



# Understanding Massachusetts Paid Family & Medical Leave (MA PFML)

*Protecting your income and providing necessary time off in the event of an illness, injury, new child, military deployment, or family medical need is a priority for the College. We believe these enhanced leave benefits strengthen the value of our overall benefits program for all staff members and their families.*

## Enhanced income protection and leave entitlement for Holy Cross staff members

**We are pleased** to share that Holy Cross staff members will enjoy an increased amount of income protection and leave entitlement for parental leaves, personal medical leaves, and military leaves beginning January 1, 2021 (and other family leaves beginning July 1, 2021). This pamphlet describes how the College will coordinate benefits available under the new Massachusetts Paid Family and Medical Leave (MA PFML) law, as well as benefits the College will provide in addition to what is provided under the MA PFML.

While additional details, terms, and conditions are discussed in greater detail within, here are the key highlights for Holy Cross staff members:

- **All employees are eligible to receive paid leave at the established benefit levels provided by MA PFML.**
- When taking an extended absence due to a personal health condition, benefit-eligible staff members will also receive a **new Supplemental Medical Leave benefit** that will make up the difference between MA PFML benefits and their base pay.
- An enhanced Holy Cross Parental Leave Policy for benefit-eligible employees now provides each parent—whether the “primary caregiver” or not—with **8 weeks of paid parental leave** at 100% of base pay. MA PFML also provides additional paid leave options for all parents, whether or not benefit-eligible.
- **Staff members will retain all their existing accrued sick leave.** However, because MA PFML and the new Supplemental Medical Leave benefit will provide staff members with income replacement for extended medical absences, going forward, annual sick leave accruals will be reduced.
- **Hourly-paid employees remain eligible to receive payment of a portion of their sick leave** when retiring at age 55 or older with 10 or more years of consecutive, full-time service.
- Starting in July 2021, **all employees will be eligible to receive up to 12 weeks of paid leave for medical caretaking of family members under MA PFML.**
- For calendar year 2021, all of these benefits will be provided at **no cost to staff members.**

## An Overview of Massachusetts Paid Family & Medical Leave Act (MA PFML)

Many of the paid leave entitlement provisions of the new Massachusetts Paid Family & Medical Leave Act (MA PFML) will take effect on January 1, 2021. Generally, MA PFML coverage is available to all employees who work in Massachusetts, whether full-time, part-time, or seasonal. In addition, former employees may be covered by MA PFML under certain circumstances.

MA PFML provides paid family and medical leave benefits to eligible workers in Massachusetts so they can:

- Care for their own serious illness or injury
- Bond with a new child in their family (newborn, recent adoption, or foster care placement)
- Tend to certain needs of family members who are, or were, members of the Armed Forces
- Care for a family member with a serious health condition (*effective July 1, 2021*)

*Please note that Massachusetts law prohibits retaliation against any employee for requesting or taking MA PFML leave.*

Rather than simply implement the minimum requirements of state law, Holy Cross will provide benefit-eligible employees with a greater degree of income protection during an extended medical or a child bonding leave. Through Sun Life Financial, we are introducing a new Private MA PFML Plan and, for benefits-eligible staff, a Supplemental Medical Leave Plan. We believe this new, integrated program will offer all staff members an easier, more streamlined application and leave process.

### *Planning a Leave in 2020?*

If you are planning a personal medical leave beginning on or before December 31, 2020, you will need to use your available paid leave through the end of the calendar year.



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## Benefit Duration

Your maximum leave duration depends on the type of leave requested and approved, as follows:

Type of Leave	Available Beginning	Maximum Duration <sup>1</sup>
Medical leave for your own serious health condition	January 1, 2021	20 weeks
Family leave to bond with a new child	January 1, 2021	12 weeks
Family leave arising from a covered service member's call to active duty	January 1, 2021	12 weeks
Family leave taken to provide care to a family member with a serious health condition suffered while on active duty in the armed forces	January 1, 2021	26 weeks
Family leave to care for a family member <sup>2</sup> with a serious health condition	July 1, 2021	12 weeks
<b>Combined family and medical leave maximum per full-time employee per benefit year<sup>3</sup></b>		<b>26 weeks</b>

A benefit year is the period of 52 consecutive weeks beginning on the Sunday immediately before your first day of leave.

## Elimination Period

For MA PFML medical leave, there is a 7-calendar day elimination period (sometimes referred to as a waiting period) before you become eligible to receive paid benefits. Note that although there is no additional elimination period for a child bonding leave that immediately follows medical leave for birth recovery, all other family leaves require a 7-calendar day elimination period.

is less than or equal to \$715.83 will be replaced at a rate of 80%, and any part of your average weekly wage that is greater than \$715.83 will be replaced at a rate of 50%, subject to a weekly benefit maximum of \$850. Please note that these calculations are subject to change annually based on the formula set forth by law.

## Benefit Cost

While the state permits employers to share the cost of MA PFML and Supplemental Medical Leave benefits with employees, and we previously communicated that we would begin deductions from your pay in January 2021, we are pleased to share that **Holy Cross has decided not to charge employees for these benefits in calendar year 2021.**

## Weekly Benefit Amount

The MA PFML benefit is based on your average gross weekly wage when you apply for leave and the average weekly wage in Massachusetts. This means that for 2021, any part of your own weekly wage that



## Our New Supplemental Medical Leave Plan

As indicated, the new MA PFML benefit will replace a portion of your income when taking a personal medical leave. In addition, the College is introducing a new Supplemental Medical Leave Plan for benefit-eligible staff members who remain actively employed. Taken together, MA PFML and the new Supplemental Medical Leave Plan will provide enhanced income protection for benefit-eligible staff members on an extended absence due to a personal health condition.

### Summary of New Leave of Absence Benefits

The specifics of the new leave programs will vary based upon your eligibility for Holy Cross benefits and the type of leave you need to take. Effective January 1, 2021, all leaves will be administered by Sun Life, who will coordinate our programs to ensure you receive all benefits for which you qualify.

Employee Category	Personal Medical Leave (Effective January 1, 2021)	Parental Leave (Effective January 1, 2021)	Family Leave (Effective July 1, 2021) <sup>4</sup>
<b>Benefit-eligible staff members</b>	<p>You must file a claim directly with Sun Life. There is a 7 calendar day waiting period for benefits. During this period, you can use your accrued sick or other accrued leave for pay replacement.</p> <p>Beginning with week two, you have the option to use your available sick time OR the combined MA PFML &amp; Supplemental Medical Leave benefits.</p> <p>If approved, your MA PFML &amp; Supplemental Medical Leave benefits will combine to provide:</p> <ul style="list-style-type: none"> <li>• 100% base pay replacement for weeks 2-8</li> <li>• 80% base pay replacement for weeks 9-20</li> <li>• 60% base pay replacement for weeks 21-26</li> </ul>	<p>You must file a claim directly with Sun Life.</p> <p>If approved, your MA PFML family leave to bond with your child, combined with the enhanced Holy Cross parental leave policy, will provide each parent 100% base pay replacement for the first 8 weeks immediately following the birth, adoption, or foster care placement of the child. For birth mothers, some or all of this 8-week period may be attributable to personal medical leave.</p> <p>Additional paid leave beyond the initial 8 weeks is also available; these additional weeks of child bonding leave are subject to the maximum time periods and applicable benefit amounts established by MA PFML.</p> <p>Alternatively, up to 12 consecutive weeks of child bonding leave may be taken anytime during the first 12 months after the child's birth or placement, subject to applicable benefit amounts established by MA PFML.</p>	<p>You must file a claim directly with Sun Life.</p> <p>There is a 7 calendar day waiting period for benefits. During this period, you can use your accrued sick or other accrued leave for pay replacement.</p> <p>Beginning with week two, applicable benefit amounts established by MA PFML are available.</p>
<b>Non-benefit eligible staff members</b>	While you are not eligible for the Supplemental Medical Leave benefit, you will be eligible for paid leave benefits available under MA PFML.		

### Important Changes to Sick Leave

Because MA PFML and the new Supplemental Medical Leave plan will now cover paid leave for extended personal medical absences, we are changing our existing Sick Leave policy. The new policy provides all staff members with a guaranteed number of sick leave days each January 1st, meant to cover eligible absences such as occasional illness, doctor's appointments, and the MA PFML elimination period.

To start, staff members will retain their existing sick leave banks, and unused sick days will be rolled over

#### *What Will My Sick Leave Balance Be on January 1, 2021?*

Effective January 1, 2021, Sick Leave balances will be as follows:

- **Full-time staff members**—You will start the year with the greater of your existing balance or 7 days.
- **Part-time staff members**—You will start the year with the greater of your existing balance or 40 hours.

Regardless of how much Sick Leave you use throughout the year, you will begin each future January 1 with the same starting Sick Leave balances set forth above.

every January. As indicated, staff members will have the option of using sick leave instead of applying for MA PFML and Supplemental Medical Leave. However, given the generous benefits provided by MA PFML and the Supplemental Medical Leave, beginning January 1, 2021, the monthly accrual of sick leave will cease. Instead, on January 1 of each year, full-time staff members who have a balance of fewer than 7 days of sick leave will receive a sick leave award that brings their balance up to 7 days. Likewise, on January 1 of each year, part-time staff members who have a balance of fewer than 40 hours of sick leave will receive a sick leave award that brings their balance up to 40 hours. **In addition, at the start of each fiscal year on July 1, all full-time staff members will also receive three personal days, to be used at their discretion.**

As mentioned, you will be able to use your sick leave for any reason permitted by Massachusetts law, including:

- For illness and medical appointments; and
- To cover the first week elimination period (waiting period) for MA PFML.

Although we recognize these will be significant changes to our Sick Leave accrual policy, it is important to note that **you will retain 100% of your existing Sick Leave bank as of December 31, 2020.** And our new MA PFML and Supplemental Medical Leave benefits are designed to provide equal or greater income protection than what you have today—by ensuring you continue to be paid if you take a qualifying leave.

*Taken together, MA PFML and the new Supplemental Medical Leave Plan will provide enhanced income protection for benefit-eligible staff members.*



Under the existing Sick Leave policy, benefits accrue over time. This means you may not have an adequate bank of time when needed. Our new program provides all staff members with better, and more equitable, income protection. For example:

- You receive the benefit regardless of how long you've been employed. For benefit eligible staff members, weeks 2-8 of the combined MA PFML/Supplemental Medical Leave benefit provides the equivalent of 35 sick days available during each benefit year—annual income protection that would require multiple years of accrual under existing policies.

- You won't exhaust the benefit if it is used in one year and need it again in a future benefit year.
- You keep the time you have already accrued and, if your accrued sick time falls below 7 days (or 40 hours for part-time employees), it gets replenished each January 1. This sick time can be used to cover your elimination period for personal medical leave.

**Please note:** Hourly employees remain eligible for a pay-out of a portion of their available sick leave if they retire in good standing at age 55 or greater, with 10 or more years of consecutive full-time service, consistent with the College's existing policy.

## Filing Claims & Receiving Your Benefit

All staff members must submit MA PFML claims directly to Sun Life Financial. You are also required to notify your manager of any planned leaves (including the anticipated start date of the leave, the anticipated length of the leave, the type of leave, and the expected return date) at least 30 days in advance or (or as soon as possible). In the coming weeks, we'll provide detailed information to guide you through the process of submitting a claim.

If your claim is approved, you will be paid through our Holy Cross payroll. Payments will be subject to federal and state tax withholdings and benefit deductions.

### *Sun Life & Claims Management*

In addition to MA PFML administration, please note that beginning January 1, 2021, Sun Life also will administer FMLA for Holy Cross. This means you will only have to file a single claim for leave benefits.

*The combination of our new program and MA PFML will provide all staff members with important new leave benefits and greater income protection.*



## For More Information

We understand this is a lot of change, but we as an institution are here to support and guide you through this process. Overall this change will result in greater income protection and more time for you to recover from illness or injury and to be with your family during times of critical need.

If you have any questions, please contact Alan Hurley at [ahurley@holycross.edu](mailto:ahurley@holycross.edu) or 508-793-2426 or Erika Fradsham at [efrasha@holycross.edu](mailto:efrasha@holycross.edu) or 508-793-2424.

If you require additional support or assistance, you may contact the following offices:

### Office of Human Resources

O’Kane Hall (B72)  
(508) 793-3391

### Department of Family and Medical Leave (DFML)

Charles F. Hurley Building  
19 Staniford Street, 1st Floor  
Boston, MA 02114  
(617) 626-6565  
[www.mass.gov/DFML](http://www.mass.gov/DFML)



## Sun Life

(877) 786-3652  
Monday through Friday, 9:30 a.m.  
to 11:30 p.m. EST  
[www.sunlife-ams.com](http://www.sunlife-ams.com)  
Email: [absence@sunlife-ams.com](mailto:absence@sunlife-ams.com)  
Smartphone App: Sun Life Absence  
Management Services

- 1 MA PFML also permits intermittent leave in certain circumstances. Questions regarding intermittent leave availability should be directed to Human Resources.
- 2 Under MA PFML, “family member” is defined as the spouse, domestic partner, child, parent, or parent of a spouse or domestic partner of the covered individual; a person who stood in loco parentis to the covered individual when the covered individual was a minor child; or a grandchild, grandparent, or sibling of the covered individual.
- 3 Maximum leave durations for part-time employees are pro-rated based on their scheduled work hours.
- 4 As noted in the table on page 3, certain military-related family leaves are available January 1, 2021.

*The intent of this pamphlet is to provide an overview of the new Massachusetts Paid Family and Medical Leave (MA PFML) benefits and our new Supplemental Medical Leave benefits effective January 1, 2021, based on information known at this time. All policies summarized in this document are intended and should be construed to be fully compliant with applicable law.*

*The policies set forth in this pamphlet do not apply to full-time, benefits-eligible faculty with appointments of at least one year whose primary duties are teaching. The leave policies applicable to faculty in such appointments, along with a list of specific faculty positions to which the faculty policies apply, will be set forth in a separate document to be issued shortly. The College, in its sole discretion, will make all final determinations regarding whether an employee is a staff member subject to the policies in this pamphlet or a faculty member subject to the faculty policies to be set forth in a separate document.*



**Understanding  
Massachusetts Paid  
Family & Medical Leave**

*Holy Cross staff members  
will receive valuable new  
leave benefits and increased  
income protection beginning  
January 1, 2021. See  
inside for details about  
your enhanced benefits.*