

Time to Care

Maryland's Paid Family and
Medical Leave Program





Time to Care Coalition


- ▶ The Time to Care Coalition is made up of hundreds of individuals and organizations representing:
 - ▶ Service providers
 - ▶ Religious organizations
 - ▶ Unions
 - ▶ Advocacy groups
 - ▶ Businesses
 - ▶ Political Clubs

What does the law do?

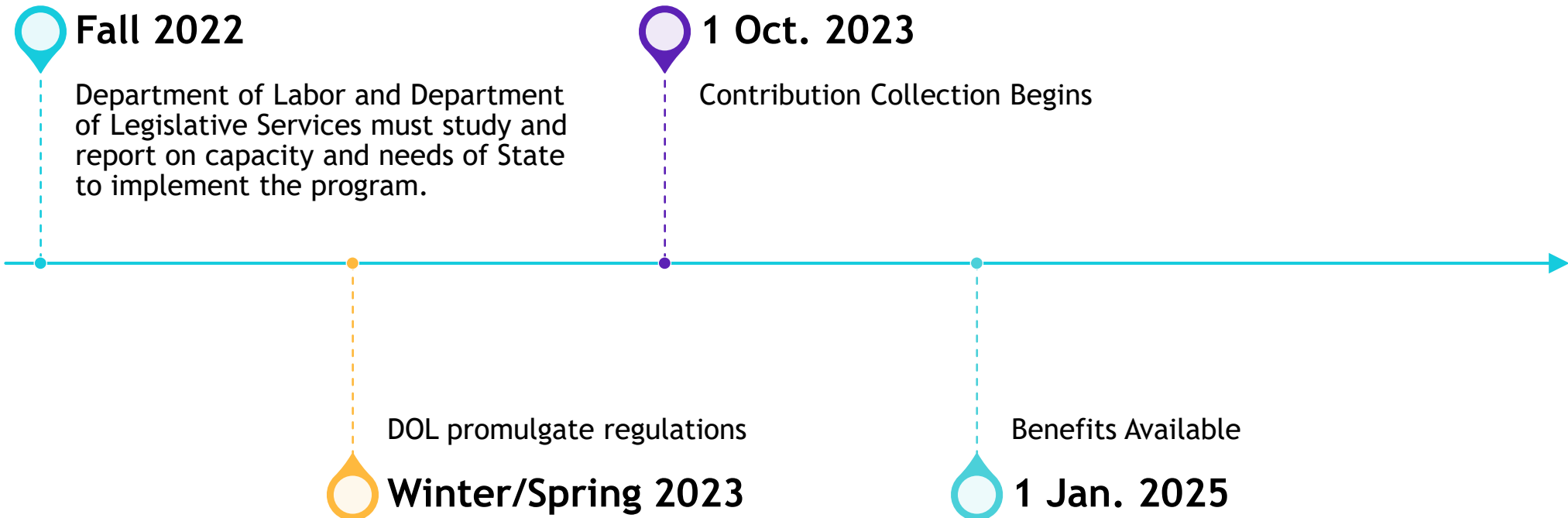
Creates the Maryland Family and Medical Leave Insurance (FAMLI) program which will provide partial wage replacement for workers who need to take time to care for themselves, a family member, deal with the circumstances of a deployment or welcome a new child into their home.



Bill History

- ▶ **June 2016** - Task Force to Study Family and Medical Leave Insurance in Maryland was created
 - ▶ **December 2017** - Task Force report issued
 - ▶ **January 2019 -April 2022** - Time to Care Act introduced and debated in the General Assembly
 - ▶ **March 20, 2022** - General Assembly passes SB 275
 - ▶ **April 8, 2022** - Governor Hogan vetoes Time to Care Act
 - ▶ **April 9, 2022** - General Assembly overrides gubernatorial veto
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Implementation Timeline



For what purposes can the leave be used?



Who is covered?

Almost all employees are covered.

Part-time workers are included if they worked over 680 hours the previous year

Business size has no bearing on whether or not a worker is included

Private and public sector workers are included

How much leave is allowed?



An employee can generally take up to 12 weeks of leave per year.



Employees who are welcoming a new child into their home and have their own serious health condition can take up to 24 weeks.

How is family member defined?

- ▶ A family member is a child, parent, spouse, grandparent, grandchild, or sibling.
 - ▶ Step parents, children, grandchildren and siblings are included
 - ▶ Parents-in-law are included

How is the program funded?

- ▶ Employees and employers will pay into the fund through a payroll deduction.
- ▶ The contribution amount has not been set yet. The Department of Labor is in the process of making that recommendation.
 - ▶ As a frame of reference, other states with similar programs have rates between .4% and 1.1% of wages.
- ▶ DOL has also been tasked with recommending how to split the contribution between employers and employees.
- ▶ Employers with fewer than 15 employees are exempt from making contributions.

Is the program mandatory?

- ▶ All employers in Maryland must provide access to paid family and medical leave.
- ▶ Employers can apply to be exempt from the State program if they offer a private plan that meets or exceeds the State program.

Are self-employed individuals included?

- ▶ Self-employed individuals can opt into the program. They must commit to remain in the program for at least 3 years.
- ▶ Self-employed individuals include owners of certain companies where they are the only employee.

Is an employee's job protected while they take leave?

- ▶ Yes. In most cases an employee's job will be protected while out on leave under FMLI. There is an exception if:
 - ▶ an employer can show that it would cause substantial and grievous economic injury to restore the employee to their position;
 - ▶ the employer notifies the employee of their intent to deny restoration; and
 - ▶ the employee still elects to take leave.

A close-up photograph of a person's hands holding a check. The person is wearing a dark suit jacket over a light blue shirt. The check is from 'COMPANY INC.' and is partially filled out. The background is a blurred office setting.

What is the benefit amount?

- ▶ The benefit amount ranges from \$50-\$1000 per week depending on an individual's average wage.
- ▶ Employees who make less money will receive a higher percentage of their average wage.

For additional information:

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