


PAID FAMILY
AND MEDICAL
LEAVE



Massachusetts Paid Family and Medical Leave

2023 Employee Guide



Underwritten by
United of Omaha Life Insurance Company
A Mutual of Omaha Company

Paid Family and Medical Leave is a mandatory benefit for most employees in Massachusetts.

This guide includes helpful information about what Paid Family and Medical Leave is, who is eligible and how it coordinates with other leave plans.

What is Paid Family and Medical Leave?

Paid Family and Medical Leave allows employees working in Massachusetts paid leave away from work for certain qualifying events. Benefits are available as of January 1, 2021, including paid medical leave to manage your own serious health condition, paid family leave to manage family affairs while a family member is on active duty overseas, paid family leave to care for a family member who is a covered service member, and paid family leave to bond with a child newly born, adopted, or placed in foster care.

This PFML program allows you to take paid leave for the following:

Medical Leave

- Recover from a serious illness or injury
 - Your own serious health condition, illness or injury that causes you to be unable to work.

Family Leave

- Bond with child after a birth or adoption, or fostering a new child
 - Must be completed within 12 months of birth or placement via adoption or foster care
- Care for a covered service member
 - Care for a *family member who is or was a covered service member of the Armed Forces and who requires medical care as a result of an illness or injury related to the family member's active service.
- Attend to family matters if a *family member is called to active military duty
 - Provides leave for you to attend to family needs related to your *family member's active duty or notice of an impending call or order to active duty in the Armed Forces.
- Provide care for your family member's serious health condition, illness or injury that causes them to be unable to work.



***Family members include those listed below:**

- Domestic Partner
- Child
- Parent/Parent of Spouse or Domestic Partner
- Spouse
- Sibling
- Grandparent
- Grandchild

Massachusetts Benefits Overview

✓ Weekly Benefit Calculation:

- The portion of your Average Weekly Wage that is equal to or less than 50% of the State Average Weekly Wage is paid at a rate of 80%.
- The portion of your Average Weekly Wage that is more than 50% of the State Average Weekly Wage is paid at a rate of 50%.
- The SAWW for benefits paid in 2023 is \$1,765.34. This means for the benefit calculation 50% of the SAWW equals \$882.82
- Maximum Weekly Benefit: \$1,129.82 (Calendar Year 2023)

✓ Maximum Benefit Durations per Benefit Year:

- Up to 12 weeks of family leave (includes active duty family military leave, bonding time, and caring for a seriously ill family member)
- Up to 20 weeks of medical leave for your own serious health condition
- Up to 26 weeks of caregiver benefit for service member
- Up to 26 weeks total combination of paid family and medical leave

Who Is Eligible for MA PFML?

- ✓ If you're working in the state of MA
- ✓ You must have earned at least \$6,000 preceding the date you apply for leave
- ✓ Part-time and seasonal employees are typically eligible for PFML

Is There a Waiting Period?

There is a waiting period of 7 continuous calendar days. The waiting period is waived only when transitioning immediately from medical leave to family leave. For example, if you're claim began January 1st, your waiting period would be from January 1st to January 7th. And benefits would begin on January 8th.

Family and Medical Leave Act (FMLA) and MA PFML

FMLA is a federal unpaid leave program, whereas MA PFML is paid leave for employees working in the state of Massachusetts. The leave programs have similarities, and if you qualify for leave under both programs the leaves will run concurrently. A few key similarities and differences between MA PFML and FMLA:

MA PFML	FMLA
Paid Leave	Unpaid Leave
Job protected leave	Job protected leave
Applies to most employers with employees working in Mass.	Only applies to employers with 50 or more employees
12 weeks family leave, 20 weeks medical, 26 weeks for servicemember care, and a 26 week maximum combined PFML leave	12 weeks leave for more reasons, 26 weeks of leave for servicemember care
Eligible once earned 30X the weekly unemployment you are entitled to, and \$6,000 in the last 4 completed calendar quarters	Eligible for leave after 12 months of employment with your employer and 1,250 hours in the past 52 weeks
State Leave	Federal Leave

How Does MA PFML Coordinate With Other Leave Benefits?

MA PFML and short-term disability both provide paid leave benefits for eligible employees but differ in the following ways:

- ✓ MA PFML is a mandatory benefit for most Massachusetts employees; short-term disability is an employer-sponsored benefit.
- ✓ Each program provides benefits for similar reasons such as an employee's injury, illness or pregnancy; however, criteria to qualify for these benefits vary. This difference may result in scenarios where your health event may qualify you for benefits under one program but not the other.
- ✓ Medical Leave benefits are available on an intermittent basis when medically necessary; STD programs require either a continuous or part-time period of disability.
- ✓ MA PFML has a waiting period of 7 continuous calendar days for benefits; elimination periods for short-term disability can differ depending on the employer-sponsored plan.

When Can An Employee Take Intermittent or Reduced Leave?

Type of Leave	Intermittent/Reduced Allowed
Bonding	If Employee and Employer agree
Family Member Care	If the health care provider determines it is medically necessary
Service Member Care	If the health care provider determines it is medically necessary
Qualifying Exigency	Intermittent or reduced leave is allowed
Own Health Condition	If medically necessary and upon request, the employee must advise the employer the reasons why the intermittent/reduced leave schedule is necessary and of the schedule for treatment, if applicable. The employee and employer must attempt to work out a schedule for such leave that meets the employee's needs without unduly disrupting the employer's operations, subject to the approval of the health care provider.

Job Protection

Leave under MA PFML is job protected. If you take leave you will be restored to your previous position or to an equivalent position, with the same status, pay, Employment Benefits, length-of-service credit and seniority as of the date of leave.

Vacation, PTO, and other Accrued Leave

If your employer allows, the Mutual of Omaha plan can top-off benefits with accrued leave, such as PTO. If you choose to use accrued leave in place of MA PFML, it will run concurrently with MA PFML. This means you will receive the job protection under MA PFML. Mutual's policy will allow you to use accrued leave to supplement the waiting period. The state has indicated under their plan, an employee is ineligible for MA PFML benefits if the employee takes accrued leave.

How Can an Employee Calculate Their Benefits?

An employee can use the state calculator to estimate their MA PFML benefits.



<https://calculator.digital.mass.gov/pfml/yourbenefits/>

How to Submit a Claim

If you plan to take a qualified paid leave, you are expected to provide notice to your employer at least 30 days in advance for foreseeable events, or as soon as practicable for unforeseen leaves.

To file a claim simply:

- Visit **www.mutualofomaha.com/support/forms** and locate the Paid Family and Medical Leave form.
- You have three options available to submit a claim:



Telephonically: 1-833-928-2179



Email: Scan completed and signed forms and email to: **submitgroupPFML@mutualofomaha.com**



Mail completed forms to:

Mutual of Omaha Insurance Company
Group Insurance Claims
3300 Mutual of Omaha Plaza
Omaha, NE 68175-0001

How to Report PFML Time through the Employee Portal

Our employee portal makes it quick and easy to report Paid Family and Medical Leave time.

To submit MA PFML time through our employee portal, you must have a PFML claim already created. After clicking into a specific claim, you'll enter how much time was taken. Depending on how many days were taken, you'll be asked a series of questions to accurately report your time.

To report PFML time through our employee portal, visit www.mutualofomaha.com/my-benefits.