NOTICE TO SMITH COLLEGE EMPLOYEES AND STUDENTS:

Last year, the Massachusetts legislature passed a new Paid Family and Medical Leave (PFML) law. Under this law, employees, certain independent contractors and self-employed individuals can take up to 26 weeks of leave, paid for by contributions from the state. Smith College had two options in determining how to remain compliant with this new law, deduct payroll contributions from worker's wages, or offer employees paid family leave, medical leave, or both, with benefits that are at least as generous as those provided under the law.

An employer that offers paid leave with benefits that are at least as generous as those provided under the law may apply for an exemption from paying the Department of Family and Medical Leave Family and Employment Security Trust Fund contribution. **Smith College has been approved for an exemption for both kinds of leave, meaning that our paid leave programs, effective January 1, 2021 will be at least as generous as the state's, and employees WILL NOT be affected by the new payroll tax.**

Please see the required notice documentation below, as required by the State of Massachusetts, and click "**submit**" to acknowledge receipt of this notice:

Employer Notice to W2 Employee

Covered Entities with 25 or more Workers

Rights and Obligations under the Massachusetts Family and Medical Leave Law, M.G.L. c. 175M

Explanation of Benefits

Beginning on October 1, 2019:

- Employers will deduct payroll contributions from a covered individual's wages or other earnings to fund PFML benefits.

Beginning January 1, 2021, 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, 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.

Beginning July 1, 2021, you may be entitled to up to

- 12 weeks of paid family leave in a benefit year to care for a family member with a serious health condition.
- 26 total weeks, in the aggregate, of paid family and medical leave in a single benefit year.

Your weekly benefit amount *will be based on the employee's earnings, with a maximum benefit of $850 per week.*

Job Protection, Continuation of Health Insurance, No Retaliation

- **Job Protection:** Generally, if you take family or medical leave under the law you must be restored 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 of leave.
- **Continuation of Health Insurance:** Your employer 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 continuously for the duration of such leave.
- **No Retaliation:** It is unlawful for any employer to discriminate or retaliate against you for exercising any right to which you're entitled under the paid family and medical leave law. An employee or former employee who is discriminated or 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.

Private Plan Exemption

An employer that offers paid leave with benefits that are at least as generous as those provided under the law may apply for an exemption from paying the Department of Family and Medical Leave Family and Employment Security Trust Fund contribution. An employer may apply for an exemption from the medical leave contribution, family leave contribution, or both.

The details of any private plan must be provided to employees by an employer at the same time as this Notice.

Employees enjoy rights to job-protected leave and from discrimination and retaliation under the law even if their employer is approved to provide leave benefits through a private plan.

- **Smith College has an approved private plan for both family and medical leave**

Department of Family and Medical Leave (DFML) Contact Information

The Massachusetts Department of Family and Medical Leave

Charles F. Hurley Building

19 Staniford Street, 1st Floor

Boston, MA 02114

(617) 626-6565

www.mass.gov/DFML

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

ACKNOWLEDGMENT

By clicking "Submit" below, you acknowledge your receipt of the information above within 30 days from the start date of your employment or prior to October 1, 2019, whichever is later.

Your signed acknowledgement will be retained by your employer. Please retain a copy for your own reference.