How is MA PFML different from the Federal Family and Medical Leave Act (FMLA)?
Both can be used for the same reasons however, MA PFML applies only to Massachusetts employers and provides paid, job-protected leave to eligible workers. Under MA PFML, employees can take up to:

- 20 weeks of leave for their own serious health condition
- 12 weeks for family leave* (including bonding leave within 12 months of the birth, adoption or foster placement of a child and care for a service member)
- 26 weeks for a qualifying exigency
- Combined, MA PFML cannot exceed 26 weeks within a 12-month period, as calculated from the first date of leave, for any MA PFML covered reason.

For more information on the Federal FMLA go to dol.gov/agencies/whd/fmla.
For more information on MA PFML go to mass.gov/orgs/department-of-family-and-medical-leave.

*Leave for the care of a family member with a serious medical condition does not go into effect under MA PFML until July 1, 2021. The 12-month lookback period for bonding leave applies to births, adoptions, or foster placements that occurred in 2020. If this applies, you may be eligible for additional leave in 2021. You should contact your Leave of Absence Specialist or Local HR contact.

Who is considered a covered family member under MA PFML?

- Spouse
- Domestic Partner (DP)
- Child
- Parent
- Spouse/DP’s Parent
- Sibling
- Grandparent
- Grandchild

A child will be considered a covered family member if they are under age 18, unless they are incapable of self-care because of a mental or physical disability.

What types of leaves is Lincoln Financial (Lincoln) managing for Harvard?
Beginning January 1, 2021, Lincoln will manage Family Medical Leave (FML) and State Leave Programs (e.g. MA PFML and Massachusetts Parental Leave). Lincoln will continue to manage Short-Term Disability (STD) and Long-Term Disability (LTD) claims. All other leaves will be managed by Harvard.

Who do I need to let know I am taking leave?
You should inform your manager and Leave of Absence Specialist or Local HR contact at least 30 days in advance of a foreseeable leave. If the leave is not foreseeable, you should reach out to them as soon as the need for leave is known. You will also need to contact Lincoln to request the leave.

How do I file a leave?
To initiate a leave, you must:
1. Inform your Leave of Absence Specialist or Local HR contact and your manager of your need for leave; and,
2. Contact Lincoln to request a leave. You may contact Lincoln as follows:
- By phone: Call the Harvard-dedicated number at 1-844-600-3978. Intake is available 8AM – 10 PM EST, Monday – Friday.
- Online: Go to My Lincoln Portal® at mylincolnportal.com and click on “Register for an account” under the “Log In” button. The Employer Code is: Harvard (not case sensitive). Instructions will be provided on the website throughout the leave submission process.
- You may also contact your Leave of Absence Specialist or Local HR contact and request that they submit the leave request to Lincoln on your behalf if you are unable to do so yourself.

**What communications will I receive from Lincoln after I file my leave?**

After you first file your leave request, you will have an initial interview with your dedicated Lincoln Integrated Claims Specialist and they will walk through the leaves for which you are eligible, the leave process (including required forms and applicable deadlines) and your responsibilities during the leave process.

Lincoln will send you acknowledgement letter(s) for FML and/or MA PFML following your discussion, and the letter(s) will include a summary of your rights and responsibilities under the FML and MA PFML. You will also receive a summary email from your Lincoln Integrated Claims Specialist outlining how your leaves will coordinate.

You can select a preferred communication method (email, mail, or fax) for all leave updates (acknowledgement, approval, extension, denial) related to FML and/or MA PFML absences. There will be a general email address that all Lincoln Integrated Claims Specialists assigned to Harvard can access for all leave inquiries and for sending documents related to your FML and MA PFML absences.

Given the detailed nature of the medical information, STD claim updates will be provided via a phone call, or you can opt to receive them via text messaging, but these updates cannot be shared via email.

**Does leave under FML and MA PFML have to be taken all at once, or is it possible to break up the time?**

You can take the leave all at once (continuous) or you can break it up (intermittent). A continuous leave means a single leave of absence involving three or more consecutive days. Intermittent leave is taken in separate blocks of time due to a single qualifying reason. Leave cannot be taken in blocks of less than 15 minutes, but can be taken in blocks rounded to the nearest 15-minute increment. You are not required to take whole or half days.

**When can I request to take intermittent leave?**

You may take Military Exigency Leave intermittently or on a reduced-leave schedule; Family Care Leave, Military Care Leave, or Medical Leave intermittently or on a reduced-leave schedule when medically necessary; and Bonding Leave intermittently or on a reduced leave schedule only if your department agrees. Harvard does not need to approve the intermittent or reduced schedule leave as long as the leave documentation supports the need.

**How will I be paid while on leave?**

If you are approved for STD, workers’ compensation, and/or MA PFML, those leaves will run concurrently with unpaid FML.

For most leaves, there is a one-week waiting period (7 calendar days) before benefits are payable. During this waiting period, you will not be paid unless you use eligible paid time off (PTO). If you are approved for a paid leave, payment will be issued by Harvard according to your regular payroll cycle.

If you begin receiving other income (such as Social Security disability benefits) while receiving MA PFML payments, you must notify Lincoln immediately to avoid overpayment. Harvard has the right to recover overpayments in full.

While on paid leave, you will continue to have benefit deductions taken from your Harvard paycheck. If you are not on an approved paid leave, or if you have not elected to use available PTO during an unpaid FML leave, you will be billed for your benefits by Harvard’s billing vendor, Benefits Strategies. Please see the “What Happens When You Go On Unpaid Leave” for more information.
If you have questions about your MA PFML pay amount, contact your Lincoln Integrated Claims Specialist.

Can I elect to use my paid time off (PTO) while on leave?
Yes. During the wait period for MA PFML, you may use PTO or you can go unpaid. After that, you can use PTO to replace (use instead of) MA PFML pay during any leave.

Union employees with less than 7 years of service can supplement (aka “top off” to receive 100% of usual pay) during the 4 weeks of MA PFML bonding leave following the wait period.

The remaining weeks of bonding leave can’t be supplemented (union, nonunion and non-benefits eligible/former employees). No other leaves can be supplemented with PTO; however, payments can be replaced with PTO.

Note: Sick pay can be used towards leave for your own serious health condition or an eligible dependent based on our usual sick time policy. Vacation and personal time can be used towards any leave.

Will I be paid for a holiday (including winter break) if I am out on MA PFML?
If a holiday or winter break falls within the wait period, you will be paid 100% for the holiday until the waiting period is met. If the holiday falls after the wait period, then you will be paid the amount you are eligible for while on leave, which may be less than 100% of your regular pay.

What happens to leave under the FMLA and MA PFML during seasonal leaves?
Lincoln will follow the federal FMLA regulations which state the time an employee is not scheduled to work will not be counted as FML leave (i.e., summer break). MA PFML leave will be treated the same way.

Do I need to report my leave in PeopleSoft?
You do not need to report your leave in PeopleSoft. However, you may need to report certain absences related to an approved leave. If you normally report absences through PeopleSoft Absence Management or via a timesheet, you should enter PTO used during the 7-day waiting period. For intermittent leaves, you should follow Harvard’s internal time reporting process. Your manager will approve these absences. Harvard will forward the reported time to Lincoln so they can apply it to intermittent leaves.

If you do not normally report absences through a Harvard Absence Reporting System, you must submit your intermittent time online to Lincoln at My Lincoln Portal® (mylincolnportal.com) or over the phone via interactive voice response at 1-844-600-3978.

How will I know if my leave is approved?
If your leave is approved, you will be notified by your Lincoln Integrated Claims Specialist via the communication method you chose when you initiated your leave.

What happens if my leave is denied and how will I find out?
If you have not provided the documentation required for Lincoln to make a leave decision, your leave may be denied and you may be subject to Harvard’s attendance policy. You will be notified by your Lincoln Integrated Claims Specialist via the communication method you have chosen when you initiated your leave.

If your leave is ultimately denied, your Lincoln Integrated Claims Specialist will call you to explain the reason for the denial and advise you how to appeal the decision. Additionally, a letter detailing the denial reason and outlining the appeal process will be mailed to you. Your Harvard designated Leave of Absence Specialist or Local HR contact will also be informed of the decision.

If you do not return to work at the end of your leave, and you have not requested a leave extension, you may be subject to discipline up to and including termination. Please note you may be eligible for other leave coverage through Harvard. Contact your Leave of Absence Specialist or Local HR Office to determine if other leaves may be available to you.
How do I appeal my MA PFML denial?
You will have up to 10 calendar days to file your MA PFML denial with Lincoln. The 10-day period may be extended if you can establish that circumstances beyond your control prevented you from being able to file your appeal within 10 calendar days. Appeals must be in writing and include:

- A detailed explanation of why you believe the denial was in error, and
- Copies of any available supporting documentation

All appeals must be submitted in accordance with Lincoln’s appeals process outlined in your denial letter. You will be informed in writing of the outcome of the internal appeal. You also have the right to appeal your denial with Massachusetts Department of Family and Medical Leave (DFML). You are required to participate in the internal appeal process prior to appealing with the DFML.

Can MA PFML be retroactively approved?
You must file your request for MA PFML with Lincoln at least 30 days prior to the start of the leave (or, for unforeseen leaves, as soon as is practicable). Depending on the circumstances, these leaves could be retroactively approved to the start date of the leave.

How can I find out how much leave I have taken?
You can contact your Harvard designated Leave of Absence Specialist or Local HR contact for this information. You can also request this information from your Lincoln Integrated Claims Specialist.

Am I expected to stay in contact while on leave?
Yes, you are responsible for:

- Timely responses to all requests for information from Lincoln including, but not limited to, completion of Certification of Health Care Provider Forms and recertification of leave
- Notifying your assigned Lincoln Integrated Claims Specialist of changes in the circumstances of your leave
- Keeping your Leave of Absence Specialist or Local HR contact informed of changes to your leave or return to work plans
- Reporting intermittent absences related to your leave, per department policies
- Calling your Leave of Absence Specialist or Local HR contact before your anticipated return to work date to discuss the return process, including your return date

Can I take more than one leave at once?
Yes, you may be approved for more than one leave at once. For example, you could be approved for intermittent medical leave due to your own serious health condition and an intermittent family care leave for a parent with a serious health condition (after July 1, 2021). You will need to work with Lincoln to make sure absences are applied to the correct leave.

What do I need to do before I am allowed back to work?
If you are absent from work more than three days due to your own serious health condition, you must call your Leave of Absence Specialist or Local HR contact at least two weeks (if possible) before your anticipated return to work date to discuss the return to work process. You will need to provide your Harvard leave contact with written documentation from your health care provider clearing you to return to work. The return to work documentation must indicate the date you can return to work, medical clearance to resume the essential functions of your job, and if any accommodations or restrictions are required. A Return to Work form will be included with the leave communications sent to you by Lincoln.

You will not be permitted to return to work without authorization from your Leave of Absence Specialist or Local HR contact. Reach out to your Harvard leave contact with questions about Harvard’s return to work requirements.

Note: Return to work documentation is only required for a leave taken for your own serious health condition.
What if I need to extend my leave?
If you are seeking to extend your leave, you must notify Lincoln no less than 14 calendar days prior to the expiration of your original approved leave (Harvard may allow a late filed request for extension for good cause shown). You must also notify your Harvard designated Leave of Absence Specialist or Local HR contact of the need for an extension. Any extension of a leave will be limited to the period of MA PFML for which you remain eligible for in the benefit year.

Whom should I contact for specific question?

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<tr>
<th>Question Type</th>
<th>Resource</th>
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<tr>
<td>Leave process</td>
<td>Harvard designated Leave of Absence Specialist or Local HR contact</td>
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<td>Harvard’s leave policies</td>
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<td>Communications, forms, and pay</td>
<td>Lincoln Integrated Claims Specialist</td>
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Where can I find more information?
For more information and resources on MAPFML visit hr.harvard.edu/ma-pfml.