



# PFML Peculiarities

## Parsing the Plethora of Unique PFML Provisions

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# Introduction

- The landscape of Paid Family and Medical Leave (PFML) is marked by a complex patchwork of state laws
- While on the surface these laws seem very similar, each has its own distinctive provisions, eligibility criteria, benefit structures, and administrative mechanisms

## Learning Objectives

Better understand the nuanced provisions within the statutory PFML landscape that can pose administrative challenges for employers with a multi-state workforce

Highlight emerging trends in PFML regulations and provide a glimpse into the future and how to prepare your organization for the next wave of new PFML programs

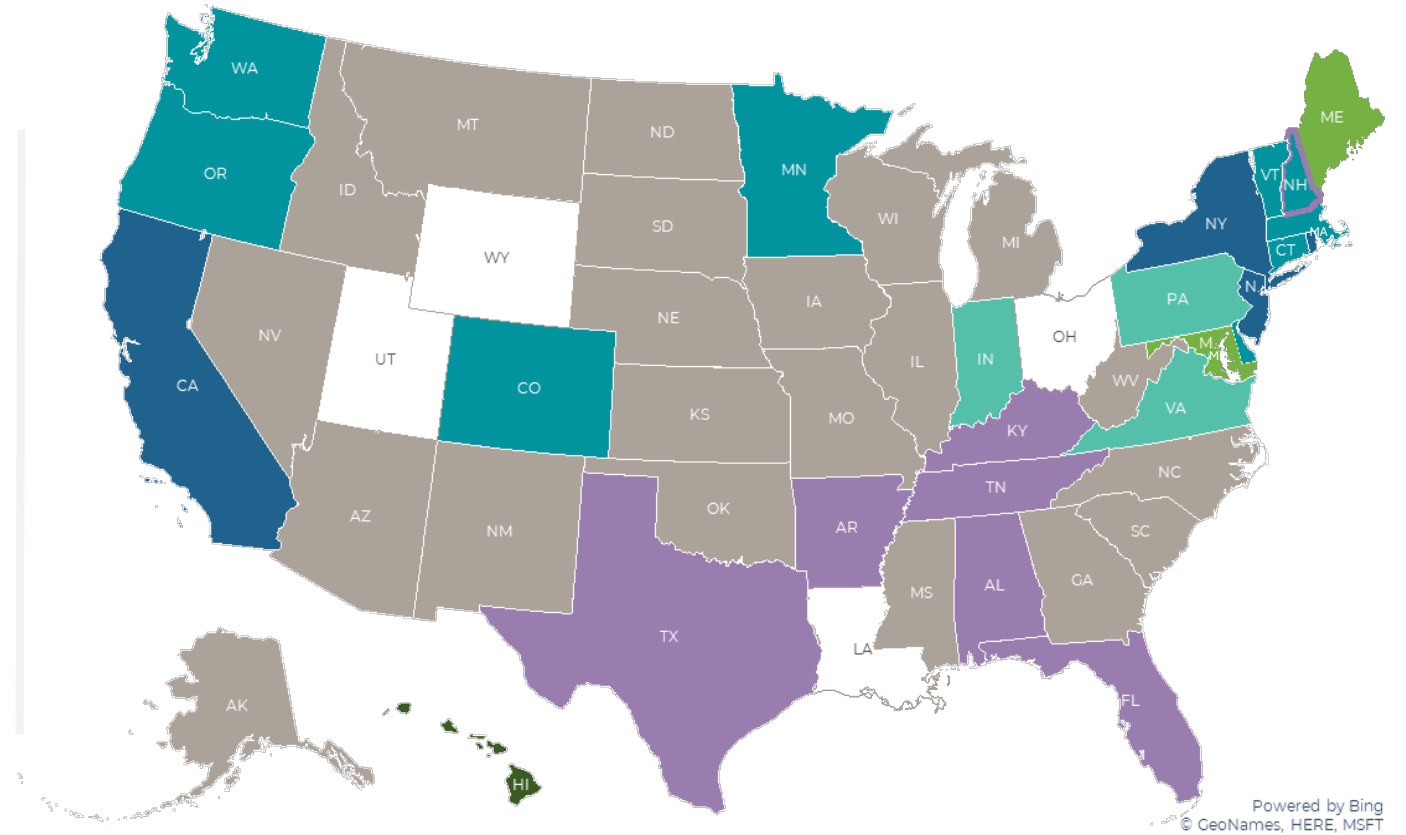
Provide guidance around how best to administer these provisions while ensuring compliance



# Paid Family & Medical Leave Landscape

## As of January 2026

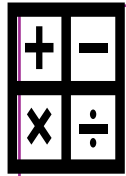
<b>SDI Currently in Place</b>	Hawaii	Puerto Rico		
<b>SDI + PFL Currently in Place</b>	California	New Jersey	New York	Rhode Island
<b>PFML Currently in Place</b>	Colorado	Massachusetts	Oregon	Washington, D.C.
	Connecticut	Minnesota	Vermont <sup>1</sup>	
	Delaware	New Hampshire <sup>1</sup>	Washington	
<b>PFML in Regulatory Phase</b>	<b>Maine</b> .....Contributions began 1/1/25; benefits available 5/1/26			
	<b>Maryland</b> .....Contributions begin 1/1/27; benefits available 1/3/28			
<b>PFML Insurance Rules in Place</b>	Alabama	Florida	New Hampshire	Texas
	Arkansas	Kentucky	Tennessee	Virginia
<b>Proposing PFML Program</b>	Indiana	Pennsylvania	Virginia	
<b>PFML Proposal Rejected</b>	Alaska	Iowa	Nebraska	South Carolina
	Arizona	Kansas	Nevada	South Dakota
	Georgia	Michigan	New Mexico	Texas
	Hawaii	Mississippi	North Carolina	West Virginia
	Idaho	Missouri	North Dakota	Wisconsin
	Illinois	Montana	Oklahoma	



Source: The ERISA Industry Committee, 1/7/2026

<sup>1</sup>Voluntary PFML programs (New Hampshire, Vermont); Vermont voluntary program began on 7/1/23 for state employees, 7/1/24 for large employers, and will begin on 7/1/25 for individuals and small employers.

# Components of PFML Programs



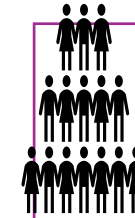
## Eligibility

- Employer
- Employee
- Leave & Job Protection
- Mandated vs Optional



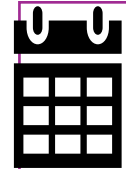
## Covered Leave Reasons

- Medical Leave
- Family Leave
- Military Related Leave
- Safe Leave



## Covered Family Members

- FMLA Definition or Expanded
- Family Like Relationship



## Leave Entitlement

- Duration by Leave Type
- Total Amount of Leave
- Additional Time Available



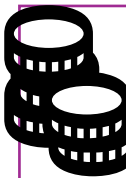
## Job Protection

- Included or Not Included
- Additional "Eligibility" Calculation Required



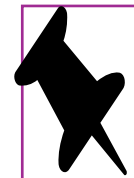
## Benefit Amount

- 1, 2, or 3 Tier Calculation
- Maximum and Minimum Weekly Benefit
- Definition of Wages



## Funding

- Employer Contributions
- Employee Contributions
- Tax Implications



## Administration

- State Plan
- Private Plan – Fully Insured
- Private Plan – Self Funded
- Employer Responsibilities

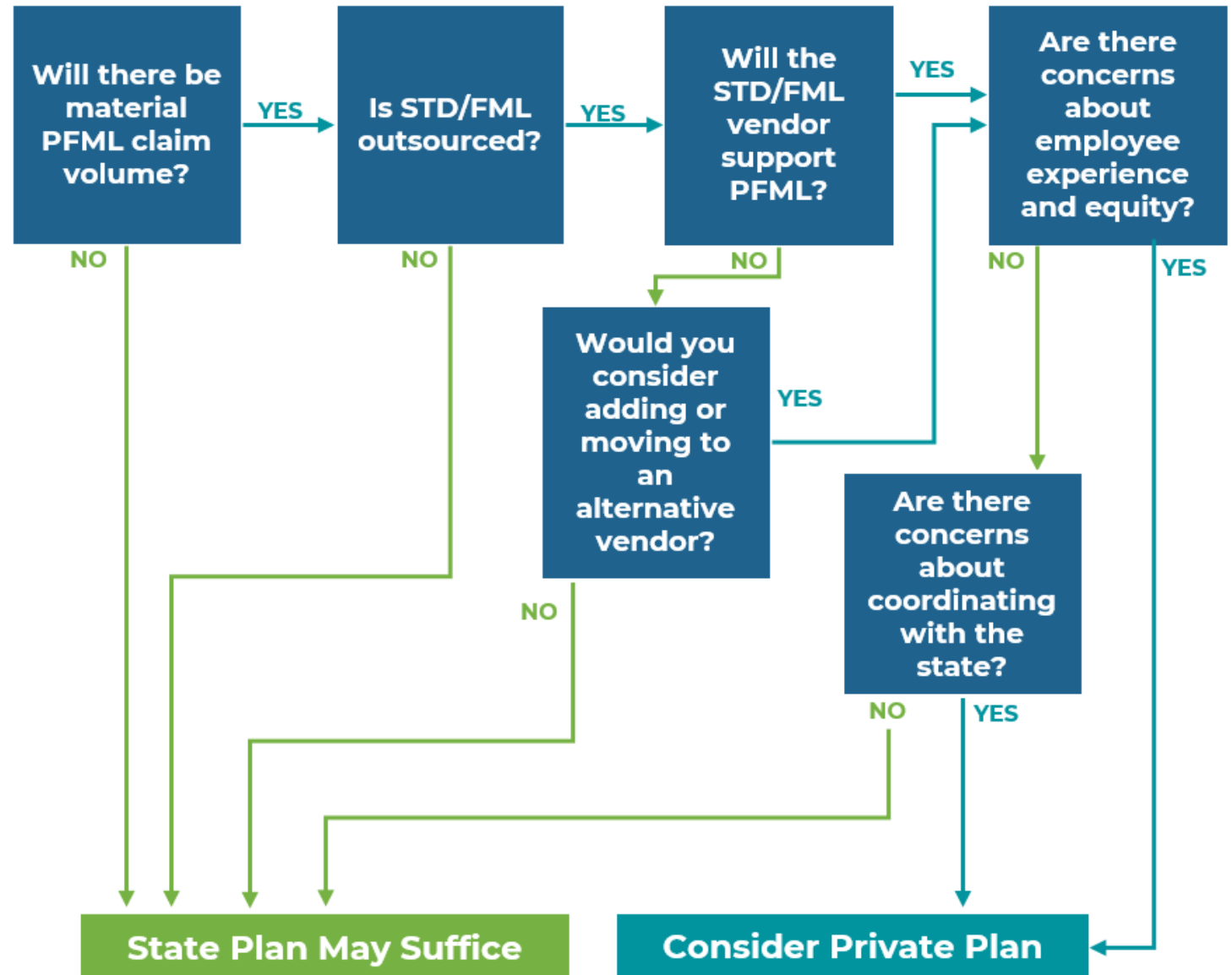


## Benefit Coordination

- FMLA
- State and Local Leaves
- Employer Plans



# Administration



# Leave Entitlement

12 Month Period

24 Month Period

Delaware



12 weeks total in a 12-month period, with 12 weeks available for parental leaves in a 12-month period, and 6 weeks for medical and family leave in a 24-month period

Maine



12 weeks total in a 12-month period, following a 7-day elimination period for medical leave

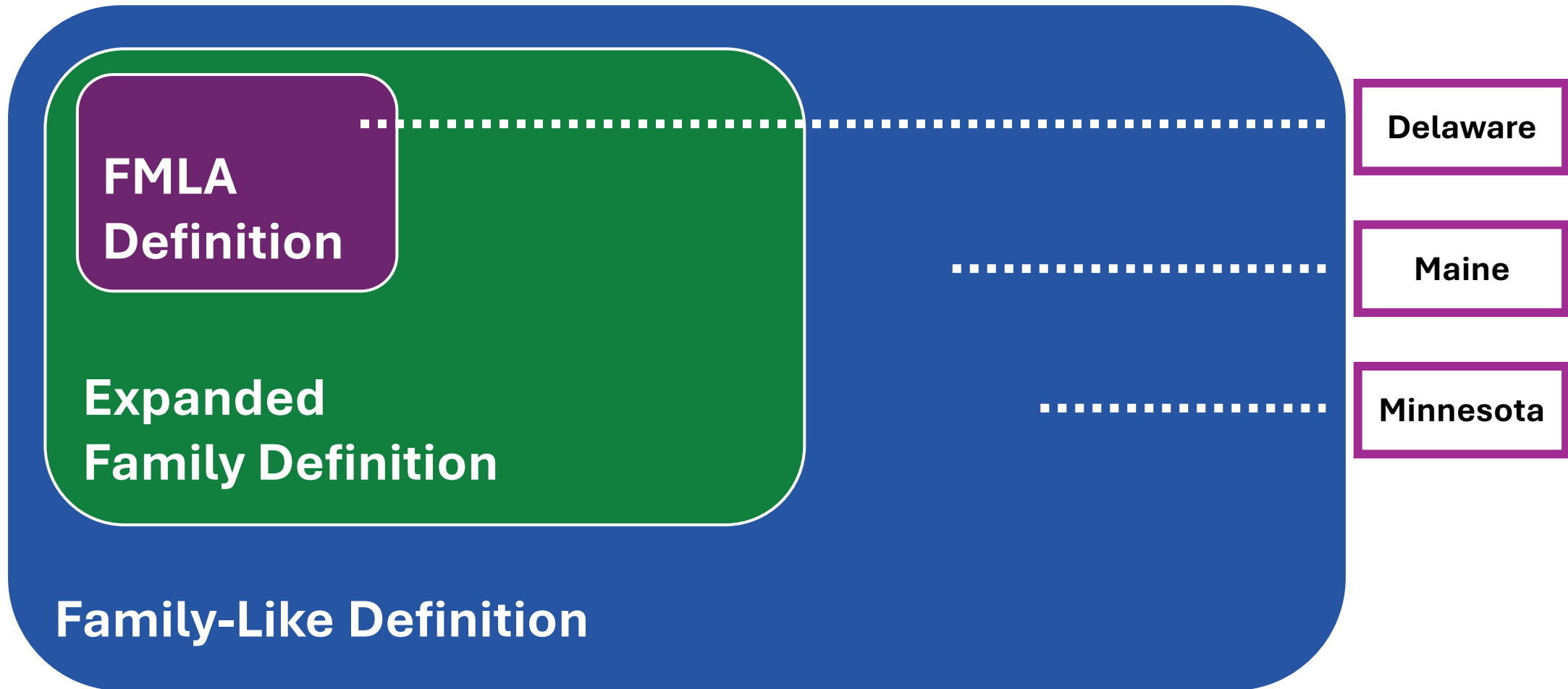
Minnesota



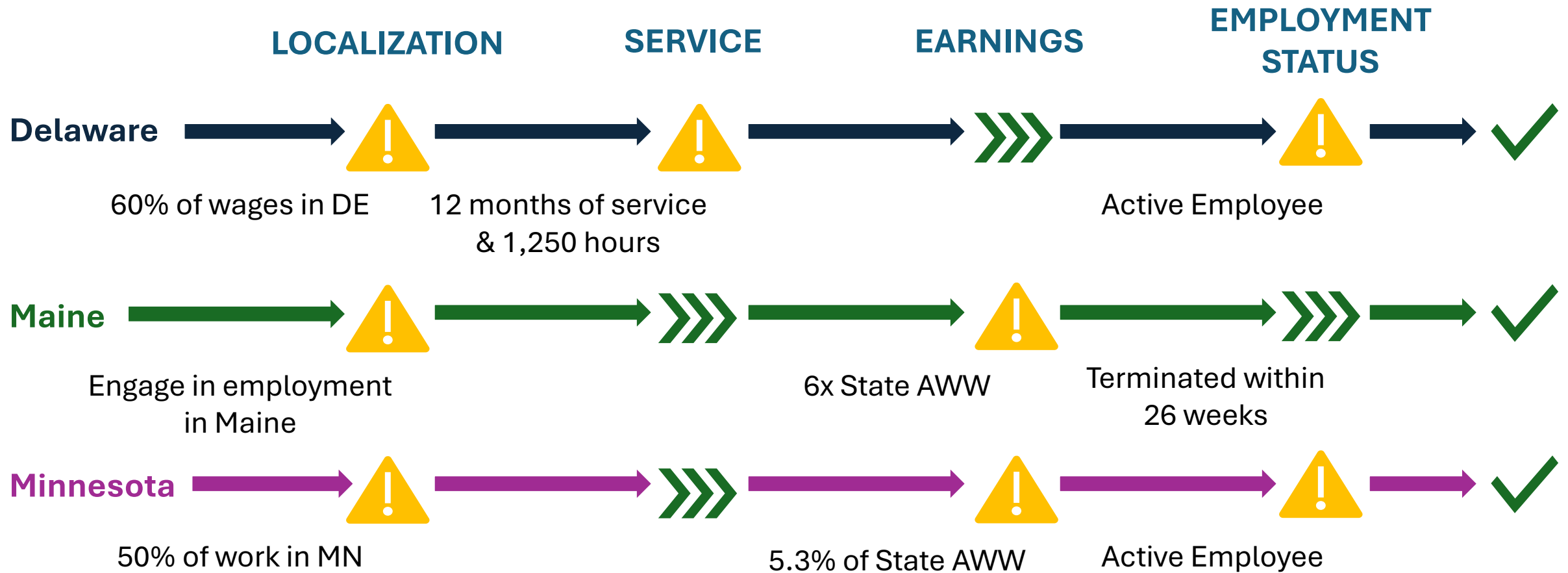
12 weeks total in a 12-month period, with a minimum 7-day qualifying event



# Covered Family Members



# Eligibility



# Funding

## Delaware

**0.80%**

Up to \$184,500  
of wages

**0.40%**

Employer funded

Maximum collected  
from employees

**0.40%**

→ Rate by Leave Type

→ Small Employer Exceptions

## Maine

**1.00%**

Up to \$184,500  
of wages

**0.50%**

Employer funded

Maximum collected  
from employees

**0.50%**

→ Small Employer Exceptions

## Minnesota

**0.88%**

Up to \$184,500  
of wages

**0.44%**

Employer funded

Maximum collected  
from employees

**0.44%**

→ Small Employer Exceptions



# What does the future hold?



# Questions?

Thank you!

