

Under the MA PFML, employees will have up to 12 weeks of family leave to care for a family member, bond with a new child, and attend to a qualifying military event, 26 weeks of family leave to care for a family member that is

an injured service member, and 20 weeks of medical leave for personal medical issues. Employees may take a maximum of 26 weeks of combined paid family and medical leave in a benefit year.

All Massachusetts employers are required to participate. Exceptions include self-employed individuals, independent contractors and municipal employers.

An employer can satisfy their obligations through the state plan or a private plan and the employer can choose to split the medical and family coverages with different providers. In order to utilize a private plan, the employer must submit an exemption application.

Eligible employees will receive a percentage of their weekly wage up to a maximum of **\$1,170.64 per week in 2025.**

Benefits will be capped at **no more than 64%** of the state’s average weekly wage and will also include job protection.

What this means for employers

Employers are responsible for compliance with the MA PFML, including payroll deductions and employee notifications. Employers will need to consider:

1. How to meet its obligations under the MA PFML;
2. Updating company informational materials to include benefits provided under the MA PFML;
3. Working with HR in training personnel to manage the new MA PFML benefits;
4. Training managers and personnel on the MA PFML benefits to be aware of covered absences and include HR to assist when necessary.

What Equitable will do

Equitable understands the significance of these changes to MA employers and we have a fully-insured MA PFML solution available for you. Please contact your Equitable sales representative or regional account manager for additional information regarding our offering. We value your business and we are committed to supporting you through these regulatory changes.

Additional information can also be found on the Massachusetts Department of Family and Medical Leave [website](#).

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