Paid Family and Medical Leave

April 24, 2019

On June 28, 2018, Massachusetts Governor Charlie Baker signed a new comprehensive law that will require that employees in Massachusetts receive paid family and medical leave. Previously, Massachusetts employees were only afforded unpaid leave for family and medical issues, usually stemming from either the MPLA, the Massachusetts Parental Leave Act (formerly the MMLA, Massachusetts Maternity Leave Act) or from the Federal FMLA, Family Medical Leave Act.

The new act will allow for employees to receive a portion of their pay for up to twelve (12) weeks of paid leave to care for an ill family member or for the birth (or adoption) of a child. The act will also allow for up to twenty (20) weeks of paid leave to care for their own serious medical issues. The benefit amount will be determined based upon a percentage of the employee's weekly income, but will not exceed $850.00 per week.

While the law has been signed into law the formalities of the new act have yet to implemented. On March 31, 2019 the first set of proposed regulations will be published which will allow for more guidance on how the new law will affect employers. On or about July 1, 2019, the Commonwealth will begin collecting a new payroll tax of 0.63% to help pay for this very generous benefit. Employees will be able to utilize this new benefit beginning January 1, 2021.

In addition to creating paid family and medical leave, the act also places a strong retaliation

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provision for employers who unfairly retaliate against an employee for engaging in this new program.

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