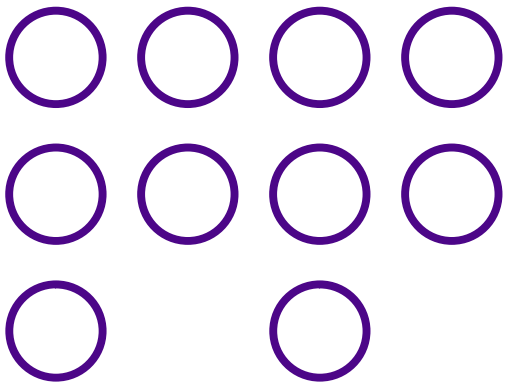


The United States Leave Law Report



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About this report...

As we look toward the future, Tilt remains committed to keeping you informed and well-prepared with the latest developments in leave law. Staying current with these changes is crucial as you navigate the ever-evolving landscape of People Operations, and it's our passion to make that journey as smooth as possible for you.

Our team of leave law experts continuously monitors these new developments and updates to ensure you're equipped with the knowledge and tools to adapt to any modifications that might impact your organization today or in the near future.

This report provides the latest updates on leave programs across the country that you need to know about, offering insights into how these changes could affect you and your team. Staying informed is essential for supporting your employees and maintaining compliance with relevant regulations.

We sincerely hope you find this report valuable in achieving those goals, and as always, thank you for trusting Tilt as your partner in all things leave of absence management. If you have any questions about this report, or need further assistance in managing your leaves, don't hesitate to reach out.

- Jen Henderson, Tilt Founder & CEO

Federal Updates

No National Paid Family & Medical Leave (PFML) Program Expected Soon

With Donald Trump's election and Republican control of Congress, a national Paid Family and Medical Leave (PFML) program is unlikely in the near term. PFML wasn't a focus of Trump's campaign and doesn't appear to be a priority for his administration. In the absence of a federal program, states and the private sector will likely continue driving PFML efforts, further complicating leave administration for employers.

Regulatory Changes on the Horizon

The incoming Trump administration is expected to bring changes to the Equal Employment Opportunity Commission (EEOC), potentially reshaping key policies and regulations. For instance, a Republican-led EEOC may revisit or roll back certain aspects of the Pregnant Workers Fairness Act (PWFA), such as requirements for employers to provide reasonable accommodations for elective abortions or broader reproductive health needs.

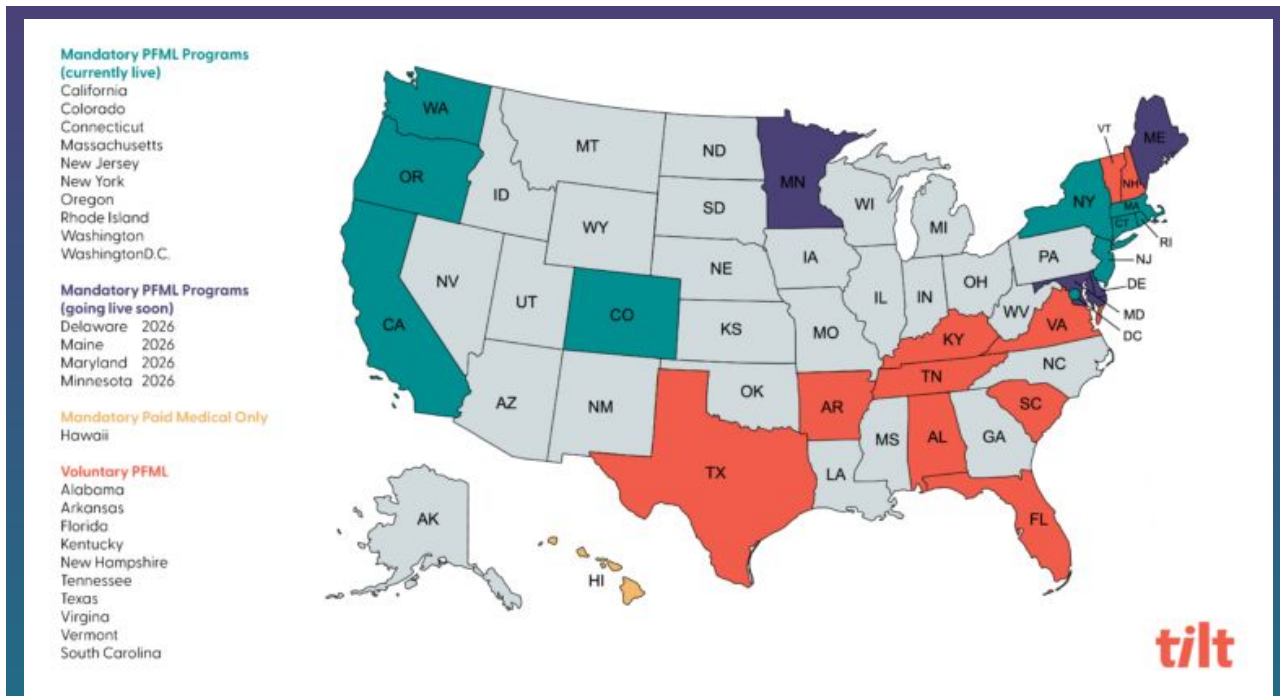
State PFML Programs

There are two types of state PFML programs: mandatory and voluntary.

Mandatory programs generally operate as "social insurance," funded through payroll deductions, with paid benefits provided to eligible employees for qualifying reasons. In contrast, *voluntary* programs allow—but do not require—employers (and sometimes employees) to obtain PFML coverage, often by purchasing insurance through the private market.

The following map highlights states with mandatory and voluntary PFML programs.

State PFML Programs (cont...)



U.S. Map of mandatory and voluntary PFML programs

Mandatory program updates:

As shown above, 13 states and Washington, D.C. have enacted mandatory PFML laws. Nine of those states (plus D.C.) are currently providing benefits to eligible employees.

In January, many of these programs will implement updates to employer and/or employee contribution rates, taxable wage caps and weekly benefit maximums.

PFML Programs Updates for January 2025:

State	2024 contribution rate (as of December)	2025 contribution rate	2025 Taxable Wage Cap	2024 Weekly Max (as of December)	2025 Weekly Max
California	1.1% from employees	1.2% from employees	None	\$1,620	\$1,681
Colorado	0.9% (split between employee and employer) if employer has 10+ employees	No change	\$176,100	\$1,100	\$1,324.21
Connecticut	0.5% from employee	No change	\$176,100	\$941.40	\$981
Washington D.C.	0.75% from employers	No change	None	\$1,118	\$1,153
Massachusetts	For employers with 25+ covered employees, 0.88% split between employee/employer. If <25 then 0.46%	No change	\$176,100	\$1,149.90	\$1,170.64
New Jersey	TDI - 0% for employees, amount varies for employers; 0.09% from employees for FLI	TDI - 0.23% for employees, amount varies for employers; FLI - 0.33% from employees	\$165,400	\$1,055	\$1,081
New York	DBL: 0.5%, from employees not to exceed \$0.60/week - remainder from employers; PFL: 0.373% from employees, to \$333.25	DBL: no change; PFL: 0.388% from employees, to \$354.53	\$91,373.88	DBL: \$170/week; PFL: \$1,151.16	DBL: no change; PFL: \$1,177.32
Oregon	1% (0.4% for employers; 0.6% for employees)	No Change	\$176,100	\$1,568.60	No change
Rhode Island	1.2% of wages from employees	No Change	\$87,000	\$1,070	No change
Washington State	If 50+ employees: 0.74% of wages (employer pays 28.57% of premium); employer premium not required if <50 employees	If 50+ employees: 0.92% of wages (employer pays 24.48% of premium); employer premium not required if <50 employees	\$176,100	\$1,456	\$1,542

State PFML Programs (cont...)

Mandatory PFML programs in Delaware, Maine, Maryland, and Minnesota will start providing benefits to eligible employees in **2026**.

Key details of these programs are outlined below, but may be subject to change as the states finalize their rulemaking processes.

Upcoming PFML Programs:

State	Covered employers	Payroll contributions begin	Payroll contribution amount	Paid benefits available	Eligible employees	Maximum amount of leave
<u>Delaware</u>	10+ employees working in Delaware	1/1/2025	If 25+ Delaware employees: 0.8% of wages; if 10-24 employees then 0.32%; 50% of contribution can be from employee	1/1/2026	1-year tenure and 1,250 hours worked in prior year with current employer	12 weeks per year - but limited to 6 weeks in a 24-month period for certain types of leave
<u>Maine</u>	1+ employees working in Maine	1/1/2025	If <15 Maine employees, 0.5% from employee (but employer can cover); If 15+, then 1% of wages; 50% can be from employee	5/1/2026	Earned 6x the state average weekly wage in a base year (a total of \$6,868 using 2024 numbers)	12 weeks per benefit year
<u>Maryland</u>	1+ employees working in Maryland	7/1/2025	0.9% up to social security cap; split by employer and employee	7/1/2026	Worked 680 hours in Maryland in the prior year	24 weeks per benefit year (if taking both parental and personal medical leave) - otherwise, 12 weeks
<u>Minnesota</u>	1+ employees in Minnesota	1/1/2026	Rate not finalized; employer will pay at least 50%	1/1/2026	Earned 5.3% of the state average annual wage in a base year (or roughly \$3,781 based on current figures)	20 weeks per benefit year - but no more than 12 weeks of family leave or 12 weeks of medical leave

State PFML Programs (cont...)

Potential PFML developments for 2025

We expect more states, particularly those with Republican leadership, to adopt voluntary PFML programs.

At the same time, a few states with Democratic trifectas (control of the governorship and both legislative chambers) could move toward enacting mandatory PFML programs, with benefits potentially starting in 2027 or 2028. The most likely candidates include:

- New Mexico: Has come close to passing a mandatory PFML program in each of the past two years.
- Hawaii: Employers are already required to provide Temporary Disability Insurance (TDI), and paid family leave bills have been proposed in the past.
- Illinois: Known for enacting several employee-friendly laws in recent years.
- Michigan: Multiple PFML bills are in committee, but the clock is ticking as the state's Democratic trifecta will end after the current legislative session concludes on December 19.

State Leave Law Updates

California

Employers Can No Longer Require Employees to Use Vacation/PTO Before PFL

California's Paid Family Leave (PFL) program provides wage replacement benefits to individuals needing leave for new child bonding, caregiving, or certain family military-related reasons. Under current law, employers can require employees to use up to two weeks of accrued vacation or paid time off (PTO) before accessing PFL benefits. Starting January 1, 2025, employers will no longer have this option.

California (cont...)

Employees Can (Soon) Apply for State-Paid Benefits Before Leave Begins

Currently, California requires employees to begin their leave before filing for state-paid medical or family leave benefits (SDI and PFL). This approach can create stress for employees who must start leave without knowing if their benefits are approved or how much they will receive. To address this, California will soon allow employees to apply for benefits up to 30 days before their anticipated leave.

Employees will also receive benefits sooner: either within 14 days of applying or as soon as leave begins, whichever is later. These changes will take effect once the Employment Development Department (EDD) implements its new integrated claims management system, though the exact implementation date has not been announced.

Changes to SDI and PFL rates

Starting January 1, 2025, California's State Disability Insurance (SDI) and Paid Family Leave (PFL) programs will increase their wage replacement rates. Currently, workers can receive up to 60-70% of their regular income while on leave, capped at \$1,620 per week, for up to eight weeks of PFL or 52 weeks of SDI within a 12-month period.

Beginning January 1, eligible employees will receive 70-90% wage replacement, with a maximum weekly benefit of \$1,681. These changes aim to address inequities, as many low-income workers currently forego leave due to the financial strain of living on 70% of their pay. The new rates ensure that eligible employees earning about \$60,000 or less will receive 90% of their pay.

Note: The updated rates apply only to benefits starting in 2025. Employees with claims extending from 2024 into 2025 will not see any changes to their benefit amounts on January 1.

California (cont...)

Expanded Employment Protections for Victims of Violence

Effective January 1, 2025, California is expanding protections for employees who are victims of a “qualifying act of violence,” which includes domestic violence, sexual assault, stalking, or any act involving bodily injury, death, or threats of physical harm. Employers may be required to provide leave as a reasonable accommodation for victims or their family members to seek relief or address other qualifying needs under the law. Additionally, employers must provide written notice of employees’ rights under this law at the time of hire, annually, upon request, and whenever they become aware that an employee or their family member is a victim. To help employers comply, the California Civil Rights Department will release a model notice by July 1, 2025. Tilt will send a copy of this notice to employees when supporting applicable leaves.

Delaware PFML – ACTION REQUIRED

The Delaware PFML program will begin paying benefits on January 1, 2026, but employers with 10 or more employees in Delaware have responsibilities to address now. Covered employers should:

- Register in the Delaware LaborFirst system right away, if they haven’t already.
- Display the PFML workplace poster in a conspicuous location.
- Distribute the Notice of Employee Rights to Delaware employees as soon as possible, if they haven’t already. This notice must also be provided:
 - To new employees when they are first hired.
 - When an employee requests leave.
 - When the employer believes the employee might need leave for a PFML-qualifying event.
 - Tilt will include a copy in its employee communications for applicable leaves.
- Update payroll systems to withhold PFML contributions starting January 1 and provide notice of contribution to employees.

Massachusetts PFML – ACTION REQUIRED

Employers with Massachusetts employees should review and comply with updated [responsibilities](#) under the MA PFML program. Key requirements include:

- **Workplace poster:** Employers must display the updated 2025 PFML poster in a location where it is easily visible to employees (for example, alongside other workplace posters such as those addressing wage and hour laws and workplace discrimination).
 - The notice must be available in English and any language spoken by five or more employees.
- **New hire notice:** Employers are required to provide all new Massachusetts employees with the appropriate version of the individual employee written notice. Employers should:
 - Provide new hires with the correct version based on:
 - Whether the employer has 25 or more covered individuals or fewer.
 - The languages spoken by employees.
 - Obtain the employee's signature within 30 days of hire.
 - Retain a copy of the signed form for their records.
- **Annual rate sheets:** Employers must complete and distribute 2025 PFML rate sheets to all current employees.
 - The rate sheet provides details on employer and employee contribution rates for the upcoming year.
 - Different versions exist for employers with 25 or more covered individuals and those with fewer than 25.
 - Contribution rates remain unchanged for 2025.
 - While a signed acknowledgment is not required, employers should distribute the rate sheets using a method that provides proof of delivery.

Updated versions of these resources are available for download from the [Mass.gov website](#).

Maine PFML – ACTION REQUIRED

Although Maine PFML benefits won't be available to employees until May 2026, employers with one or more employees in Maine must fulfill the following responsibilities before then:

- Assess whether their organization employed 15 or more Maine employees between October 1, 2023, and September 30, 2024, as this affects contribution rates.
- Display the [Maine PFML poster](#) in a conspicuous place on their premises no later than January 1, 2025, in English and any other language spoken by at least three employees.
- Register their business in the Maine Paid Leave Portal when it opens in early 2025 so that they can submit premiums and wage reports. (Updates on the portal status will be available [here](#).)
- Ensure that payroll systems are ready to begin withholding PFML contributions beginning with the first pay date in January 2025, and inform employees about any deductions.

Rhode Island: TCI Benefits Increased ([Previously Reported](#))

Rhode Island's Temporary Caregiver Insurance (TCI) program currently provides eligible employees with up to six weeks of paid leave for family caregiving and new child bonding reasons. The maximum benefit duration will increase to seven weeks on January 1, 2025 and eight weeks beginning January 1, 2026. In addition, the minimum weekly allowance for dependents has doubled from \$10 to \$20 per dependent and is available for up to five dependents.

Leave-Adjacent News: Sick & PTO Law Updates

In addition to recent updates to leave of absence laws, we want to spotlight several changes to paid sick time and PTO laws. Employers with employees in the states below should:

- Consult with counsel as needed.
- Review the requirements of these new laws.
- Update time off policies and employee handbooks.
- Train HR and managers.
- Prepare payroll systems to implement the required changes.



Paid Sick Ballot Measures Approved in Three States

In November, voters approved paid sick leave ballot measures in **Alaska**, **Missouri**, and **Nebraska**, bringing the total to 22 states (plus Washington, D.C.) with statewide paid sick leave or PTO laws.

Effective dates:

- Missouri: May 1, 2025
- Alaska: July 1, 2025
- Nebraska: October 1, 2025

Connecticut: Expanded Paid Sick Leave Requirements ([Previously Reported](#))

Connecticut's paid sick leave law currently applies to employers with 50 or more "service workers" in the state. Effective January 1, 2025, the law will expand to cover employers with 25 or more employees, regardless of whether they are classified as service workers.

Michigan: Paid Sick Leave Law Expands

Effective February 21, 2025, Michigan's paid sick leave law will expand under the reinstated Earned Sick Time Act (ESTA), replacing the current Paid Medical Leave Act (PMLA). Key changes include its broader application to employers of all sizes and all employees in Michigan (except for federal government employees).

New York: PTO for prenatal appointments ([Previously Reported](#))

Employers must provide up to 20 hours of paid time off (PTO) to pregnant New York employees for prenatal appointments and procedures beginning January 1, 2025. Pregnant employees can use the PTO for "physical examinations, medical procedures, monitoring and testing, and discussions with a health care provider related to the pregnancy." The twenty hours of prenatal PTO is in addition to the bank of time required under New York's paid sick leave law, and the PTO can be taken in hourly increments.

In early December, the state [released guidance](#) clarifying the rights and responsibilities of employers and employees. Notably, the guidance specifies that employers cannot request details about prenatal appointments or require supporting documentation.

Thank you for your interest in learning more about the latest leave laws impacting states across the country! At Tilt, we live and breathe all things leave and are passionate about supporting and educating everyone on the importance of empathetic and compassionate leaves of absence. If you have any questions about the latest leave laws or about how to better support your people when they need a leave...drop us a line.

