

What is PFML and what are my options?

A guide to understanding your options ahead of the Massachusetts Paid Family & Medical Leave (PFML) Law

Question:

What is the Massachusetts Paid Family & Medical Leave (MA PFML) Law?



Benefit payouts begin 1/1/21 for most portions of the program. Leave to care for a family member with a serious health condition does not begin until 7/1/21.

Answer:

A state-mandated benefit for those who work in Massachusetts, provided that they meet certain financial eligibility requirements.

Employees are eligible to take up to 20 weeks per benefit year of paid leave for their own medical condition (PML).

They can also take paid leave for family reasons (PFL), including:

- To bond with a newborn, adopted, or foster-care child (up to 12 weeks per benefit year)
- A qualifying exigency related to a family member's military active service (up to 12 weeks per benefit year)
- Care for a covered military service member undergoing medical treatment or whose condition is related to his or her military service (up to 26 weeks per benefit year)
- Care for a family member with a serious medical condition (up to 12 weeks per benefit year)

Employees are eligible to take up to 26 weeks per benefit year of PFL.

Question:

Who is paying for this benefit?

Answer:

It's funded through a state tax, separate from leave benefits that may be offered by your employer.

- The rate is based on a percentage of one's income.
- The PFL is 100% employee funded; the PML is 60% employer funded and 40% employee funded.
 - If an employer has less than 25 employees covered under the program, the employer portion of the PML contributions is waived.
- Employers can choose to pay some or all of the employee contributions. The benefit amount is salary dependent but can replace up to 80% of one's weekly earnings, while on leave.

Question:

Will my job be protected?

Answer:

Yes, MA PFML also affords the employee job protection, health benefits protection, and protection against retaliation for taking leave.

Question:

How do I get this coverage?

Answer:

While all eligible employees are entitled to this benefit under the new state law, employers have a choice to make. They can use the state plan to provide coverage for their eligible employees, or they can offer their eligible employees a private plan for coverage — through a carrier like Guardian. Using a private carrier can streamline the number of steps needed to take if and when you need to take a leave of absence.

How it works



Joe is injured in a car accident and needs to take time off work to recover*

Here's how he files a claim under the new law:

- 1 Joe calls his employer's STD carrier for his STD claim
- 2 Joe calls his employer for FMLA paperwork
- 3 Joe calls the state for his PML claim

Here's how he files a claim through Guardian:

- 1 Joe makes one call to Guardian

Overall, working with Guardian simplifies the process of taking paid leave for both employers and employees.

Here's what Guardian does:

- ✔ Sets up PML claim
- ✔ Sets up STD claim
- ✔ Sets up FML
- ✔ Warm transfers to EAP
- ✔ Notifies employer
- ✔ Confirms eligibility with HR
- ✔ Reaches out to provider
- ✔ Tracks all entitlements
- ✔ Provides reporting

What are the next steps to take as an organization leading up to 1/1/21?

- 1 Review your current leave policies and determine how the MA PFML program interacts with them
- 2 Add language regarding the MA PFML program to your current leave policies
- 3 If your organization has company leave policies that are paid, review the durations and potential impacts of the MA PFML program on those policies
- 4 Develop a communication plan for your eligible employees
- 5 Provide the MA PFML poster to your eligible employees (this poster can be found on the MA PFML website)
- 6 Train your managers and HR representatives on the MA PFML program
- 7 Consider outsourcing your FMLA, ADA, and other absence needs to a carrier, like Guardian, who can help you manage it all

You may still have questions—and that's okay! To learn more about the upcoming MA PFML law, visit: guardianlife.com/absence-management/fmla/massachusetts

All terms of coverage, including benefits, eligibility, coverage limitations and exclusions under Guardian's Massachusetts Paid Family and Medical Leave plan (MA PFML) will comply with the MA PFML law and regulation. Any optional riders and/or features which may be available may incur additional costs. Plan documents are the final arbiter of coverage. The MAPFL regulations continue to be subject to updates by the state, with temporary income replacement to eligible workers currently scheduled to commence as of January 1, 2021.

*This is an example and provided for illustrative purposes only.

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