



Updated as of October 1, 2020

Subject: Required Notification – Massachusetts Paid Family and Medical Leave Notice

Dear Colleague:

We are pleased to share news of an exciting new benefit that will soon be available. Beginning in 2021, Harvard University will offer all eligible employees paid family and medical leave. Harvard's new paid family and medical leave benefits, which are modelled on the Massachusetts Paid Family and Medical Leave Law, are designed to enhance the many family-friendly and medical leave benefits that Harvard currently offers its employees.

The details of these new benefits – which supplement the benefits employees already receive – are outlined below along with an important notification from the Commonwealth of Massachusetts concerning the Paid Family and Medical Leave Law.

You are required to acknowledge or refuse to acknowledge that you have received this cover letter and notification. To acknowledge or refuse to acknowledge, go to PeopleSoft Self Service, select **My Preferences & Agreements > MA Paid Family & Medical Leave** within 30 days of your hire date.

If you do not have access to a computer, you can complete the acknowledgement section at the end of this notice and return it to your HR Contact within 30 days of your hire date. Keep a copy of the signed notice for your records. If you refuse to acknowledge receipt, you may write your refusal to acknowledge on the notice.

Harvard's New Paid Family and Medical Leave Benefits

All eligible employees will receive the following paid family and medical leave benefits consistent with the University's Paid Family and Medical Leave Law Policy:

Paid Medical Leave: Beginning January 1, 2021, employees may take up to 20 weeks of paid Medical Leave in a benefit year due to the employee's own serious health condition that incapacitates the employee from performing the essential functions of the employee's job.

Paid Family Leave: Employees may take paid Family Leave for the following reasons:

1. Beginning January 1, 2021, employees may take up to 12 weeks of paid Family Leave to bond with a child during the first 12 months after the child's birth, adoption, or foster placement.
2. Beginning January 1, 2021, employees may take up to 26 weeks of paid Family Leave to provide care to a family member who is a covered service member.
3. Beginning January 1, 2021, employees may take up to 12 weeks of paid Family Leave because of any qualifying exigency arising out of the fact that a family member is on active duty or has been notified of an impending call or order to active duty in the Armed Forces. Qualifying exigencies include such things as providing for the care or other needs of the military member's child or other family members, making financial or legal arrangements, attending counseling, military events or ceremonies, spending time with the military member during a rest and recuperation leave or following return from deployment, or making arrangements following the death of the military member.
4. Beginning July 1, 2021, employees may take up to 12 weeks of paid Family Leave to care for a family member with a serious health condition.

Total Leave: Employees may take up to a maximum of 26 weeks, in the aggregate, of paid leave per benefit year for the purposes listed above.

Interplay with Other Types of Leave or Approved Time Off: If an employee takes leave that is associated with a qualifying reason under this policy and is also eligible for leave or approved time off under any other Harvard policy or collective bargaining agreement (including but not limited to Family and Medical Leave Act (FMLA), parental leave, short and long term disability, vacation time, sick time, personal time, PTO, or any other type of approved absence from work), such absence shall run concurrently with leave under this policy, regardless of whether the employee applies for benefits under this policy.

Weekly Wage Replacement Benefit: An employee who takes paid leave pursuant to these new benefits will receive *at minimum* the weekly wage replacement benefit prescribed by the Massachusetts Paid Family and Medical Leave Law (up to \$850/week). More information about such minimum benefits may be found here: <https://www.mass.gov/info-details/estimate-your-available-paid-family-and-medical-leave-benefits>.

Supplemental benefits: Employees may be eligible to receive additional wage replacement benefits under other Harvard policies and benefit programs and collective bargaining agreements. In such cases, the employee will receive the greater of the various benefits that are available for the covered reasons. In no case may the total payment received by the employee exceed the compensation that the employee would have received if they had been working.

Harvard has been approved by the Massachusetts Department of Family and Medical Leave to provide these benefits directly to its employees through its own “private plan” (rather than requiring its employees to also go to the Commonwealth to seek approval and payment for such leaves, like many other employers).

Eligibility

To be an “eligible employee” you must be a covered employee who is not exempted by the Massachusetts Family and Medical Leave Law, M.G.L. c. 175M.

Covered Employees: Covered employees are all employees – including full-time, part-time, on call, per diem, temporary, and seasonal employees – who perform services within Massachusetts and are not exempted under the Massachusetts Family and Medical Leave Law, M.G.L. c. 175M. These benefits also apply to such employees for twenty-six (26) weeks after separation or until re-employed, whichever comes first.

Exemptions: These benefits do not apply to: (a) existing or former employees who do not perform services within Massachusetts, (b) independent contractors, (c) exempt student workers, (d) H-2A visa holders, or (e) any other categories of workers who are exempted under the Massachusetts Family and Medical Leave Law, M.G.L. c. 175M.

Rights and Obligations under the Massachusetts Paid Family and Medical Leave Law

There are other aspects of our paid family and medical leave benefits – and the Massachusetts Paid Family and Medical Leave Law – that are too numerous to list in this cover letter. Therefore, we encourage you to read the enclosed “Rights and Obligations under the Massachusetts Family and Medical Leave Law” Notification (“Notification”) provided by the Commonwealth of Massachusetts.

To view the Notification in an alternate language visit <https://hr.harvard.edu/ma-pfml>. When finished, we ask you to acknowledge or refuse to acknowledge that you have received this cover letter and notification by completing the acknowledgement section at the end of the notice. If you refuse to acknowledge receipt, you may write your refusal to acknowledge on the notice and sign the form. You must return the signed notice to your HR Contact within 30 days of your hire date. Keep a copy of the signed notice for your records.

Questions

If you have questions, please contact Harvard Benefits at benefits@harvard.edu or 617-496-4001; or The Massachusetts Department of Family and Medical Leave, Charles F. Hurley Building, 19 Staniford Street, 1st Floor, Boston, MA 02114 or 617-626-6565.

To learn more about the Massachusetts Paid Family and Medical Leave Law, visit:
<https://www.mass.gov/orgs/department-of-family-and-medical-leave>.

Thank you,
Harvard Benefits

Please note that receipt of this communication does not guarantee eligibility for this program. For full eligibility requirements, please go to <https://www.mass.gov/orgs/department-of-family-and-medical-leave>. Harvard reserves the right to make changes to its paid family and medical leave benefits described above and/or any existing leave programs.

Avi Anplwayè a ba Anplwaye W2 yo

Antite ki gen Pwoteksyon ki omwens 25 Travayè

Dwa ak Obligasyon anba Lwa Massachusetts osijè Konje Peye Medikal
oswa pou Fanmi, M.G.L. c. 175M

<p>President and Fellows of Harvard College “Harvard University”</p> <hr/> <p>(Non Anplwayè a)</p>
<p>114 Mount Auburn Street, 4th Floor (Adrès Lari Anplwayè a)</p>
<p>Cambridge, MA 02138 (Vil, Eta ak Kòd Postal Anplwayè a)</p>
<p>04-2103580 (Nimewo Idantifikasyon Anplwayè a) (FEIN)</p>

Esplikasyon Benefis yo

- **Koumanse 1ye janvyè 2021**, ou ka gen dwa pou resevwa jiska
 - 12 semèn konje peye pou fanmi pandan ane benefis pou nesans, adopsyon oswa plasman yon timoun nan fwaye dakèy oubyen akòz yon egzijans pou kalifikasyon ki baze sou lefè ke yon manm nan fanmi a nan sèvis militè aktif oubyen yo te notifiye li ke yo pral rele li byento pou li antre nan sèvis aktif Fòs Lame yo;
 - 20 semèn konje medikal peye nan yon ane benefis si yo gen yon pwoblèm sante grav ki anpeche yo travay
 - 26 semèn konje peye pou fanmi nan yon ane benefis pou yo kapab swen yon manm fanmi ki se yon manm lame ki gen pwoteksyon k ap resevwa tretman medikal oubyen sinon kid we fè fas ak konsekans yon pwoblèm sante grav ki gen pou wè ak sèvis militè manm fanmi sa a.
- **Koumanse 1ye jiyè 2021**, ou ka gen dwa pou resevwa jiska
 - 12 semèn konje peye pou fanmi nan yon ane benefis pou yon manm fanmi w ki gen yon pwoblèm sante ki grav.
 - 26 semèn ototal, si you ajoute yo tout ansanm, konje peye pou fanmi ak konye medikal peye nan yon ane benefis.

Montan benefis ou chak semèn pral baze sou lajan anplwaye a touche, avèk yon benefis maksimòm ki atenn \$850 chak semèn.

Pwoteksyon Djòb, Kontinyasyon Asirans Sante, Entèdiksyon Repezay

- **Pwoteksyon Djòb:** Anjeneral, si w te pran yon konje peye pou fanmi sowa medikal selon lalwa dwe kapab tounen nan pozisyon ou te genyen anvan an oswa nan yon pòs ki ekivalan, avèk menm prestij, salè, avantaj nan travay, kredi pou dire sèvis ak seniorite pa rapò ak anvan dat konje peye a.
- **Kontinyasyon Asirans Sante a:** Anplwayè a dwe kontinye peye epi kontribye nan avantaj asirans sante w lan ki gen pou wè ak anplwa w lan, si genyen, nan nivo ak selon kondisyon pwoteksyon li ta ofri si ou a te kontinye travay san rete pandan tout dire konje peye sa a.
- **Entèdiksyon Repezay:** Li ilegal pou yon anplwayè fè diskriminasyon oubyen repezay kont yon anplwaye poutèt li te egzèse nenpòt dwa anplwaye sa a gen dwa genyen selon lwa osijè Konje Peye Medikal ak pou Fanmi la. Yon anplwaye oswa yon ansyen anplwaye ki viktim diskriminasyon oswa vanjans paske li te egzèse dwa li yo selon lwa a, gendwa prezante yon aksyon devan lajisitis nan yon tribinal siperyè anvan twa (3) zan fin pase apre vyolasyon an te rive.

Kontribisyon Anplwayè/Anplwaye a nan Fon Twòs Sekirite DFML Fanmi ak Anplwa a

Nan dat 1ye oktòb 2019, kontribisyon ba Fon Twòs pou Sekirite Anplwa (Employment Security Trust Fund) Depatman Konje Peye pou Fanmi ak Konje Peye Medikal (Department of Family and Medical Leave, DFML) pral kòmanse. Yon anplwayè pral responsab pou voye kontribisyon ba DFML pou kont tout anplwaye yo, menmsi yo gendwa dedui yon pòsyon nan lajan anplwaye a touche. Nivo kontribisyon an gendwa ajiste chak ane epi w ap jwenn li nan avi osijètarif efektif ki anplas ki tache la a.

Kijan pou Prezante yon Reklamasyon

Anplwaye yo dwe ranpli fòm Depatman an pou prezante reklamasyon pou benefis konye peye pou fanmi ak konye medikal peye opre DFML. Enstriksyon yo pou fòm ak reklamasyon yo ap disponib sou wèbsayt Depatman an nan www.mass.gov/DFML anvan janvyè 2021.

Anplwaye yo oblije bay anplwayè yon preyavi omwen 30 jou anvan dat kòmansman ki prevwa pou konje peye an, konbyen tan konje peye a pral dire ak dat anplwaye a prevwa li pral tounen nan travay la. Yon anplwaye ki pa kapab bay yon preyavi 30 jou akòz sikonstans li pa ka kontwòle oblije bay yon preyavi, bonè jan sa posib.

Peman pou Konje Peye Konkiran

Yo pral kontabilize kèlkeswa konje peye yo bay sou labaz yon akò negosyasyon kolektiv oswa politik anplwayè a epi ke yo peye nan menm nivo oswa selon yon tarif ki pi wo pase konje peye ki disponib anba lwa sa a an konsideran alokasyon benefis konje peye yo ki disponib anba lwa sa a.

Egzanpsyon pou Plan Prive

Yon anplwayè ki ofri konje peye ak benefis ki omwens gen menm nivo benefis ak sa lalwa garanti gendwa aplike pou yon egzansyon pou li pa bezwen peye kontribisyon nan Fon Twòs Sekirite Anplwa Depatman Konje Peye Medikal ak pou Fanmi la. Yon anplwayè gendwa aplike pou yon egzansyon pou li pa bezwen peye kontribisyon pou konje peye a, kontribisyon pou konje peye pou fanmi a oswa toulede alafwa.

Yon anplwayè dwe bay anplwaye a tout detay kèlkeswa plan prive a anmenm tan li ba li Avi sa a.

Anplwaye yo gen dwa jwenn konje peye pandan djòb yo pwoteje epi pou pa viktim diskriminasyon ak reprezay, menmsi anplwayè yo apwouve pou bay benefis sou labaz yon plan prive. .

<p>Harvard University _____ (Non Anplwayè a)</p>	<p><input type="checkbox"/> Pa gen okenn plan prive ki apwouve;</p> <p><input checked="" type="checkbox"/> Gen yon plan prive ni pou konje peye pou fanmi ak ni pou konje medikal peye;</p> <p><input type="checkbox"/> Gen yon plan prive ki apwouve pou konje peye sèlman;</p> <p><input type="checkbox"/> Gen yon plan prive apwouve pou konje medikal peye sèlman.</p>
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Enfòmasyon Kontak Depatman Konje Peye Medikal ak pou Fanmi (DFML)

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

Gen plis Enfòmasyon ki Disponib

Si w bezwen plis enfòmasyon detaye toujou, tanpri al gade wèbsayt Depatman an nan:
www.mass.gov/DFML.

KONFIMASYON

Siyati w ki anba la a konfime ou te resevwa enfòmasyon ki anlè a nan 30 jou apatide dat kòmansman anplwa w oswa omwens 30 jou anvan 1ye jiyè 2019, sa ki rive an dènye nan de evènman sa yo.

Siyati

Dat

Non (Make an lèt majiskil)

Anplwayè w pral kenbe konfimasyon w ki siyen an. Tanpri kenbe yon kopi nan dosye lakay ou tou.

Tarif Efektif ki Anplas yo: 2019

Pou anplwayè yo ki gen 25 anplwaye oswa plis

Kontribisyon Konje Peye pou Fanmi	Kontribisyon Pedikal Peye	Montan Kontribisyon Total
.13%	.62%	.75%

Nan dat 1ye oktòb 2019, kontribisyon yo nan Fon Twòs pou Sekirite Anplwa Depatman Konje Peye Medikal ak pou Fanmi (Department of Family and Medical Leave, DFML) pral kòmanse. Yon anplwayè pral responsab pou voye kontribisyon yo ba DFML pou tout anplwaye yo.

Pou kounye a, montan kontribisyon total la se 00.75% salè yo. Nan montan kontribisyon total 00.75% sa a, gen yon divizyon: 17.3% se kontribisyon pou konje peye pou fanmi epi 82.7% se pou konje medikal peye.

Dapre lwa a, anplwayè a responsab pou 60% minimòm nan kontribisyon konje medikal peye a (.372% nan salè yo), men li otorize retire nan peman yo anplwaye yo jiska 40% nan kontribisyon konje medikal peye a (.248% nan salè yo) epi jiska 100% nan kontribisyon konje peye pou fanmi (.13% nan salè yo).

Konje Medikal Peye	Montan Total Kontribisyon ki Obligatwa: .62%		
	Harvard University pral kontribye	100%	nan kontribisyon pou konje medikal peye
	(Non Anplwayè a) epi rès la	0%	nan kontribisyon konje peye pou fanmi a

Konje Peye pou Fanmi	Montan Total Kontribisyon ki Obligatwa: .13%		
	Harvard University pral kontribye	100%	nan kontribisyon konje peye pou fanmi a
	(Non Anplwayè a) and the remaining	0%	nan kontribisyon konje peye pou fanmi a

Inisyal _____