

Paid Family and Medical Leave in Massachusetts

October 21, 2025

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Housekeeping

Thank you for attending today's meeting, please note:

- These slides will also be available at the conclusion of the meeting.
- This information is accurate at the time it is presented but may change later.
- Please note that we cannot provide information or guidance about a specific case.

DFML

MA Department of
Family and Medical Leave

Overview of PFML



What is PFML?

Paid Family and Medical Leave (PFML) provides **temporary income replacement** to eligible employees who are:

- welcoming a new child into their family,
- are struck by a serious illness or injury,
- need to take care of an ill or ailing family member, and
- for certain military considerations.

In addition to temporary income replacement, eligible employees are entitled to certain **job and benefit protections**.



What is PFML?

Job Protection

What is job protection with PFML?

Your employer can't punish you because you took or applied for PFML. This means that your employer may not fire you, demote you, or otherwise discriminate against you because you applied for PFML.

Your employer can still give consequences for violating job policies, as long as they are not punishing you for planning or taking a leave of absence that is protected under the PFML law.



What is PFML?

Job Protection, Continued

Health Insurance: If you get health insurance benefits through your employer, they must maintain health insurance benefits and pay whatever portion of the cost they usually cover while you are on leave. If you usually pay a portion of health insurance costs, you may be required to continue to do that during leave.

Return to Work: When you return from leave, your employer must give you the same job you had before you left, or one equal to it. You should have the same status, pay, and benefits as you did before you went on leave.



What Types of Leave are Available?

Family Leave

Bonding



Leave to bond with the covered individual's child during

- the first 12 months after the child's birth or
- the first 12 months after the placement of the child for adoption or foster care with the covered individual

Caring



Leave to care for a family member with a serious health condition.

Military



Exigency leave to manage the affairs of a family member when they have been recently deployed or notified of upcoming active-duty deployment (up to 12 weeks, as part of the total 12-week family leave allotment) **OR**

Leave to care for a family member who is a current or former service member with a serious health condition sustained or aggravated during active-duty military service (up to 26 weeks which counts towards the total benefit year.)

Medical Leave

Own Medical



Leave to care for an individual's own serious medical condition

Up to a total of 12 weeks

Up to 20 weeks

Aggregate up to 26 weeks in a benefit year



Types of Leave Schedules



Continuous leave:
a single time period
of consecutive,
uninterrupted days.



Reduced leave:
a consistent but
reduced schedule for
multiple weeks.



Intermittent leave:
multiple episodes of time
off, which may be
irregular or unexpected.



How is PFML Different Than FMLA?

Description	PFML	FMLA
Type of Law	State law	Federal law
Businesses Covered	1 or more employee	50 or more employees
Employee Eligibility	Based on earning a minimum amount in the last four quarters at either current or previous employer. Does not need to be from full time employment.	Based on length of employment – must be employed at least 12 months with 1,250 hours worked
Employer Responsibility	Collecting and remitting PFML contributions	There are no contributions
Benefits Provided	Job protection, paid family and medical leave	Job protection, unpaid family and medical leave
Length of Benefit	Up to 26 weeks of combined family and medical leave	Up to 12 weeks of leave



What family members are covered?

Family leave provides up to 12 weeks of paid leave per benefit year to care for:

- Your spouse or domestic partner
- Your children, stepchildren or domestic partner's children
- Your parents, stepparents or parent's domestic partner
- Your spouse or domestic partner's parents
- Your grandchildren, step-grandchildren or domestic partner's grandchildren
- Your grandparents, step-grandparents, or grandparent's domestic partner
- Your siblings or step-siblings

You can only take a total of 12 weeks of family leave in a benefit year, even if you take different types of family leave.

You can take paid family leave to care for a family member with a serious health condition no matter where the family member lives.



What is PFML?

Employers with Self-funded or Private Plans

Some employers request an exemption from the PFML program offered by the state.

- These employers are still required to follow the PFML law by providing benefits through an insurance carrier or a self-funded plan.
- The benefits of the private plan must be as good or better than the state plan.

If you want to apply for benefits, **you need to know if your employer participates in the state plan or has a private plan so that you apply to the correct program.** If you apply to the state program when you have a private plan, you will receive a denial letter from the state program.



What is PFML?

Excluded Employers

Not all employment is covered by the PFML law. Unless they have opted into the program, excluded employers include:

- Municipalities
- Churches/certain religious organizations
- Certain work performed for family members
- Independent Contractors
- Certain commission-only salespeople and brokers
- Newspaper delivery and sales by minors

Federal workers are typically not eligible for PFML benefits.



PFML for Self-Employed Individuals

If you're a self-employed individual, you can choose to participate in PFML.

To opt into PFML if you are self-employed, you need to do three things:

1. Complete DFML's [Self-Employed Notice of Election](#).
2. Fill out the [Self-employed or Statutorily Excluded Employers Opt-in Request Form](#) and attach your completed Self-Employed Notice of Election to the form.
3. After you have submitted both forms, you will need to create a PFML account through the [Massachusetts Department of Revenue's MassTaxConnect](#) system. For step-by-step guidance, please visit: [Opt in and contribute to Paid Family and Medical Leave as a self-employed individual](#).

Once enrolled in the program, you'll be required to remain enrolled for at least 3 years.

During this time, you'll be required to file quarterly earnings reports and submit the full quarterly contribution payments for both family and medical leave based on your earnings.



PFML Employer Responsibilities

All Massachusetts employers (including exempt employers) are required to distribute certain information to their employees under the Paid Family and Medical Leave (PFML) law.

This includes:

- Workplace poster that explains the benefits available to you.
- Workforce notices that give details on your benefits, including private plan information if applicable.
- The poster and notice must be available in English and each language which is the primary language of 5 or more individuals in the workforce.

[You can report employers who fail to notify their employees.](#)

Employers are also responsible for contributions and timely review of employee applications.

Eligibility



Who is eligible for PFML?

Factors for eligibility include:

- You must have a qualifying reason, for example a serious health condition that prevents you from working or a family member with a serious health condition who needs your care.
- You must meet the financial eligibility test.
- You must work in Massachusetts for an employer who is not excluded.



What is a Serious Health Condition?

A serious health condition is a **physical or mental condition** that prevents you, or the family member you are caring for, from working for more than 3 consecutive days, and requires ONE of the following:

- Overnight stay in a medical facility, or
- 2 or more treatments by a health care provider within 30 days of injury or illness or
- 1 treatment with plans for continued treatment



What is the Financial Eligibility Test?

When applying, you must meet both DFML financial eligibility requirements. Financial eligibility is determined by the following criteria:

1. Did you earn more than the minimum threshold, \$6,300 for 2025 and 2026, in the last four completed quarters?
2. Did you earn more than 30 times your benefit rate?

[More info on minimum earnings requirement](#)



Weekly Benefit Amount

The [benefit rate](#) is calculated based on two factors:

- Your “**individual average weekly wage**” (IAWW). The IAWW is the average amount you earned per week in the two quarters (during the previous year) when you earned the most money.
- The “**state average weekly wage**” (SAWW) is a fixed amount established by the commonwealth of Massachusetts every calendar year.

For **2025**, the state average weekly wage is \$1,829.13 and the **maximum weekly benefit rate** is **\$1,170.64**.

For **2026**, the state average weekly wage is \$1,922.48 and the **maximum weekly benefit rate** is **\$1,230.39**.

DFML provides [a calculator to help you estimate your IAWW and your weekly benefit amount](#). The calculator is provided for estimation purposes only and is not a guarantee of weekly benefits.

You can choose to receive payment benefits by direct deposit, by check, or on a prepaid Visa® debit card.



Uses of Paid Time Off (PTO)

Although your employer cannot force or require you to use your accrued vacation pay, sick pay, or other paid leave provided under your employer's policy (collectively, "Paid Time Off" or "PTO"), there are two ways that you can elect to use your PTO:

Scenario #1: In most cases, when you begin your paid leave there is a "waiting period" of 7 calendar days before you will start getting payments. If you have a 12-week leave, you will only be paid for 11 of those 12 weeks. However, you can elect to use your PTO so that you can be paid during this "waiting period."

Scenario #2: You can elect to use your PTO to supplement your weekly PFML benefit, up to your Individual Average Weekly Wage (IAWW). This practice is referred to as "topping off."

Example: If your IAWW is \$2,000 and you have an approved PFML application that pays \$1,100 per week, you may top off that amount with PTO up to \$900 per week, if available.

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How to Apply



Multilingual Application Website

The application for PFML is available online in English, Spanish, Portuguese, Vietnamese, French, Chinese and Haitian Creole. An applicant can receive notices and notifications in one of the above languages.

They can also fill out an application in English, Spanish, or Portuguese by calling the Contact Center Monday-Friday, 8 a.m. - 4:30 p.m. at [\(833\) 344-7365](tel:(833)344-7365)

Interpretation services are available in over 240 languages.



How to apply for medical and family leave

1. Notify your employer 30 days in advance, if possible.
2. Check if your employer participates in the MA PFML program or has a private PFML plan.
3. If your employer participates in the state program, you can complete an application online at paidleave.mass.gov
4. Provide proof of [identity](#)
5. Provide ONE of the following documents for your leave:
 - Medical leave for pregnancy or recovery from childbirth: [Certification of your Serious Health Condition form](#)
 - Family leave to bond with a child: [proof of your child's birth or placement](#)
 - Family leave to care for a seriously ill child: [Certification of Your Family Member's Serious Health Condition form](#)



Application Timeline

Step 1:	Step 2:	Step 3:	Step 4:	Step 5:
Employee prepares to apply	Employee completes the application	Employer review the employee application	Review of documentation and reaching a decision	Payment is sent
Varies	Up to 30 minutes	10 business days	Up to 14 calendar days	2-4 weeks
<p>Employees need to give their employer at least 30 days notice before the anticipated start date of the leave. If they are taking leave for an unexpected event, employees need to notify their employer as soon as possible.</p> <p>Then, they should gather the documents and information they need.</p>	<p>The timeline for finishing an application is dependent on having the required information and documentation ready.</p> <p>“Complete” means the employee has submitted the application, including a color copy of their ID and other documentation as required based on their leave type.</p>	<p>After an application has been submitted, DFML will notify the employer and ask them to review it.</p> <p>The employer will then have 10 business days to complete this review, DFML will make a decision on the application using the information the employee provided.</p>	<p>DFML will review the application and decide within 14 calendar days. DFML may reach out to an employee for additional information of clarification of evidence submitted.</p> <p>If an employee disagrees with the decision, they have 10 calendar days to file an appeal.</p>	<p>Once an application is approved, the employee can expect weekly payments to begin 2-4 weeks after their leave begins.</p> <p>For most leaves, there is a 7-day waiting period before benefit payments start. Once payments have started, you can log into your account and check your payment status each week.</p>



Appeals

How to Appeal a PFML Decision

Visit www.mass.gov/how-to/appealing-a-paid-family-or-medical-leave-decision

The DFML Appeals Department strives to resolve as many appeals of PFML initial determinations as efficiently as possible.

Decisions are made in accordance with relevant laws and agency procedure, and in the applicant's favor whenever possible, while ensuring the integrity of the PFML Trust Fund.

Although legal representation is not required, an individual may be represented at the hearing by an attorney or an agent. If they cannot find an attorney to represent them, they may meet the criteria for obtaining legal assistance. Visit www.mass.gov/service-details/finding-legal-help for more information on free legal services.

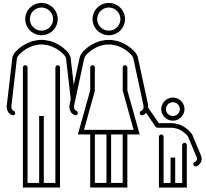
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Leave Examples



Caring for a family member with a serious health condition



Alex and Lee have a child with a serious health condition. The child's grandparent is retired and able to provide much of the daily care that the child needs.

For times that the grandparent is not available, Alex and Lee use PFML to care for their child. Alex and Lee are each able to use up to 12 weeks of caring leave per benefit year and they can combine different leave schedules.

Alex is approved for intermittent leave for up to four days per month to care for their child when unexpected medical needs arise. Alex also took continuous leave for three weeks to care for their child while the child's grandparent was traveling.

Lee is approved for reduced leave to care for their child. Lee has an approved reduced leave schedule to use leave every Tuesday and Thursday afternoon. This allows Lee to care for their child when the grandparent is not available.



Caring for a family member who served in the military and has a serious health condition

Ryan served in the military and was deployed on active duty when he was seriously injured. Ryan recovered from his physical injuries however; he also suffered from PTSD.

Ryan's partner, Sarah took 6 weeks of PFML to manage the household when Ryan was deployed. Now, she wants to take time off to care for Ryan while he receives treatment for his PTSD. She wants to be able to continue to work while caring for Ryan, so she applies for a reduced leave schedule.

Sarah is approved for reduced leave and will take off Monday, Wednesday and Friday every week. Since Ryan sustained his injuries while deployed, Sarah is eligible to take up to 26 weeks of family leave to care for Ryan, but she has already used 6 weeks. She is approved for 20 weeks which exhausts her ability to take additional leave for the remainder of the benefit year.



Caring for your own serious health condition

Chris is self-employed and opted in to the PFML program. Chris has a child with a health condition that requires ongoing care. Other family members provide daily care for the child while Chris works.

The stress of working and having a child with serious health needs contributes to Chris developing anxiety and other mental health conditions. Chris's health care provider determines that Chris has a serious health condition. The health care provider recommends that Chris take time off to receive behavioral health treatment.

Chris applies for continuous leave for 16 weeks to care for their own serious health condition.



Combining Medical and Family Leave to Bond with a Child



Cameron is having their first child and needs 6 weeks of medical leave prior to giving birth due to complications.



After the birth of their child, Cameron's health care provider prescribes 8 weeks of recovery time because they had a C-section.

Cameron is eligible to take 12 weeks of family leave to bond with the child before hitting the 26-week maximum.

If Cameron has a partner, they may be eligible to take 12 weeks of family leave before the child's first birthday.

Cameron: 6 weeks prenatal medical leave + 8 weeks postnatal recovery medical leave + 12 weeks family leave to bond with the child = 26 weeks total leave



Combining Medical Leave and the Two Different Types of Family Leave



Morgan is having their first child and needs 6 weeks of continuous medical leave prior to giving birth due to complications with their pregnancy.

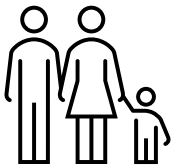


Morgan's partner is taking 6 weeks of family leave to care for Morgan before they give birth.



After the birth of the child, Morgan will need 8 weeks of recovery time because of a planned C-section. Morgan takes 14 weeks of medical leave (6 weeks prenatal + 8 weeks postnatal recovery).

Morgan is eligible to take 12 weeks of family leave before hitting the 26-week maximum.



Their child needs long term medical care, so Morgan's partner will take the remaining 6 weeks of family leave to care for the child. (6 weeks + 6 weeks = 12 weeks maximum)



Resources

Visit mass.gov/dfml

DFML Contact Center (833) 344-7365

For questions about Benefits and Eligibility:

- Hours of operation are Monday through Friday, 8am to 4:30pm.
- Get answers to your questions in English, Español, and Português.
- Interpretation services for up to 240+ languages are also available.