Massachusetts Paid Family and Medical Leave Law

The Massachusetts Paid Family and Medical Leave (MAPFML) law creates a state insurance program that provides Massachusetts workers with paid leave to welcome a new child, for their own serious illness or injury, to take care of a sick relative, or in relation to certain military-related circumstances.

Employers and Businesses Compliance with the Law

- Mandatory for any employer that employs one or more Massachusetts employees
- Self-employed individuals are can elect coverage for an initial minimum period of 3 years and cannot collect benefits until they have contributed premium for at least 2 calendar quarters

Effective Date

- The effective date is July 1, 2019. Workers will not be eligible to take paid family and medical leave until 2021.

Employer and Employee Contribution Rates

- Combined 0.63% of the maximum taxable earnings as established by the Social Security Administration (currently $132,900)

<table>
<thead>
<tr>
<th>Employers with 25 or More Employees</th>
<th>Medical Leave</th>
<th>Family Leave</th>
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</thead>
<tbody>
<tr>
<td><strong>Employer</strong></td>
<td><strong>Employee</strong></td>
<td><strong>Employer</strong></td>
</tr>
<tr>
<td>Minimum Share – 60%*0.52% of Payroll = 0.31%</td>
<td>Maximum Share – 40%*0.52% of Payroll = 0.21%</td>
<td>Minimum Share = $0</td>
</tr>
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<table>
<thead>
<tr>
<th>Employers with Fewer Than 25 Employees</th>
<th>Medical Leave</th>
<th>Family Leave</th>
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<td><strong>Employer</strong></td>
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</table>
Exempt from Paying

| Exempt from Paying | Maximum share – 40%* 0.52% of Payroll = 0.21% | Minimum Share = 0% | Maximum Share – 0.11% of Payroll |

**Exemptions for Approved Private Plans**

- Private plans with benefits offered to employees greater than or equal to the MAPFML benefits may be granted an exemption

- Annual exemptions can be applied for through MassTaxConnect account beginning April 29

**Types of Leave Covered**

**Family leave** – Up to 12 weeks of family leave may be taken to:

- Care for a family member with a serious health condition
- Bond with a child within the first 12 months after its birth
- Bond with a child within the first 12 months after adoption or foster care placement
- Manage family affairs when a family member is on active duty in the armed forces

**Medical leave** – Up to 20 weeks of medical leave may be taken while employee is unable to work due to their own serious health condition

**Workers Eligible for Benefits**

- Employees working for a Massachusetts business or a state or federal governmental agency
- Employees whose employer doesn’t offer a private paid leave plan with benefits that are equal to or greater than the state’s coverage
- Independent contractors performing work for a business that issues 1099-MISC tax forms for more than 50 percent of its workforce
- Self-employed individuals
- Earnings requirements – employees must have:
  - Approximately 15 weeks or more of earnings
  - Earned at least $4,700 in the previous 12 months

**Maximum Amount of Paid Leave Available**

- Family leave – up to 12 weeks
- Medical leave – up to 20 weeks
- Combined – up to 26 weeks

**Weekly Benefits**
• Equal to 80% of employee’s average weekly wages for wages up to 50% of the Massachusetts’ average weekly wage; maximum weekly benefit starting January 31, 2021 is $850

**Notice Requirements**

Employers must notify their workforce about the MAPFML program, including its benefits and protections that apply to them. This notification includes:

- Displaying the MAPFML poster in a highly-visible location; available [here](#)
- By June 30, 2019 provide written notice of contributions, benefits, and workforce protections to Massachusetts W2 employees and Massachusetts 1099-MISC contractors. The state has posted notices for employees and independent contractors, which are available for download [here](#)
- Collecting signed acknowledgments of receipt of such notice from Massachusetts W2 employees and Massachusetts 1099-MISC contractors

**Timeline**

<table>
<thead>
<tr>
<th>Date</th>
<th>Requirements</th>
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<tbody>
<tr>
<td>April 29, 2019</td>
<td>Employers can begin to apply for annual exemptions</td>
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<tr>
<td>June 30, 2019</td>
<td>Employers and other covered entities must provide written notice to current employees and other covered individuals (both W-2 and 1099-MISC workers) of their rights and obligations under the MAPFML law and obtain signed acknowledgements. For newly hired employees, notice must be provided within 30 days of hire; for 1099-MISC workers, notice must be provided upon entering into a contract for service.</td>
</tr>
<tr>
<td>July 1, 2019</td>
<td>Final regulations issued. Employers begin making payroll deductions to fund employees’ share of contributions. Deductions from payments made to independent contractors also begin. Employers and other covered entities must display the state provided MAPFML poster in a conspicuous location.</td>
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<tr>
<td>September 20, 2019</td>
<td>Deadline to file for and receive a private plan exemption before making the initial contribution.</td>
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<tr>
<td>October 31, 2019</td>
<td>1st quarterly contribution and report due – July-September</td>
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<td>Date</td>
<td>Description</td>
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<tr>
<td>January 1, 2021</td>
<td>Available paid family leave benefits – bonding with a new child, addressing needs related to a family member who is a covered service member of the Armed Forces and leave resulting from personal serious health conditions</td>
</tr>
<tr>
<td>July 1, 2021</td>
<td>Expansion of available paid family leave benefits – in addition to the above benefits, benefits become available for care for any family member with a serious health condition</td>
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Please contact your Oswald client team representative for further information.

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