

**Maryland Paid Family and Medical Leave**

**Update (04/14/25):** The Maryland General Assembly has passed a final bill to establish new implementation dates for Maryland's paid family and medical leave insurance program, the [Time to Care Act](#). After the passing of [Senate Bill 828](#), here is what we know about the law thus far:

- The law applies to employers with at least one employee in Maryland.
- Employees will qualify if they work 680 hours for any employer in the state in the 12-month period prior to the start of a leave.
- They will be eligible to receive up to 12 weeks of paid leave for parental, family care, medical, military service member care, and qualifying exigency leave. Plus, an additional 12 weeks of paid leave when an employee requires both medical and parental leave. A birthing parent, for example, who is disabled due to their pregnancy could receive up to 12 weeks of medical leave and have an additional 12 weeks to bond with their child.
- Leave is generally job-protected, and maintenance of group health insurance benefits is required.
- There is an expansive list of family members covered under the law: child, parent, parent-in-law, spouse, grandchild, grandparent, sibling, domestic partner, and next of kin (for military service member care).
- Benefit amount: 90% for those earning 65% or less of the state average weekly wage; for those earning greater than 65% of the state average weekly wage, 90% of the employee's average weekly wage, up to 65% of the state average weekly wage plus 50% of the employee's average weekly wage that is greater than 65% of the state average weekly wage. The maximum benefit for the first year of the program is \$1,000 per week.
- Private plans are allowed as long as they meet or exceed the requirements of the law.
- The weekly benefit amount for the 12-month period beginning 07/01/26 will not exceed \$1,000, with annual determinations each subsequent year.
- Payroll deductions will now begin January 1, 2027 (previously July 1, 2025), and benefits will become available by January 3, 2028 (previously July 1, 2026).
- Contribution rates would be 50/50 between employer and employee. The total contribution rate of 0.9% will be split evenly (0.45% each) unless the employer chooses to cover their employee's share, up to a maximum of the current Social Security Wage base (\$184,500 in 2026). Employers with 15 or more employees must contribute, and those with 14 or fewer employees are exempt from employer contributions, but must still collect employee contributions at a rate of 0.45%.
- Employers will have the option to select a private self insurance plan or an insured plan through a carrier.
- Employees will not be required to exhaust employer-provided accrued paid leave prior to claiming benefits under MD FMLI (this was previously a requirement under the law). However, employees and their employer can agree to use employer-provided accrued pay (e.g. vacation, sick, PTO) to top up benefits received.
- Employers can still manage benefit coordination with their own employer-provided pay (such as salary continuation and STD).

The Maryland Department of Labor has also finally made available [a website for the FMLI program](#). The "Employers" page has an expansive Q&A list discussing topics such as contributions, claims, and private plans.

**Maryland Parental Leave Act**

**Update (05/20/25):** Maryland has passed [SB 785](#) which amends the definition of an employer under the Parental Leave Act (MD PLA). The PLA states that employers must provide up to 6 weeks of unpaid leave for pregnancy, the birth, adoption, or placement of a child and applies to employers who have between 15 and 49 employees in the state. With this update, effective October 1, 2025, the Act no longer applies to employers who are covered under the federal Family and Medical Leave Act (FMLA) for the current year. This means that larger employers are no longer obligated to provide leave under the Act, and thus limiting when both leaves may run concurrently.

**Handbook/Policy Updates**

MD FMLI does not state any requirements for updating employer handbooks currently. However, you may wish to add information in your handbooks about this law as the live date of the program draws nearer. It is generally our recommendation to include any leave benefit information in your handbooks, where you have an employee population in a particular state. We will also keep our clients posted regarding any updates. Regarding MD PLA, updates to your company handbook may need to be made if you include MD specific leave information.

**Notice Requirements**

Employers will be required to provide a notice for MD FMLI to new hires, 6 months before benefits begin, annually, and when an employee experiences a qualifying leave event. The notice is not released by MD at this time. We will provide this to our clients, once published.

**Larkin Action**

The Larkin Company will consider any law changes carefully, and update our internal resources and processes, as well as our employee leave information packets, if necessary. We will continue to monitor any updates regarding the law and will keep our clients updated.

**Further Company Considerations**

N/A



## Maryland - Leave Highlights

### Resources

[Maryland FMLI Website](#)  
[SB 275 \(MD FMLI\)](#)  
[SB 828 \(MD FMLI Amendments\)](#)  
[SB 785 \(MD PLA Amendments\)](#)

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