



## MASSACHUSETTS PAID FAMILY AND MEDICAL LEAVE POLICY

This policy is designed to provide employees with information about Massachusetts Paid Family and Medical Leave (MA PFML) and how to apply for benefits.

### Eligibility

An employee of Sunshine Village is generally eligible for PFML if they meet the criteria set forth by the Department of Family Medical Leave. The PFML law covers most employees who have earned at least \$5,700 over the past 4 calendar quarters. In addition, the employee must have earned at least 30 times the benefit amount that they are eligible for.

### PFML Entitlement and Paid Weekly Benefit

Under the Massachusetts Paid Family and Medical Leave (PFML) law, starting January 1, 2021, an employee may take:

- up to 12 weeks of PFML per benefit year for the birth, adoption, or foster care placement of a child, 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;
- up to 20 weeks of PFML per benefit year to care for the employee's own serious health condition that incapacitates them from work; and
- up to 26 weeks of PFML per benefit year to care for a family member who is a covered service member with a serious health condition.

Starting July 1, 2021, an employee may take up to 12 weeks of PFML per benefit year to care for a family member with a serious health condition.

An employee may be eligible for up to 26 total weeks, in the aggregate, of PFML in a single benefit year. PFML will run concurrently with all other applicable leave, including but not limited to FMLA Leave and/or Parental Leave, if applicable.

An employee cannot "top off" PFML benefits with accrued Paid Time Off. If the employee chooses to use Paid Time Off to receive compensation for their time on leave, they may do so at the beginning and/or at the end of the leave and must instruct payroll to pay the PTO time. Compensation from PTO during the leave may disrupt payment from the state.

Employees may find more information about filing a claim by contacting Human Resources, or visiting [www.mass.gov/dfml](http://www.mass.gov/dfml). Sunshine Village does not carry a private plan; applications for leave must be completed on the Department of Paid Family Medical Leave's website.

#### Notice and Intermittent Leave

An employee must provide Human Resources with notice of the anticipated start date of PFML, the anticipated length of PFML, the type of PFML, and the employee's expected return date at least thirty (30) days in advance, or as soon as practicable.

Employees on intermittent leave are expected to make a reasonable effort to schedule treatments and appointments so as not to unduly disrupt Sunshine Village operations, subject to the approval of the employee's health care provider. In the case of PFML due to a qualifying exigency arising out of a family member's active duty or impending call to active duty in the Armed Forces, PFML may be taken on an intermittent or reduced leave schedule.

#### Employee Protections

Sunshine Village will not discriminate or retaliate against any employee for exercising their right to take PFML. The taking of PFML will not affect an employee's right to other employment benefits. During the duration of PFML leave, Sunshine Village will continue to provide for and contribute to the employee's employment-related health insurance benefits, at the level and under the conditions coverage would have been provided if the employee had worked continuously during the leave.

An employee who returns to work from PFML will be reinstated to their previous position or to an equivalent position with equivalent pay, status, employment benefits, and other employment terms and conditions. Sunshine Village is not required to reinstate the employee if other employees of equal length of service credit and status in the same or equivalent positions have been laid off due to economic conditions affecting employment during the period of leave.

If an employee takes PFML to care for the employee's own serious health condition, Sunshine Village may require the employee to obtain and provide a fitness-for-duty certification from the employee's healthcare provider, certifying that the employee is able to resume work.