

# Fact Sheet: Paid Family and Medical Leave (PFML)

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## What is the PFML?

Paid Family and Medical Leave (PFML), signed into law in 2018 and funded by both employers and employees, is a benefit program for Massachusetts workers offered by the Commonwealth. While similar in its basic design to the federal FMLA Program, which was signed into law in 1993, there are some significant differences. Most critically, PFML offers paid leave, thereby making it far more accessible to workers in Massachusetts than the FMLA, which offers only unpaid leave.

## Who is Eligible for PFML?

Almost all private sector employers in Massachusetts must comply with the PFML program. State employees are automatically eligible for the program. Municipal employees, however, are only eligible if their employer has opted in. To receive paid leave under PFML, an employee must have earned a minimum amount over the previous 12 months. That amount changes slightly each year – in 2024 the amount was \$6,300. PFML eligibility is not dependent on how long an individual has worked for a current employer.

## What is the Benefit?

PFML provides Massachusetts employees with up to 12 weeks of job-protected, paid family leave, up to 20 weeks of job-protected, paid medical leave, or up to 26 weeks of combined family and medical leave in a benefit year. Your benefit year is unique to you and begins the Sunday before your first day of leave. There is normally a seven-day waiting period before paid benefits begin after you start your leave. You may take PFML to:

- Care for your own serious health condition (up to 20 weeks)
- Care for a family member with a serious health condition (up to 12 weeks)
- Bond with your child during the first 12 months after birth, adoption, or placement (up to 12 weeks)
- Care for a family member who was injured serving in the armed forces (up to 26 weeks)
- Manage affairs while a family member is on active duty (up to 12 weeks)

PFML may involve continuous, reduced or intermittent leave. Continuous leave is when you are taking leave from work completely for days or weeks at a time. Reduced leave is when you have a reduced work schedule that is consistent from week to week. Intermittent leave is when you take leave here and there, often in unpredictable intervals. You can combine the different types of leave to meet your needs.

As is the case with the FMLA, employers are required to maintain your health insurance at the same levels you had prior to going on PFML. Upon your return to work, you must be returned to your previous position, or a position of similar responsibility and compensation.

### **How does FMLA Interact with my Collective Bargaining Agreement (CBA)?**

Your CBA may provide leave benefits (such as paid vacation, sick time, personal time, etc.) that exceed the benefits provided by PFML. That is perfectly fine. However, if your CBA provides lesser benefits than those provided by PFML, the PFML law supersedes the CBA. Neither your CBA nor your employer can reduce the benefits provided by PFML, provided you are eligible. Note that some employers have the option to purchase a disability leave insurance policy in lieu of participating in the PFML program. This is also perfectly fine, provided that the benefits in the insurance program meet or exceed the PFML benefits.

*Note that members who avail themselves of the optional insurance plans offered by Membership Benefits (such as AFLAC), cannot use those benefits in conjunction with PFML. Reach out to your Membership Benefits broker if you have questions about compatibility with PFML.*

### **How Much Do I Get Paid While on PFML?**

PFML provides partial wage replacement up to a maximum cap, similar to unemployment insurance. The specific amount will be unique to each individual situation. You can use this [Benefits Calculator](#) to estimate your specific benefit. For employees who have vacation, personal, sick or other appropriate leave benefits either through their CBA or their employer's leave policy, you can use those leave benefits to "top off" your PFML benefit, so you are paid your regular salary for as long as your PFML and other leave benefits last.

### **Additional Information**

The PFML is a complex law with a lot of nuance. Fortunately, the Commonwealth provides a comprehensive website on the program, and you should definitely review the site if think you might need PFML. You can also reach out to your Local President or AFSCME Staff Representative for help in talking with your Human Resources Department about your need for PFML.

**If you need help accessing PFML  
leave, reach out to your  
Local President or AFSCME Staff  
Representative.**