

BRANDEIS UNIVERSITY PAID FAMILY AND MEDICAL LEAVE NOTICE TO EMPLOYEES

Please read this notice carefully. It contains important information about your rights, obligations, and eligibility under the Massachusetts Paid Family and Medical Leave law. Please keep this notice for your records.

The Massachusetts Paid Family and Medical Leave (PFML) law provides most Massachusetts employees the right to paid family and medical leave. These rights are described further below and include both (1) job protection when the employee returns to work and (2) partial wage-replacement benefits while the employee is out of work. Employers can provide these benefits either by (1) participating in the PFML Trust Fund operated by the Massachusetts Department of Family and Medical Leave (the Department), or (2) providing an exempt private plan that offers benefits at least as generous as those available through the Department.

An employer may apply for an exemption from the medical leave contribution, family leave contribution, or both. Brandeis University has elected to provide benefits as follows:

Brandeis University _____ Employer Name	<input type="checkbox"/> Does not have an approved private plan and is providing all leave benefits through the Department;
Brandeis University Massachusetts Paid Family and Medical Leave Private Plan _____ Private Plan Name	<input checked="" type="checkbox"/> Has an approved private plan for both family and medical leave benefits;
	<input type="checkbox"/> Has an approved private plan for family leave benefits only, and is providing medical leave benefits through the Department;
	<input type="checkbox"/> Has an approved private plan for medical leave benefits only, and is providing family leave benefits through the Department.

Regardless of whether your employer participates in the state Trust Fund or has a private plan, you will be entitled to certain benefits and protections. You may be required to make contributions to the Trust Fund or to fund your employer's private plan, but only up to a certain amount. You will also need to tell your employer when you need leave, and you will need to file a claim for benefits through your employer's private plan.

I. Explanation of Benefits

Leave Allotments. Under the PFML Law, you may be entitled to up to:

- 12 weeks of paid family leave in a benefit year for the birth, adoption, or foster care placement of a child; to care for a family member with a serious health condition; 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;
- 20 weeks of paid medical leave in a benefit year if they have a serious health condition that incapacitates them from work;
- 26 weeks of paid family leave in a benefit year to care for a family member who is a covered service member undergoing medical treatment or otherwise addressing consequences of a serious health condition relating to the family member's military service;
- 26 total weeks, in the aggregate, of paid family and medical leave in a single benefit year.

A "benefit year" is the 12 months preceding the Sunday immediately before your leave begins.

Other Leaves. Any leave you take – paid or unpaid – for the same qualifying reasons listed above will count towards your amount of leave for that benefit year.

Eligibility. All Brandeis employees are eligible for the Brandeis MA PFML Private Plan.

Wage Replacement Payments. When you take leave for any of the reasons described above, you will be eligible to apply to the Brandeis private plan for wage replacement benefits. These benefits will be a proportion of your average weekly earnings. Your maximum potential benefit amount will be as follows:

- 80% of earnings up to 50% of the State Average Weekly Wage
- 50% of earnings above the State Average Weekly Wage
- In no event more than a maximum amount. For 2023, this maximum benefit amount is \$1,129.82. This amount will be adjusted annually based on increases in the State Average Weekly Wage.

All benefits payments for active employees will be made through Brandeis payroll.

Note: Regular, benefits-eligible employees of Brandeis University may also be eligible for other paid leave programs such as Short-Term Disability (STD) and paid bonding leave. These programs shall provide benefits concurrently with paid family and medical leave. Additional information about these benefits may be found on the [Office of Human Resources' Medical and Family Leaves-Coverage by Employee Classification](#) webpage.

Concurrent Benefits Payments. If you receive benefits from other sources while you are also receiving benefits from the Brandeis Private Plan, the benefits may be reduced. Certain types of other benefits will cause a one-for-one reduction in benefits you receive from the Brandeis Private Plan. This means that for each dollar you receive from these benefits, your benefit from the Brandeis Private Plan will decrease by a dollar. Benefits that will have this effect include:

- Workers' Compensation
- Unemployment Insurance
- Permanent Disability Policies or Programs (e.g. Social Security Disability)
- Other payments from Brandeis including paid leave

Other forms of benefits will not reduce the benefits you receive from the Brandeis Private Plan unless you are receiving more than your average weekly wage in total benefits. Benefits that will have this effect include:

- Short-Term Disability and Long-Term Disability
- Employer-run Family and/or Medical Leave Policies or Programs

II. Employee Rights and Protections

Job Protection. Generally, if you take family or medical leave, once you return to work, your employer must restore you to your previous position or to an equivalent position, with the same status, pay, employment benefits, length-of-service credit, and seniority as of the date you started your leave. This may not apply if your position was eliminated due to economic reasons unrelated to your use of leave.

Continuation of Health Insurance. Brandeis must continue to provide for and contribute to your employment-related health insurance benefits, if any, at the level and under the conditions coverage would have been provided if you had continued working for the duration of such leave. Brandeis requires you to continue to pay your portion of your health insurance premium on the same terms and conditions as before your leave.

No Retaliation. It is unlawful for any employer to discriminate or retaliate against you for exercising any right to which you are entitled under the paid family and medical leave law. An employee or former employee who is retaliated against for exercising rights under the law may, not more than three years after the violation occurs, institute a civil action in the superior court.

III. Contribution Amounts

To help fund paid leave benefits available under the PFML law, your employer may make a contribution, funded in part by a deduction from your wages, which will either be remitted to the Trust Fund or to the operator of your employer’s private plan. An employer who contributes to the Trust Fund will be required to contribute the following amounts:

Family Leave Contribution	Medical Leave Contribution	Total Contribution Amount
0.11% of earnings*	0.52% of earnings*	0.63% of earnings*

Because your employer has 25 or more covered workers, the total contribution amount is 00.63% of wages.

Under the law, employers are responsible for a minimum of 60% of the medical leave contribution (.312% of wages) but are permitted to deduct from employees’ wages up to 40% of the medical leave contribution (.208% of wages) and up to 100% of the family leave contribution (0.11% of wages).

Brandeis chose to offer a private plan and does not make a contribution to the state. While Brandeis could require employee contributions to its MA PMFL private plan, it has not chosen to do so since the law was enacted and **will not require employee contributions in 2023**. Should contributions be required in the future, employees will be given advance notice prior to any employee contributions being deducted.

The table below outlines the state set contribution rates and your contribution:

2023 Total State Contribution: .52%*				
Medical Leave	Brandeis University	will contribute	100%	of the medical leave contribution
	_____ Employer Name	and the remaining	0%	will be deducted from your earnings

2023 Total State Contribution: .11%*				
Family Leave	Brandeis University	will contribute	100%	of the family leave contribution
	_____ Employer Name	and the remaining	0%	will be deducted from your earnings

* The numbers provided are through 2023. These rates may be adjusted on an annual basis, effective January 1 of each calendar year.

IV. Notifying your Employer

BEFORE you take leave or apply for benefits, you **MUST** notify your employer that you need to take leave. You are required to provide at least 30 days' notice of your need for leave. If 30 days' notice is not possible due to circumstances beyond your control, you must provide notice as soon as practicable, and in any event, before you file any application for benefits.

When you notify your employer of your need for leave, you must provide the following information:

1. The anticipated start date of leave;
2. The anticipated length of the leave;
3. The expected date of return from leave;
4. Whether you will need intermittent leave (leave taken in separate blocks of two or more) or reduced leave (leave that involves a reduced schedule of fewer hours or days per week), and;
5. If you need intermittent or reduced leave schedule, the expected frequency of leave and expected duration of each instance of leave.

If any of this information changes, you must tell your employer as soon as you are aware of the change.

V. Filing a Claim

To apply for Paid Family and Medical Leave benefits, you will need the following information about your employer:

Brandeis University _____ (Employer Name)
415 South Street _____ (Employer Street Address)
Waltham, MA 02472 _____ (Employer City, State and Zip)
04-2103552 _____ (Federal Employer ID Number) (FEIN)

The Brandeis the private plan is administered by The Standard. You must file your MA PFML claim through The Standard. Information on how to file is available at [Office of Human Resources Medical and Family Leave Programs Leave Request, Reporting and Tracking Process](#)

VI. For More Information

For more detailed information, please consult the Department's website: www.mass.gov/DFML.

You may contact the Department of Family and Medical Leave at:

The Massachusetts Department of Family and Medical Leave

PO Box 838

Lawrence, MA 01842

Contact Center: (833) 344-7365

www.mass.gov/DFML