



## MA PFML and FMLA: How do they differ?

The Massachusetts Paid Family and Medical Leave (MA PFML) law became effective on January 1, 2021, and applies to all Massachusetts employers. If you are an employer with 50 or more employees in Massachusetts, you will now need to comply with both the federal Family and Medical Leave Act (FMLA) and MA PFML.

	MA PFML	FMLA
<b>Eligibility</b>	<ul style="list-style-type: none"> <li>Employees who work in MA and meet the MA financial requirements of unemployment compensation.</li> <li>To meet the financial eligibility requirement, an employee must have earned at least 30 times the weekly benefit amount the individual would be eligible to collect and at least \$6,000 during the last four calendar quarters. No employer hours or amount of service is required.</li> </ul>	<ul style="list-style-type: none"> <li>Employees who work for 12 months (does not need to be consecutive).</li> <li>Work 1,250 hours within the last 12 months.</li> <li>Work at a site with 50 employees in a 75-mile radius.</li> </ul>
<b>Reason for Leave</b>	Covers leave for an employee's own serious health condition and leave to care for a family member with a serious health condition, qualifying military exigency, care of service member and bonding care. A family member is defined as a spouse, domestic partner, child, parent or parent of a spouse or domestic partner; a person who stood in loco parentis to the employee when the employee was a minor child; or a grandchild, grandparent or sibling of the employee.	Does not consider leave to care for a grandparent, grandchild, domestic partner, parent-in-law, or sibling as a qualified reason for leave.
<b>Intermittent Leave</b>	Intermittent leave is allowed; subject to certain minimum hour increments.	Can be taken for less than a full day, down to the smallest increment the company payroll will process for other leave types.
<b>Duration of Leave (per benefit year)</b>	<ul style="list-style-type: none"> <li><b>Medical Leave:</b> Employee's own serious health condition: up to <b>20 weeks</b>.</li> <li>Family Leave: up to 12 or up to 26 weeks (depending on type of leave);</li> <li><b>Combined Maximum:</b> Combined Maximum of Paid Leave up to <b>26 weeks</b>.</li> </ul>	Up to 12 weeks of unpaid job-protected and health benefits-protected leave.

## We can help manage it all

Staying on top of employee leaves can be a challenge for even the most seasoned Human Resources team. We can help reduce the burden and enhance compliance through our integrated management of federal and state leaves, as well as statutory disability and Short Term Disability (STD). Here are the advantages our Guardian Absence Solutions® program offers:

- One intake for FMLA, MA PFML, and STD
- Integrated eligibility determination for FMLA and MA PFML
- Experienced, professional management by dedicated Guardian Leave Managers using industry-leading software
- Services backed by compliance specialists and attorneys specializing in the latest federal and state leave laws
- Communications to employees and employers of rights and responsibilities throughout the process in accordance with various leave laws
- Detailed employer reporting available 24/7
- Assistance with internal employer policy review and recommendations on best practices