# Maine's Paid Family and Medical Leave Program
# Frequently Asked Questions

**What is Paid Family and Medical Leave?**

- Paid Family and Medical Leave (PFML) is a benefit for most Maine workers that allows them to take time off of work and continue to receive some income, so they can deal with life's most challenging events without risking their financial stability, employment, or health insurance.
- PFML is different from earned paid time off and paid sick days.

**Who is covered under Maine's PFML law?**

- Almost all Maine employees are covered under this law. Federal employees, work-study students receiving federal work-study, incarcerated individuals, and certain others may not be covered under the PFML law.
- If you are self-employed, you can opt into the program.
- Some employers may use a private PFML insurance plan to cover their PFML obligation to their employees, instead of the State plan. It is important to check with your employer to know if they use a private PFML plan or the state PFML plan, because it will affect how you file a claim for payment.

**Do I have to pay for it?**

- It depends. The PFML premium is generally 1% of employees' wages, depending on the size of the employer.
- Employees cannot be required to pay more than 0.5% of their wages, including self-employed workers who opt into the program.

**What can I use PFML for?**

The "qualified reasons" that you can use your PFML benefit to take paid time off of work for include:

- Medical Leave: to care for yourself during a serious health condition, which might include:
  - Surgery;
  - Recovery from childbirth;
  - Treatment for cancer or another ongoing serious health issue.
- Family Leave:
  - To bond with a child after birth, adoption, or foster placement.
  - To care for a family member who has a serious health condition.
  - To care for yourself or a family member who is a service member, including needs related to a military deployment.
- Safe Leave:
  - Safe Leave is a unique kind of leave for victims of domestic or sexual abuse or violence. This leave helps you take care for yourself or a family member addressing activities that are needed as a result of violence, assault, sexual assault, or stalking, including abuse or violence from a spouse, dating partner or family member.

**How long can I take leave?**

- PFML covers up to 12 weeks for each benefit year, but the amount of time is based on your specific situation and the need.
- You can take leave in one big chunk, or you can use "intermittent leave," which means you can spread out your 12 weeks in shorter amounts of time. For example, if you need to get a protection order, you could take time off to go to the court to get a temporary order, and you could then take more time off two weeks later to go back to court for the court hearing.

**Can I get my job back when I'm ready to go back to work?**

- It depends. If you have worked at your employer for 120 days or more, your employer has to hold your job or an equivalent position for you to come back to.
- If you are otherwise eligible for PFML but just started at your current employer, you can still apply for the benefits, but your employer does not have to hold your position for you.

## Safe Leave
## Frequently Asked Questions

Safe Leave is part of Maine's Paid Family and Medical Leave (PFML) law. It provides paid time off for workers who need to take time off of work to care for themselves or a family member because of their experience with abuse and violence. Safe Leave offers you flexibility to take time off when you need it most.

**How do I know if I could use Safe Leave?**

- You might be eligible to take Safe Leave if all of the following apply:
  - You are a Maine employee;
  - You have earned 6 times the state average weekly wage. The State Average Weekly Wage (SAWW) is published on July 1 each year. Here is a link to Maine's state average weekly wage posting: Claims Management Unit.
  - You need to take time off from work because you, or a member of your family, experienced violence, assault, sexual assault, or stalking, including abuse or violence from a spouse, dating partner, or family member.

**What activities are covered under Safe Leave?**

- Maine's PFML Program provides Safe Leave for any of the following activities that you may engage in as a response to you or a family member having experienced violence, assault, sexual assault, or stalking, including abuse or violence from a spouse, dating partner, or family member:
  - **Medical Needs:**
    - To get medical care, like visiting the hospital, doctor, or dentist to take care of injuries from an assault.
    - To get mental health care, like going to a therapist or counselor or taking your child(ren) to counseling services.

- **Safety Needs:**
  - To get help getting or staying safe, including making your home safe, like needing to be home from work so someone can install cameras, change locks, or fix damaged windows / doors.
  - Taking time off to look for or move to a safer location.
- **Court / Legal Needs:**
  - Seeking legal assistance to address any issues related to this harm;
  - Meeting with a domestic violence/sexual assault advocate, an attorney, police, etc.;
  - To file a Protection from Abuse or Protection from Harassment case;
  - To prepare for or attend any related court proceedings, including criminal court, family court, or getting a protection from abuse or protection from harassment order.

**How do I take Safe Leave?**

1. Notify your employer in writing that you need to take Safe Leave.
   - You DO NOT need to provide detailed information to your employer about the abuse or violence that happened to you.
   - Here is the information you need to tell your employer in writing:
     - The reason for leave: which can be as simple as: "I need to take Safe Leave."
     - The type of leave you need: continuous (all at once, like a set number of weeks), reduced schedule (a planned number of reduced days or hours in your schedule), or intermittent leave (varying time off over a certain period of time).
     - The actual or anticipated timing and amount of time you'll need to take off.
     - Any other pertinent information – but this does not need to include details of the abuse or violence you experienced.

2. Next, file a claim with the Maine Department of Labor's PFML Administrator, Aflac, by submitting an application through their Worker Portal: **Aflac | Login**. If your employer has a private plan, you will need to file a claim using their form.
   - To create an account, you will need to provide the following information:
     - Social Security Number
     - Date of Birth
     - First and Last Name
     - Email address
     - Phone number
     - Mailing address
     - The dates you'll be away from work, including the first day of absence and anticipated return to work date. An estimate is fine if you're not sure.
     - Your (or your family member's) treating provider's contact information, if applicable.

According to the Maine Department of Labor, your employer will not receive any details from Aflac about why you needed to take Safe Leave. Any additional follow up in information that you are required to provide to Aflac will stay between you and Aflac.

MCEDV's member organizations are available to assist survivors in applying for Safe Leave. To connect with an advocate, reach out directly to one of the resources listed below, or call the Statewide Domestic Abuse Helpline to be connected with support near you.

