



## Massachusetts Paid Family Leave for LGBTQIA+ Families

### What does the Massachusetts Paid Family and Medical Leave (PFML) program do for LGBTQIA+ families?

LGBTQIA+ families are entitled to the same PFML benefits as any other family in the Commonwealth. The program provides individuals who meet the [eligibility requirements](#) the ability to take family leave to:

- [bond with a new child](#) (including adopted and foster children)
- [care for a family member with a serious health condition](#)
- [address certain military family needs](#)

### Am I eligible?

If you work in Massachusetts, you are probably eligible for PFML. Commonwealth employers of all sizes participate in PFML, unlike FMLA where organizations with fewer than 50 employees are not covered. In order to be eligible, you'll also have to meet PFML's [earnings requirements](#) and have a qualifying reason for taking leave.

However, if your employer has an approved private paid leave plan or is [excluded from the program](#), you are not eligible for benefits through the DFML.

### Who can take family leave to bond with a child?

A parent or legal guardian of any gender can take [up to 12 weeks of family leave](#) in a [benefit year](#) to bond with a child during the first 12 months after the child's birth, adoption, or foster care placement.

### What types of child-parent relationships are covered under the family leave program?

Under the PFML program, you can take leave to bond with your biological, adoptive, or foster child. You can take family leave to care for your child (birth, adoptive, or foster), your legal ward, stepchild, the child of your partner, or a child to whom you stand [in loco parentis](#).

### Can the birthing parent take medical leave to recover from delivery?

Yes, the [birthing parent is also eligible to take medical leave](#) post-delivery. This medical leave is in addition to the maximum of 12 weeks provided for family leave to bond with the new baby. If applicable, you should apply for medical leave first then add family leave to bond with your child to the same application.

### Do I need to take family leave to bond with a child at the same time as my partner?

No, you are not required to take leave at the same time. You can choose a different time, provided that [both eligible individuals take the leave within the first 12 months](#) of the child's birth, adoption, or foster care placement.

### **If a family member has a serious health condition, can I take time off to care for them?**

[You can take paid family leave to care for](#) your spouse or partner; your children, stepchildren or partner's children; your parents, stepparents or parent's partner; your spouse or partner's parents, your grandchildren, step-grandchildren or partner's grandchildren; your grandparents, step-grandparents, or grandparent's partner; or your siblings or step-siblings - if in each case that person has a serious health condition. In addition, you can care for family members with whom you had an [in loco parentis](#) relationship, or who are related through custodial/non-custodial care, and/or as legal ward. The PFML program defines family members more broadly than FMLA, so you may be eligible for family leave under PFML, even if you would not be eligible under FMLA.

### **What kinds of serious health conditions are covered?**

The PFML program covers [leave to care for a family member](#) with a mental or physical illness, injury, condition, or disability that requires at least one of the following:

- An overnight stay in a medical facility
- 2 or more treatments by a health care provider within 30 days of whatever prevented your family member from doing their job
- At least 1 treatment by a health care provider within 30 days of whatever prevented your family member from doing their job, with plans for continued treatment, including prescriptions

### **How much paid family leave can I take?**

You may be eligible to take up to [twelve weeks of family leave](#) in a benefit year.

### **Do I have to take my paid family leave all at once?**

Many [types of leave](#) permit you to take leave over one continuous period, on a reduced schedule, or intermittently as needed. However, you can only take bonding leave intermittently or on a reduced schedule if agreed to by you and your employer.

### **Will my job be protected while I am on leave?**

Yes. The Paid Family and Medical Leave law protects your [right to return to work with the same or equivalent job, benefits, and health insurance](#) without retaliation.

### **How much will I get paid on family leave?**

Your weekly benefit amount is calculated using several different factors and DFML provides [a calculator to help you estimate your weekly benefit amount](#). For 2024, the maximum weekly benefit rate is \$1,149.90. For 2025, the maximum weekly benefit rate is \$1,170.64. The maximum weekly benefit rate is updated annually.

Call the DFML Contact Center at (833) 344-7365  
or visit [mass.gov/dfml](https://mass.gov/dfml) to learn more.

Get answers to your questions in English, Español, and Português.  
Interpretation services are available for 240+ languages.