



Legal Update Article

## Massachusetts Updates Paid Family and Medical Leave Poster, Notice, Contribution and Benefit Amounts

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The Massachusetts Department of Family and Medical Leave has released an updated version of its [workplace poster for 2024](#) reflecting the Paid Family and Medical Leave Act (PFMLA) contribution and benefit increases that went into effect on Jan. 1, 2024. The poster must be posted in a location where it can be easily read and displayed in English and any other language spoken by at least five employees (if the Department provides a translation).

The most significant change from the previous poster affects employers who have any kind of private plan exemption under the PFMLA. In prior years, the workplace poster noted that private plans were required to provide at least the minimum benefits guaranteed under the PFMLA and advised employees of the protections against discrimination and retaliation under the law. The 2024 poster requires employers with a private plan to specifically list the name, address, phone number, and website of their private plan provider and indicate if the private plan covers family benefits, medical benefits, or both.

The Department also updated the employee [notice for 2024](#) to address [legislation providing employees the ability to “top off” PFMLA benefits](#) by using other available paid leaves, such as vacation, or sick time. Importantly, the Department clarified that the use of other leaves to top off PFMLA benefits remains subject to the terms

and conditions of the employer's specific vacation, sick, or other paid time off policies.

The notice must be distributed to new employees within 30 days of their date of hire. New employees should return a signed form to their employer or, if they refuse to sign, the employer should document that refusal. Current employees must receive a new notice 30 days before any change in the PFMLA contribution rates noting the new rates, but they need not update their signature.

As a reminder, on Jan. 1, 2024, the contribution rates increased as follows:

1. For employers with at least 25 covered individuals, for the family leave contribution, the employer can withhold 0.18% of eligible wages. As for the medical leave contribution, the employer can withhold 0.28% of eligible wages and is responsible for paying 0.42% of eligible wages directly.
2. For employers with up to 24 covered individuals, for the family leave contribution, the employer can withhold 0.18% of eligible wages. As for the medical leave contribution, the employer can withhold 0.28% of eligible wages. For these smaller employers, the employer has no obligation to make any other contribution.

These new contribution rates apply equally to employers that have private plans, so all employers must review and update their plans and contribution rates for 2024. Additionally, the maximum weekly benefit amount available to individuals increased to \$1,149.90 on Jan. 1, 2024. This benefit is keyed off the Commonwealth's average weekly wage and is an increase from the 2023 maximum weekly benefit, \$1,129.82.

Jackson Lewis attorneys continually monitor paid leave developments in Massachusetts and around the country. If you have questions about leave law compliance, contact a Jackson Lewis attorney to discuss.

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