

## MA Paid Family and Medical Leave

Your Rights and Obligations under the [Massachusetts Family and Medical Leave Law](#).

Simmons University	Christina Webber (employer contact)
300 The Fenway, Boston, MA 02115	EMPLOYER FEIN 04-2103629

### EXPLANATION OF BENEFITS

- You may be entitled to up to:
  - 12 weeks of paid family leave in a benefit year for the birth, adoption, or foster care placement of a child, to care for a family member with a serious health condition or because of a qualifying exigency arising out of the fact that a family member is on active duty or has been notified of an impending call to active duty in the Armed Forces;
  - 20 weeks of paid medical leave in a benefit year if you have a serious health condition that incapacitates you from work;
  - 26 weeks of paid family leave in a benefit year to care for a family member who is a covered service member undergoing medical treatment or otherwise addressing consequences of a serious health condition relating to the family member's military service.
  - 26 total weeks, in the aggregate, of paid family and medical leave in a single benefit year.
- For 2024, your weekly benefit amount will be based on your earnings, with a maximum benefit of \$1,149.90 per week.
- For applications filed on or after November 1, 2023, employees receiving PFML benefits may supplement (or "top off") their PFML benefits with any available accrued paid leave (sick time, vacation, PTO, personal time, etc.). For employees who choose to supplement their PFML benefits in this way, the combined weekly sum of PFML benefits and employer-provided paid leave benefits cannot exceed the employee's Individual Average Weekly Wage (IAWW). Employers will be responsible for monitoring and ensuring that the combined weekly sum of employer-provided paid leave benefits and PFML benefits does not exceed an employee's IAWW. Employers are also responsible for managing any payments made to an employee that exceed the employee's IAWW. The Department is not involved in the repayment process for top off overages. This process is solely the responsibility of the employer and the employee.

## JOB PROTECTION, CONTINUATION OF HEALTH INSURANCE, NO RETALIATION

- **Job Protection:** Generally, if you take family or medical leave under the law you must 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.
- **Continuation of Health Insurance:** Your employer must continue to provide for and contribute to your employment-related health insurance benefits, if any, at the level and under the conditions coverage would have been provided if you had continued working continuously for the duration of such leave. If your health insurance is continued during your leave, you must continue to submit payments equal to the contribution levels required while you are actively at work.
- **No Retaliation:** It is unlawful for any employer to discriminate or retaliate against you for exercising any right to which you are entitled under the paid family and medical leave law. An employee or former employee who is discriminated or retaliated against for exercising rights under the law may, not more than three years after the violation occurs, institute a civil action in the superior court.

## FILING A CLAIM

Please reach out to [Benefits@Simmons.edu](mailto:Benefits@Simmons.edu) for instructions on filing a claim for MA PFML. When able, you are required to provide 30 days' notice of your need for leave. If you are unable to provide 30 days' notice due to circumstances beyond your control, you must provide notice as soon as practicable, and in any event, before you file any application for benefits.

## PRIVATE PLAN EXEMPTION

In accordance with M.G.L. c. 175M, an employer that offers paid leave with benefits that are at least as generous as those provided under the law may apply for an exemption from paying the Department of Family and Medical Leave Family and Employment Security Trust Fund contribution.

We have secured an exemption for our Paid Medical Leave plan, and it will be administered by Unum. Our Paid Family Leave plan will be insured by the State of MA.

## 2024 MA PFML TOTAL CONTRIBUTION RATES

Family Leave Contribution	Medical Leave Contribution	Total Contribution Amount
0.18% of earnings	0.70% of earnings	0.88% of earnings
<i>Rates are effective January 1, 2024–December 31, 2024. Rates are subject to change annually.</i>		
<i>Contributions are calculated based on the above percentages of your W-2 and/or 1099 earnings in accordance with the law. Contributions are applied each pay period until wages meet, or exceed, the calendar year Social Security wage base. The Social Security Administration (SSA) has determined that the wage base subject to the tax will be \$168,600 in 2024.</i>		

## EMPLOYEE CONTRIBUTIONS

Medical Leave Plan		
Employee Contribution	0.28% of eligible wages	Effective January 1, 2024

Family Leave Plan		
Employee Contribution	0.18% of eligible wages	Effective January 1, 2024

The costs outlined above are structured to comply with the regulations relative to the Massachusetts Family and Medical Leave Law, M.G.L. c. 175M. The amount you are required to pay is an amount that is equal to, or less than, the amount you would be required to pay if we chose to participate in the public program managed by the MA Department of Family and Medical Leave (DFML). The Department can be contacted at:

The Massachusetts Department of Family and Medical Leave  
Charles F. Hurley Building  
19 Staniford Street, 1<sup>st</sup> Floor  
Boston, MA 02114  
617-626-6565  
[mass.gov/DFML](https://mass.gov/DFML)