

City of Somerville Benefit Review



Definitions: current FMLA-eligible leave policy

- **Family and Medical Leave Act (FMLA) eligible leave:** job protected leave used most frequently due to a serious health condition, or to care for a newborn or newly adopted child or a family member with a serious health condition.
 - FMLA can be taken on an intermittent or continuous basis
 - 12 weeks of eligibility per year
 - Only guarantees job protection; no paid time off is provided under FMLA
- **Parental leave:** Leave specific to the birth or adoption of a child.
- **Accrued Paid Time Off (PTO):** for non-union employees, Sick time is accrued and rolls over year to year. Vacation time is accrued but only 10 days can roll over between calendar years (unless permitted otherwise).
 - New non-union employees accrue 4 weeks of sick time and 4 weeks of vacation time per year

FMLA provisions

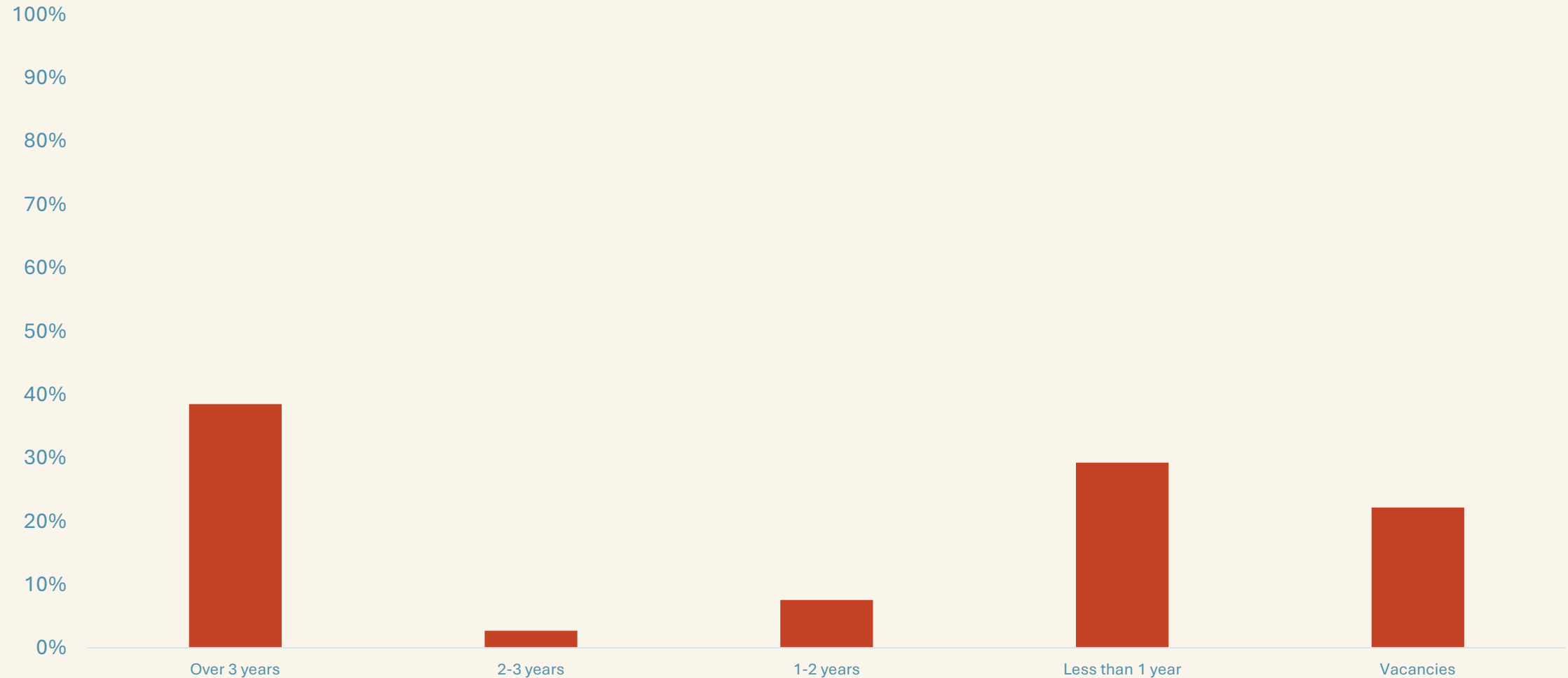
- Not specific to City of Somerville
- FMLA job protection begins at 12 months of employment
- FMLA eligibility is limited to 12 weeks per year
 - Someone who has a baby and six months later needs to take time for a medical condition would not have FMLA job protection for the medical leave
- FMLA job protection has no paid leave provisions/requirements
- Groups not covered by FMLA
 - New employees or employees who have not worked 1250 hours in the past year.

Current FMLA-eligible leave policy

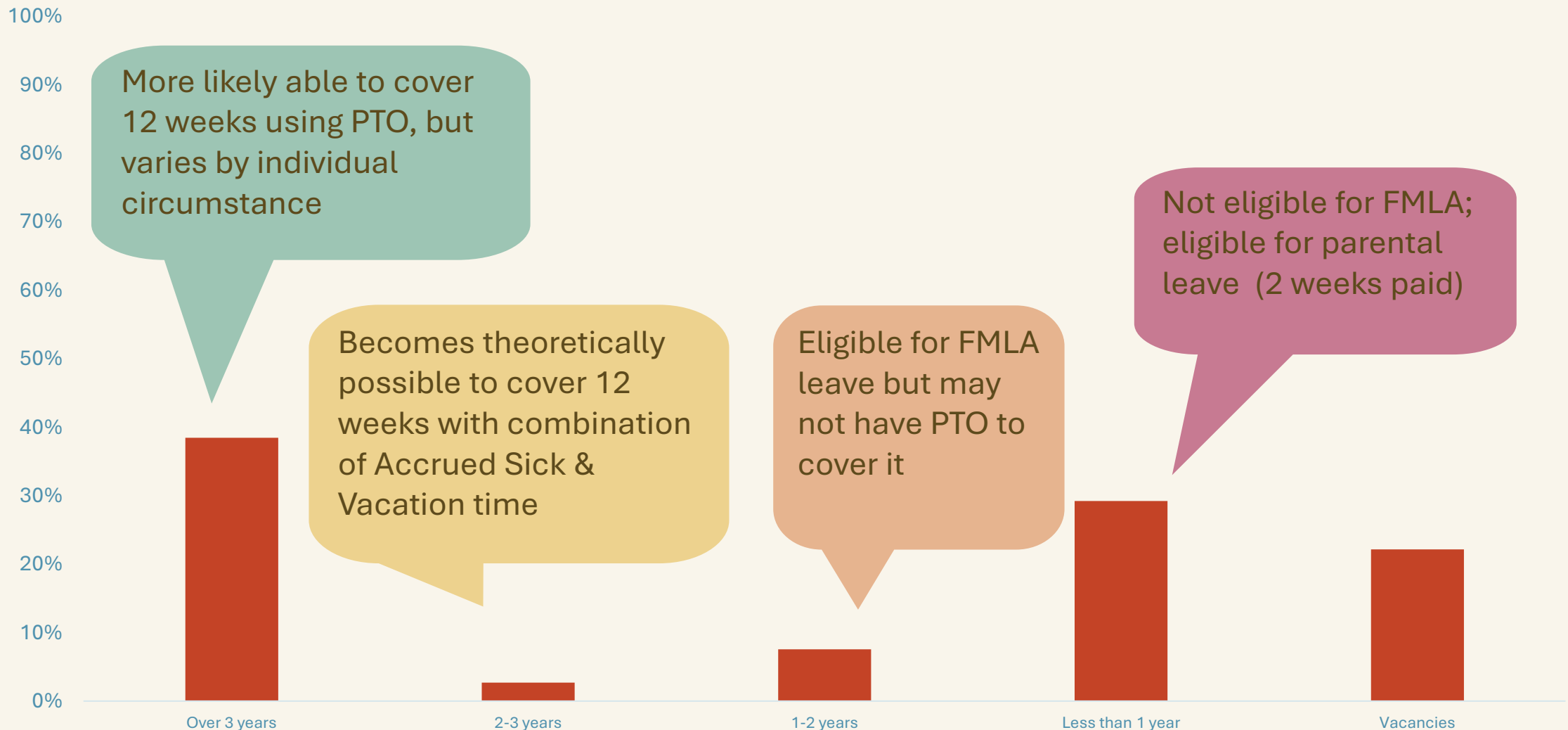
- **Initial eligibility:** During the first year, non-union employees are not eligible for FMLA but are eligible for parental leave, for 8 weeks, with 2 weeks paid by the City (not requiring use of accrued leave).
- **After first year of employment,** once they are eligible for FMLA (after 12 months of employment), non-union employees at City of Somerville can cover FMLA-eligible leave with accrued paid time off (PTO): sick and vacation time
 - Theoretically, employees **can cover a FMLA-eligible leave once every three years** if they are able to save their Sick time in the intervening time
 - Employees can also “borrow” sick time from their future leave (up to 4 weeks) with permission
- Where accrued PTO is not available, it likely limits the ability of employees to take FMLA leave even if they are eligible because **taking leave unpaid (or partially paid) can be infeasible**
- **Continuous leave** is generally the main point of concern. Intermittent leave tends to be easier to work around and to accrue PTO to cover.

CoS employment distribution

Somerville's Non-Union Employment Distribution



CoS employment distribution: PTO coverage based on tenure



PFMLA provisions

- Specific to Massachusetts, municipalities are not subject to PFML unless the governing body votes to opt-in
- In order to be eligible, employees need to have earned at least \$5,700 in the previous 12 months
- Temporary partial income replacement (up to 12 weeks for family leave/bond w child, up to 20 for employee's serious illness, up to 26 weeks of leave to care for covered service member)
- Income replacement amount is based on average weekly wage, the state average weekly wage for Massachusetts workers, and the type of leave requested.
 - In 2022, the maximum weekly benefit is \$1,084.31. In 2023, it will increase to \$1,129.82.
- Provides up to 26 weeks of job protection