



READY, SET, GO! — Massachusetts Paid Family and Medical Leave

After a three month reprieve, Massachusetts employers are closing in on the deadline for the rollout of paid family and medical leave. Starting October 1, 2019, through payroll deductions, employees and other covered individuals will begin funding paid family and medical leave benefits which will be available in 2021.

Here are five important steps for employers to take in order to meet the deadlines set by the statute and the regulations promulgated by the [Department of Family and Medical Leave \(DFML\)](#).

- COUNT** - Calculate the number of Massachusetts employees and certain Massachusetts 1099-MISC contractors in the business' workforce. If Massachusetts 1099-MISC contractors make up more than 50% of the workforce, they are covered under the paid leave law and need to be counted as part of the workforce.
- NOTIFY** - By **September 30, 2019**, employers must notify (either by paper or electronically) all Massachusetts W-2 employees and other covered individuals in writing about available paid family and medical leave benefits. Employers and covered business entities must obtain an acknowledgement of receipt of the information from the individuals in its workforce. Employers can use DFML's [template notice](#) available on its website. Notices given to employees prior to the three-month delay in June to the start of the paid leave program will need to be reissued.
- POST** - By **October 1, 2019**, employers must post in a conspicuous location in the workplace the Paid Family and Medical Leave mandatory workplace poster. The poster must be in [English](#) and in each language that is the primary language of five (5) or more individuals in the workforce (if such [translations are made available](#) from DFML).
- DEDUCT** - Starting **October 1, 2019**, through a payroll tax deduction, employers must begin to submit the payroll tax contribution for its employees and other covered individuals at an initial contribution rate of .75% of the individual's first \$132,900 of earnings (with .62% for medical leave contribution and .13% for family leave contribution). Employers or covered business entities with 25 or more covered individuals in the business's workforce in Massachusetts must remit the full contribution to the trust fund being established by DFML but can deduct from the individual's wages up to 40% of the contribution for medical leave and up to 100% of the contribution for family leave. Employers or covered business entities with fewer than 25 covered individuals are not required to contribute the employer portion but must submit the payroll tax contribution for their employees and covered individuals.
- SUBMIT** - By **January 31, 2020**, and quarterly thereafter, employers must complete quarterly filings and submit contributions through [MassTaxConnect](#) system for the previous calendar quarter.

Bulkley Richardson is assisting businesses in complying with DFML's requirements. If you are interested in learning more about what your business must do to comply with the new paid leave law, please contact [Mary Jo Kennedy](#) at mkennedy@bulkley.com or [413-272-6242](tel:413-272-6242). Look for the firm's October Alert on how the state's paid leave program may affect your existing paid leave policies.