Massachusetts Paid Family and Medical Leave (MA PFML) and Supplemental Medical Leave Policy

ABOUT

Effective Date: July 21, 2026

Policy Owner: Vice President for Human Resources

Governing Authority: Bylaws of the College

Regulatory Reference: N/A

Policy Category: Human Resources, Employment, and Benefits

PURPOSE

The College has established the following policy and procedures for eligible employees in compliance with the Massachusetts Paid Family and Medical Leave (MA PFML) law. Eligible employees may be entitled to take paid family and medical leave for qualifying reasons under the MA PFML law. Additionally, because the paid leave benefits provided under MA PFML law replace only a portion of an employee's weekly income based on a formula set by Massachusetts law, the College has established a Supplemental Medical Leave benefit in order to provide certain enhanced paid leave benefits to full-time, benefits-eligible staff employees who take MA PFML leave for their own serious health condition.

APPLICABILITY

Eligibility for Massachusetts Paid Family and Medical Leave (MA PFML)

All employees of the College, except those who are regularly employed in a state other than Massachusetts and who are not covered by the MA PFML law, are eligible for MA PFML from their first

day of employment. Although the MA PFML law also sets minimum financial eligibility requirements based on the employee's past earnings, these requirements have been waived by Sun Life Financial ("Sun Life"), the insurance company that is administering and funding MA PFML benefits for the College. In the event that financial eligibility requirements are reinstated, the College and/or Sun Life will provide notice to employees. Former employees of the College may also be eligible for MA PFML for up to 26 weeks following their separation from employment as determined in accordance with the MA PFML law.

Eligibility for Supplemental Medical Leave ("SML")

The College's Supplemental Medical Leave ("SML") benefits are available to non-faculty, benefits-eligible active employees who take a MA PFML leave for their own serious health condition. To be eligible for SML benefits, an employee must file a claim and be approved for MA PFML benefits. SML benefits are not available to employees who take a MA PFML leave to care for a family member. Nor are SML benefits available to former employees (although former employees may be eligible for MA PFML benefits for the 26 weeks following separation from the College).

DEFINITIONS

Serious Health Condition: A "serious health condition" for purposes of MA PFML is defined in 458 CMR 2.02 as an "illness, injury, impairment or physical or mental condition that involves: (a) inpatient care in a hospital, hospice or residential medical facility; or (b) continuing treatment by a health care provider." Additional related definitions and details are set forth in the regulation.

Serious health conditions may include:

- Pregnancy, including prenatal care and post birth medical recovery
- Chronic conditions that prevent an employee from working, have an extended duration, and require going to the doctor more than twice a year
- Permanent or long-term conditions that prevent an employee from working and will need ongoing attention but will not necessarily require active treatment
- Injuries or illnesses that prevent an employee from working and require multiple treatments, such as chemotherapy, kidney dialysis, or physical therapy after an accident

Sun Life will make determinations regarding whether an illness or injury qualifies as a Serious Health Condition under applicable law by assessing relevant certification(s) from your health care provider. Any questions or disputes regarding whether an illness or injury qualifies as a Serious Health Condition

should initially be directed to Sun Life. Employees with questions regarding any response from Sun Life may contact Human Resources.

Family Members: For the purposes of MA PFML family leave, “family members” are defined by applicable law and generally include an employee’s spouse, domestic partner, child, parent, grandchild, grandparent or sibling; the parent of your spouse or domestic partner; and guardians or other person who legally acted as a parent when you were a minor. Where a family member lives does not affect eligibility.

Child: A biological, adopted, or foster child, a stepchild or legal ward, a child to whom the employee stands in loco parentis, or a person to whom the employee stood in loco parentis when the person was a minor child, regardless of age or dependency status.

Any questions regarding whether a particular relative qualifies as a family member or child for purposes of MA PFML family leave should initially be directed to Sun Life, and Sun Life will make determinations regarding family leave eligibility. Employees with questions regarding any response from Sun Life may contact Human Resources.

POLICY STATEMENT

Qualifying Reasons and Time Periods for Leaves

Under the MA PFML law, employees may take paid leaves for the following purposes and time periods:

- Up to 20 weeks for the employee’s own serious health condition
- Up to 12 weeks to care for a family member with a serious health condition
- Up to 12 weeks for a parent or guardian to bond with a child during the first 12 months after the child’s birth, adoption, or foster placement
- Up to 12 weeks for a qualifying exigency of a family member who is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to cover active duty);
- Up to 26 weeks to provide care to a family member with a serious health condition suffered while on active duty in the armed forces

An employee may use a maximum combined total of 26 weeks of MA PFML leave for one or more of the above categories in a benefit year. A benefit year is a 12-month period measured from the Sunday immediately preceding the first date that an employee uses any leave for a MA PFML-qualifying reason, irrespective of whether the employee requests or receives MA PFML benefits. Thus, the

employee's available MA PFML leave in a given benefit year will be depleted by the amount of time an employee uses sick time or other paid time off for a MA PFML-qualifying reason, even if MA PFML benefits are not requested or received.

Intermittent leave (in increments of no less than one (1) hour) or a reduced schedule may be permissible where supported by an appropriate medical certification in connection with (i) the employee's own serious health condition; (ii) the need to care for a family member's serious health condition; or (iii) the need to care for an injured-service member with serious health condition.

Massachusetts-based employees are entitled to up to twelve (12) weeks of child bonding leave, which must be completed within one year of the child's birth, adoption or foster placement, consistent with the MA PFML law. Ordinarily, this leave must be taken in one continuous period of up to 12 consecutive weeks; however, if operational needs permit, the employee may request, and the employee's supervisor and/or department head may approve, that the leave be split into two separate periods of consecutive weeks.In no event may the child bonding leave (whether taken in one period or two separate periods) extend beyond the one-year anniversary of the child's birth, adoption or foster placement or exceed twelve (12) weeks in total.

Interaction with Other Leaves

Leave taken under the MA PFML law runs concurrently with the federal Family Medical Leave Act ("FMLA") leave, leave taken under the Massachusetts Parental Leave Act, leave taken by faculty members pursuant to the Statutes of the Faculty, and any other type of leave available under applicable law or College policies, to the maximum extent permitted by law. Employees may use sick leave, vacation, or other paid time off, where available and in accordance with applicable College policies, to "top off" MA PFML (and where applicable SML) benefits in order to receive full regular pay. As noted above, if sick leave or other paid time off is used for a MA PFML-qualifying absence, the time on leave will still reduce the MA PFML leave available to the employee in that benefit year.

Calculation of Benefit Amounts

Pursuant to a formula set by Massachusetts law, the amount of benefits an employee is eligible to receive for MA PFML is based on the employee's average weekly wage when applying for leave, and the average weekly wage for workers throughout Massachusetts.

- The part of an employee's average weekly wage that is less than or equal to 50% of the average weekly wage for Massachusetts workers will be covered at a rate of 80%.

- The part of an employee's average weekly wage that is greater than 50% of the average weekly wage for Massachusetts workers, if any, will be covered at a rate of 50%, up to the maximum allowed benefit amount.

The average weekly wage in Massachusetts is reevaluated each October and any new average will be established at that time. That new average weekly wage will be used to calculate new MA PFML benefit amounts, which will become effective on January 1 of the next year.

For an employee who takes leave on an intermittent or reduced schedule leave for any of the qualifying reasons set forth above, the weekly benefit will be reduced in direct proportion to the intermittent or reduced leave schedule.

For an employee whose work schedule varies from week to week, the minimum weekly benefit amount will be calculated based on the average number of hours worked in the two highest quarters of the twelve months preceding the application for benefits.

Please contact Sun Life (contact information below) if you have questions about your weekly MA PFML benefit amount or how it is calculated.

Seven-Day Elimination (Waiting) Period

With one exception, when an employee begins a MA PFML leave there is an "elimination period" (or waiting period) of seven calendar days before MA PFML benefits are available. Employees will not receive benefit payments during this waiting period. This seven-day period will count against the employee's total available leave in a benefit year.

During the seven-day waiting period, employees may use accrued sick or other available paid leave in order to be paid during the waiting period. Alternatively, for child bonding leave, the College's Parental Leave benefit provides benefit-eligible employees with their regular weekly pay during this seven-day period. Likewise, concurrent MA PFML leaves taken pursuant to the Statutes of the Faculty include regular weekly pay during this seven-day period.

Where the approved leave involves leave on an intermittent or reduced leave schedule, the waiting period consists of seven consecutive calendar days beginning on the first day of leave, not the aggregate accumulation of seven days of leave.

Effect of MA PFML on Employee Benefits and Accruals

All benefits in which an employee is enrolled will continue during any period leave under MA PFML, consistent with governing plan documents and applicable College policies. Normal benefit contributions, including for applicable retirement plans, will be deducted from any payments to the employee pursuant to MA PFML and, if applicable, the Supplemental Medical Leave policy. Vacation, floating holiday, and sick leave will continue to accrue during any leave under MA PFML taken by current employees, consistent with applicable College policies. Employees who take MA PFML remain eligible for all merit review increases, bonuses, and other expense allowances and stipends that are applicable to them.

Supplemental Medical Leave ("SML") Benefits

The College's SML benefits are intended to provide enhanced income protection, beyond the basic benefits provided under MA PFML, for eligible staff members who take leave under MA PFML for the employee's own serious health condition.

PROCEDURES

Calculation of Supplemental Benefit Amounts

If an employee is approved for a leave for the employee's own serious health condition under MA PFML, the employee's MA PFML benefits and SML benefits will combine to provide:

- 100% base pay replacement for weeks 2-8 of the leave;
- 80% base pay replacement for weeks 9-20 of the leave; and
- 60% base pay replacement for weeks 21-26 of the leave.

If the basic MA PFML benefits received by an employee equal or exceed the percentages above, then no additional SML benefits will be provided for the corresponding weeks of the leave.

Definition of "Base Pay" for Purposes of SML

For purposes of calculating SML benefits, weekly "base pay" for hourly employees means the amount that the employee would have earned during the week in which leave is taken based on the employee's standard hourly wage rate(s) and regularly scheduled hours, not including overtime or other premium wages that the employee might have earned due to floating holidays or other exigencies. Weekly "base pay" for salaried employees means the employee's annualized base salary at the time of the leave divided by 52 weeks.

MA PFML and SML Administration and Procedures

Third Party Administration of MA PFML and SML Benefits

The College has contracted with Sun Life for purposes of administering the leaves and benefits available under this policy. Employees must file claims for MA PFML leave, and SML benefits, through Sun Life, using any of the following methods:

Telephone: (888) 444-0239 Monday through Friday, 8:00 a.m. to 8:00 p.m EST

Online Portal: To get started, create an account at www.sunlife.com/account and click on "Submit a claim"

Requesting Leave and Benefits under MA PFML and (If Applicable) SML

Notification to Supervisor

Employees are required to provide as much advance notice to their supervisor of the need for a leave as is possible. Employees must provide this notice because supervisors may not necessarily receive prompt notice of an employee's MA PFML request from Human Resources and/or Sun Life. If the leave is foreseeable, the College asks that the request be made 30 days prior to the expected leave period to allow for planning of coverage in the employee's department.

Obtaining Application Forms for MA PFML

Sun Life will send the appropriate MA PFML application form, medical certification form(s), and verification notice(s) to eligible employees in the following circumstances:

- Upon request from an employee
- When directed by Human Resources
- When an employee contacts Sun Life to apply for leave under the FMLA and the requested leave appears to meet the criteria for MA PFML benefits

Timely Submission of Application and Medical Certification Forms

As noted, employees who request leave under MA PFML for their own or a family member's serious health condition will be required to submit required form(s), medical certification(s), and other necessary paperwork to Sun Life, some of which must be completed by the applicable health care

provider(s). Failure to provide requested form(s) or medical certification(s) in a timely manner may result in delayed approval or denial of MA PFML-covered leave and the associated benefits.

If an employee believes that they should have, but have not, received MA PFML paperwork or other notification(s) from Sun Life, and follow-up communication with Sun Life has not resolved the issue, the employee should immediately contact Human Resources.

Employee Contributions

Currently, the College pays 100% of the premiums for employee MA PFML and SML benefits. The College expressly reserves the right to change this at any time at its sole discretion. Employees will be given advance notice in the event of any contribution changes.

Distribution of Benefit Payments

For current employees, approved MA PFML benefits and, where applicable, SML benefits will be paid through the College's usual payroll function on normally scheduled pay dates. Payments will be subject to all applicable tax withholdings and standard employee contributions and deductions for existing employee benefits.

When an employee presumptively qualifies for MA PFML and/or SML benefits, the College will pay the calculated total presumed benefit under the applicable policy(ies) (e.g., the designated percentage of weekly base pay as indicated above in the section entitled "Calculation of Supplemental Benefit Amounts") prior to Sun Life's approval of the employee's MA PFML leave. These payments will be issued as soon as administratively practicable, consistent with the normal payroll schedule, and without prejudice to recoupment if the MA PFML leave is thereafter denied by Sun Life. In the event of such a denial, the College will apply available accrued sick leave (if otherwise applicable), other accrued paid time off, and negative vacation accrual (in that order) in the amount(s) necessary to cover any paid leave that was provided prior to the denial of MA PFML leave by Sun Life.

Returning to Work at the Conclusion of MA PFML Leave

Consistent with applicable law, communication with the College is expected during an employee's leave under MA PFML. The employee must give notice to their supervisor, Sun Life, and Human Resources as soon as practicable if the dates of their planned leave change or the scheduled end date of an existing leave is extended. Employees must also ensure that they have communicated with their supervisor and Human Resources at least one week prior to their scheduled date of return to work.

If the leave is for the employee's own serious health condition, the employee will be required to submit to Human Resources a certification from the employee's health care provider demonstrating that the employee is able to resume work. An employee is not authorized to return to work until Human Resources has approved the return to work certification or has notified the employee in writing that no such certification is required. Any proposed restrictions on an employee's return to work must be submitted in advance to Human Resources as a request for a reasonable accommodation. The College will consider reasonable accommodations for employees (including any proposed work restrictions) in accordance with its Reasonable Accommodations procedures. Employees requiring reasonable accommodation in order to return to work at the College after MA PFML must contact Human Resources to request such an accommodation.

An employee will generally be reinstated to the same position they held when MA PFML leave began or to an equivalent position with equivalent pay, employee benefits, and other terms and conditions of employment, provided the employee can perform the essential functions of the position. However, an employee is not entitled to any benefits greater than those to which they would have been entitled had the leave not been taken. For example, if a layoff occurred during the leave, the employee's right to reinstatement would depend upon whether or not their position was included in the layoff. Likewise, an employee returning from MA PFML leave may be subject to organizational, functional, or scheduling changes that have otherwise been implemented during their leave.

No Retaliation

Retaliation against any employee who has requested or taken leave under MA PFML is strictly prohibited. Any supervisor or department head who believes that disciplinary action or other adverse employment action (e.g., termination, suspension, demotion, or other negative job change) is appropriate for any employee who has requested or returned from a leave under MA PFML within the prior six (6) months must confer with and obtain express approval from Human Resources prior to taking any such action.

Interpretation

The College reserves the right to interpret this policy in its sole discretion in a manner consistent with the MA PFML law, as the same is amended, restated, or modified from time to time.

Additional Questions

Questions relating to the conditions and eligibility requirements for MA PFML and/or SML benefits leave should be directed in the first instance to Sun Life. If an employee still has questions after communicating with Sun Life, they should promptly contact Human Resources.

VERSION HISTORY

July 2022 - Massachusetts Paid Family and Medical Leave and Supplemental Medical Leave Policy

RELATED

Title: Department of Family and Medical Leave