Client Alert: 2025 Changes to Massachusetts Paid Family and Medical Leave (MA PFML)

BY DANIELLE JUREMA LEDERMAN AND CHELSIE A. VOKES • NOVEMBER 18, 2024

Important updates to the Massachusetts Paid Family and Medical Leave ("MA PFML") law are going into effect January 1, 2025. Employers should take steps now to provide their current employees with notice of these changes by **December 2, 2024**. Additionally, the Department of Family and Medical Leave ("DFML") has amended its sample employee notices to clarify its revised stance on topping off PFML leave.

CONTRIBUTION RATES AND REVISED BENEFITS FOR 2025 MA PFML

Maximum weekly benefits under the MA PFML are increasing from $1,149.90 to $1,170.64 per week. In comparison, contribution rates will stay the same:

- For employers with 25 or more covered individuals, the employer contribution rate will still be 0.88% of eligible employee wages (comprised of 0.70% for medical leave and 0.18% for family leave).
- The employer contribution rate for employers with fewer than 25 covered individuals will remain at 0.46% of covered wages (comprised of 0.28% for medical leave and 0.18% for family leave).

NEW APPROACH TO TOP OFF DEFERS TO EMPLOYER'S POLICY

The DFML's 2025 sample notices include revised language reflecting the DFML's updated FAQ, released earlier this year. Copies of sample notices can be found here.

In the revised FAQ, the DFML clarified that an employer's policy determines whether and how an employee can accrue and use paid time off during leave, so long as the policy does not discriminate against an employee for exercising their PFML rights. This was a departure from the DFML's prior FAQ, which required employers to permit employees to top off their PFML benefits with accrued paid time off.

REVISED EMPLOYEE NOTICES

Employers are required to communicate 2025 changes to their current employees **by December 2, 2024** (30 days before the January 1, 2025 effective date).

As a reminder, in addition to providing current employees with 2025 notices, employers are required to provide notice to all *new* employees within 30 days of their hire. All notices may be provided in hard copy or electronic form. The notices must include the opportunity for the employee to acknowledge or decline receipt and employers should retain such forms per their internal document retention policy.

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Employers are also required to display posters setting forth MA PFML benefits at their workplace. An acceptable form of the 2025 MA PFML mandatory workplace poster can be found here.

This alert aims to provide an overview of the recent updates and changes to the Massachusetts Paid Family and Medical Leave law. Employers with questions about how to comply with these changes should consult their Bowditch attorney.

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