



FOLEY & FOLEY ^{PC}
ATTORNEYS AT LAW

Massachusetts Paid Family Medical Leave Law

Employees can start to take leave under this new law in just a few weeks – 1/1/2021. You may not be ready but we are—help is on the way. To say PFML is not a top priority for businesses in this climate is an understatement. That is precisely why we have created two new fixed-fee solutions to remove any compliance-related stress so that you can focus on other pressing matters.

Massachusetts PFML Policy and Compliance Package

This new law imposes many additional requirements on employers, such as managing an entirely new leave benefit, adjusting to extended job protection, and ensuring that employees have the resources to obtain these benefits through the state program. This law not only provides extended leave to almost any employee, but also imposes a presumption that any adverse employment action that occurs after this leave is taken is retaliatory. As usual with any new Massachusetts employment law, the stakes are high – non-compliance will result in the imposition of significant civil penalties.

We get it – we know that new employer obligations do not have to be overly burdensome. This Compliance Package will provide you with the tools to create a comprehensive leave policy that meets the state law, as well as establishing a progressive discipline program to ensure retaliation does not occur. You can purchase the contents of this compliance package for a fixed fee and here is what you will receive from us:

- Model Paid Family Medical Leave Policy for the State Plan;
- Warning Forms and a Model Performance Improvement Plan to ensure equitable discipline process; and
- Review of your current Family Medical Leave Policy to ensure coordination with PFML.

Massachusetts PFML Self-Insured Plan Creation Toolkit

Massachusetts employers have faced a difficult choice this year – should they provide the new Paid Family Medical Leave benefits through the default state plan, or opt for a private option to retain control over administering leave to their employees? A Self-Insured Plan can provide employers with the ability to analyze employee's requests for PFML leave, as well as provide benefits directly to their employees, without an entity in the middle. But many employers do not know where to start in drafting a policy to apply for the exemption, or how they will manage the leave in practice beginning January 1.

This PFML Self-Insured Plan Creation Toolkit will provide you with the tools to create a handbook policy, a plan to use in applying for the exemption, as well as practical application forms to handle requests for leave on 1/1/21. Here is an overview of what you will receive from us for a fixed fee to establish your self-insured plan:

- Model PFML Handbook Policy Template;
- Model Summary Plan Description Template; and
- Application, Approval, Denial, and Extension Request Forms to Manage Leave Requests.

These PFML- compliant templates will serve as the foundation to your own self-insured plan.

In addition to these Toolkit contents, we stand ready to help you tailor the contents to finalize your plan for an additional fee.

We're here to help.

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