

Paid Family Medical Leave (PFML)

Frequently Asked Questions

1. What is PFML?

- a. Starting on July 1, 2026, a Maryland State Employee can request Paid Family and Medical Leave (PFML) for up to 12 weeks of job-protected paid leave per 12-month rolling calendar year. PFML covers important life events such as welcoming a new child, managing a serious health condition, caring for a family member with a serious health condition, or addressing family needs related to a uniformed service member's deployment.

2. When can I use PFML?

- a. Care and bonding of your new child:
 - i. Bonding with your newborn during the first year after birth; or
 - ii. Preparing for or bonding with a child placed with you through adoption, foster care, or kinship care during the first year after placement.
 - b. Your own serious health condition:
 - i. Taking time off for a serious health condition (defined in detail below).
 - c. Caring for a family member:
 - i. Providing care for a family member with a serious health condition.
 - d. Caring for a service member:
 - i. Providing care for an individual in uniformed service who has a serious health condition caused by their service and for whom you are the next of kin.
 - e. Uniformed service family needs:
 - i. Taking time off to manage needs that arise from a family member's deployment including but not limited to:
 - 1. Childcare;
 - 2. Attending family support programs;
 - 3. Counseling in certain circumstances; or
 - 4. To attend matters relating to the death of a servicemember.
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3. What qualifies as a serious health condition for the purposes of PFML?

- a.** A serious health condition for the purpose of PFML eligibility is an illness, injury, impairment, or a physical or a mental condition that involves:
 - i. inpatient care in a hospital, hospice, or residential health care facility;
 - ii. Continued treatment by a licensed health care provider; or
 - iii. Continued treatment or supervision at home by or under the supervision of a licensed health care provider.
 - iv. The serious health condition may continue over an extended period of time and require intermittent treatment.

4. Who qualifies as a ‘family member’ for the purposes of PFML?

- i. Your child (biological, adopted, stepchild, foster, a child you have legal or physical custody or guardianship of, or a child for whom you stand in loco parentis) regardless of the child’s age,
- ii. A parent (adoptive, biological, foster, or stepparent) of yourself or your spouse,
- iii. Your legal guardian or the ward of you or your spouse
- iv. An individual who acted as a parent or stood *in loco parentis* of yourself when you were a minor, or your spouse when they were a minor,
- v. Your spouse or domestic partner
- vi. Your grandparent (biological, adoptive, foster, or step)
- vii. Your grandchild (biological, adoptive, foster or step)
- viii. Your sibling (biological, adoptive, foster or step)

5. If I want to use PFML to care for a family member with a serious health condition, do they have to live in the same household with me?

- a.** No, the family member with the serious health condition does not need to live in your household for you to request PFML to provide care.

6. If I need to take PFML to care for a family member with a serious health condition, what documentation do I need to supply?

- a.** In addition to the completed application form, you must sign an attestation clearly stating your relationship to the qualifying family member.
 - b.** After your completed application is submitted, Human Resources may request further documentation to verify the relationship or your eligibility. This may include items such as a birth certificate, marriage license, or court documents related to foster care or adoption.
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7. Who is eligible for PFML?

- a. All employees, including temporary employees, of all units in the Executive Branch of State government are eligible for PFML.

8. If I am a part-time employee or work a non-standard work week, how much PFML can I receive?

- a. You'll receive PFML for the hours you would have worked up to the maximum hours in your contract / percentage of your employment.
 - i. For any questions regarding your hours worked, please consult your modal Human Resources Office.

9. If my partner is also a state employee, would we both need to apply for PFML?

- a. Yes, both parents and caregivers will need to apply for PFML for both to receive leave.

10. Can both parents take parental leave under the PFML program at the same time?

- a. Yes, both parents can choose to take PFML at the same time following the birth or adoption of a child.

11. When is an employee of the State of Maryland eligible for PFML?

- a. State of Maryland employees are eligible for PFML beginning on July 1, 2026. There is no waiting period.
- b. If you start a State of Maryland job after July 1, 2026, you are eligible the day you start your State service.

12. Am I eligible for PFML if I am a contractual or temporary employee?

- a. Yes, contractual and temporary employees are eligible for PFML.

13. I am a contractual or temporary employee, and my contract ends while I am on PFML. Will I lose access to this benefit at the end of my employment?

- a. Yes, PFML benefits will not continue past the expiration of your contract and separation from State service. If your agency renews your contract, your PFML benefits will continue. For questions regarding the length and duration of your contract, please contact your supervisor.
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14. I am planning on retiring while on PFML. Will PFML continue after my retirement?

- a. No, PFML is only for employees actively employed by the State. You will no longer be eligible to receive PFML benefits when you retire from State service.

15. If I take PFML, will I be returned to my position?

- a. When you return to work from PFML, you will be returned to your position or an equivalent position.

16. Can my employment be terminated while I am on PFML?

- a. Your job is protected while taking approved leave from the PFML program unless you would otherwise be separated from the State, (e.g. as a planned upcoming retirement or conclusion of a work contract), or for cause.

17. How much leave can I get from the PFML program?

- a. You are generally eligible for up to 12 weeks of PFML (up to a max of 480 hours) in a defined 12-month rolling calendar year. The 12-month rolling calendar year will be measured starting the Sunday of the calendar week that you take your first day of PFML.

18. Are there any circumstances where I can receive more than 12 weeks of PFML in a 12-month calendar year?

- a. You may receive up to an additional 12 weeks of PFML only if you:
 - i. received leave for your own serious health condition and become eligible for leave to bond with and care for a child after their birth or placement.
 - ii. received leave to bond with and care for a child after their birth or placement and become eligible for leave for your own serious health condition.
- b. If an employee uses PFML for any other qualifying reason other than their own serious health condition or to bond and care for a child, the employee will not be eligible for an additional 12 weeks of PFML.

19. What if I have more than one eligible event in a 12-month rolling calendar year?

- a. You may apply for PFML for any eligible event in a 12-month rolling calendar year as long as you have not exceeded the 12 weeks of PFML leave (up to a max of 480 hours).
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20. Is there a maximum amount of PFML usage allowed during an employee's State career?

- a. No, PFML does not have any career limits.

21. Do I need to use my available annual and personal leave prior to being eligible for PFML?

- a. No, you do not need to exhaust other leave programs before applying for PFML.

22. Do I continue to earn other types of leave while on the PFML program?

- a. Yes, since PFML is a paid form of leave, you will continue to earn leave (e.g.: sick, annual, personal) while using PFML.

23. Can I use other types of leave while taking PFML?

- a. If you are taking PFML intermittently, you may still take other forms of leave, but the leave events cannot overlap with any PFML time taken.

24. Can I request PFML in recurring small increments for the same condition?

- a. Yes, though when using PFML, the minimum time-off requested must be 4 hours. Qualifying events requiring less than 4 hours would require the use of other leave or leave without pay.
- b. If you will take PFML on an intermittent basis, you must provide your agency with reasonable prior notice of the reason, dates, and duration of the intermittent leave and you must make a reasonable effort to schedule the intermittent leave in a way that does not disrupt agency operations.

25. What if my intermittent need for PFML will take less than 4 hours?

- a. No, if less than 4 hours is needed for an approved PFML time off event, then PFML should not be used. If an event takes less than four hours, you should use another form of leave or leave without pay for the appointment.

26. What happens when I use all of my PFML benefits and I still require additional leave?

- a. If you exhaust your PFML, you may use other leave types, such as personal leave, sick leave, and annual leave, in accordance with the applicable rules. For questions about the leave types you may be eligible for, please contact your modal Human Resources Office.
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27. How do I apply?

- a. To apply for the PFML program, submit the application forms found on the [MDOT Intranet's Forms Library](#) to your appointing authority or their designee (e.g. in your modal Human Resources Office) via HRIS. If you have any questions, please reach out to your modal Human Resources Office.

28. How long does it take to get a decision concerning a PFML application?

- a. If your application is complete and contains all the required information, you should receive an initial decision from your modal Human Resources Office within 5 business days of submitting your application.

29. What happens if I do not receive an application decision from Human Resources before I need to take PFML?

- a. If you do not receive a decision from your modal Human Resources Office, you will be able to take other forms of leave available to you while you wait for a decision. If you do not have available leave balances, you may request leave without pay.
- b. If your application is later approved, any leave used for the qualified absence period will be restored to you and substituted with PFML.
- c. If you were on leave without pay while waiting for a PFML application decision, your unpaid time will be substituted with paid time off.

30. How much notice do I need to provide when requesting PFML? When do I need to apply for PFML?

- a. If the need to use PFML is foreseeable, you should submit a written notice of your intention to take leave at least 30 days before the first day of leave. If the need to take PFML is unforeseeable, you should provide written notice as soon as practicable.
 - i. Written notice can be your application for PFML.
 - b. You must submit an application for PFML no later than 60 days after the first day of the leave. You may submit your application as early as 60 days before the anticipated start of leave.
 - i. Exceptions to this rule may be considered on a case-by-case basis for "good cause" where an employee is unable to apply due to a serious medical condition that resulted in an unanticipated and prolonged period of incapacity or a valid situation out of their control that would prevent their ability to file (e.g. natural disaster).
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31. If I am unable to submit an application for PFML can someone apply on my behalf?

- a. If you are unable to submit a PFML application due to an extenuating circumstance, your modal Appointing Authority or their designee may submit an application on your behalf.
- b. Once you are capable of doing so, you must provide medical or other documentation (as relevant) and any relevant application updates as soon as practicable.
- c. Please contact your modal Human Resources Office for assistance with this process.

32. Do I need to tell my supervisor that I have applied for PFML?

- a. Yes, you should tell your supervisor of anticipated need for leave at least 30 calendar days before the first day the leave will be needed (if practicable).

33. Do I need to reapply for PFML if I have a new qualifying purpose?

- a. Yes, you will need to reapply for PFML for every new qualifying event if you have not exhausted your 12 week PFML entitlement on a 12-month rolling calendar year.

34. What are the required steps if I need to update my existing PFML application?

- a. You need to provide an updated application within 10 days (or, if there is good cause, as soon as practicable) with updated information if the reason for your leave, the start date, end date, or duration of the leave has changed.

35. What are possible ways a PFML application could be incomplete?

- a. Some examples include a lack of all required forms, incorrect or incomplete signatures, illegible paperwork, lack of medical documentation or contradicting information. Please reach out to your modal Human Resources Office for more information.

36. If there is a cost associated with getting the necessary medical documentation, will I be reimbursed by the program?

- a. No, all application costs from your healthcare providers are your responsibility.

37. When does my 12 weeks of PFML benefits “reset”?

- a. A new 12 weeks of PFML benefits will be available to you starting 12-month s from the Sunday of the calendar week that you take your first day of PFML
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- b. This is true whether or not you use the full 12 weeks of PFML available in a 12-month rolling calendar year.
- c. There is no “carry over” of unused PFML to the next 12-month period.

Family Medical Leave Act (FMLA) and PFML

38. Do I need to use the Family and Medical Leave Act (FMLA) while on PFML?

- a. Yes, if you qualify for FMLA, the leave you take under PFML should run concurrently with your FMLA. Your mode will send an official designation to you if you qualify for FMLA.

39. If I do not have FMLA to use or am not FMLA eligible, can I still use the PFML program?

- a. Yes, whenever possible the PFML and FMLA programs need to run at the same time but if you do not have FMLA available to use then you are still able to use the PFML program.

40. Can I use only FMLA without applying for PFML?

- a. You can use FMLA without applying for PFML only if you are not eligible for PFML. Your modal Human Resources Office will notify you of your eligibility.

41. Can I only use PFML without applying for FMLA?

- a. You can use PFML without applying for FMLA only if you are not eligible for FLMA. Your modal Human Resources Office will notify you of your eligibility.

42. If I apply and am approved for FMLA, will I automatically be placed on PFML as well?

- a. No, you will have to file a separate application for the PFML program.

43. Can an employee take 12 weeks of PFML for one qualifying event and then take FMLA after for another qualifying event if they are eligible for both?

- a. No, if an employee also qualifies for FMLA but chooses not to apply for FMLA after being notified they are eligible for FMLA, then the leave they take under PFML may count against their available balance of FMLA.
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44. If an employee is applying for both FMLA and PFML, are they required to complete both packets?

- a. Yes, an employee must apply for both FMLA and PFML as they are two different programs. There should be separate medical documentation for both PFML and FMLA according to the application process.

Pay/leave

45. Will my other benefits and time off eligibility continue while on PFML?

- a. Yes, you will continue to be eligible for your health benefits, and you will continue to earn all normal types of leave while on PFML.

46. Do I get paid while on PFML? If so, how much will I make?

- a. Employees will continue to receive their normal salary at their regular rate of pay while taking leave.
 - i. If you are a contractual or hourly employee, you will continue to receive your normal hourly rate while on PFML. Contractual employees will be eligible to receive payment up to the maximum of work hours as defined in their employment contract.
 - ii. Contractual and temporary employees who have irregular or variable hours should contact their agency HR department to determine how to calculate the number of hours of PFML they are eligible for.
- b. PFML is a form of paid leave and as such the State shall continue to deduct all legally required sums, such as taxes and other withholdings, from the pay of all employees on PFML.

47. What is my regular rate of pay? How is that calculated?

- a. Your regular rate of pay is your normal hourly pay based on your salary and grade level. This amount does not include salary allowances like overtime, shift differentials, holiday premium pay, acting capacity, or any other temporary pay increases. For questions regarding your regular rate of pay please contact your modal Human Resources Office.

48. If I am currently on continuous PFML and it falls on a State holiday, how does this impact my PFML?

- a. If you are on an approved continuous PFML absence, the holiday will be counted against your PFML allotment during the continuous absence.
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49. Do I have to contribute (e.g., through payroll deductions) to be eligible for PFML?

- a. No, the State Government has chosen not to require employees to make payroll deductions to be eligible for PFML.

50. How do I get paid while on PFML?

- a. While on PFML, you will continue to be paid as you normally do. For example, if you normally get paid by direct deposit, this will continue without a change.

51. If I used my own leave for a PFML eligible event before July 1, 2026, can I have my leave reimbursed?

- a. No, the program does not go into effect till July 1, 2026, and there is no look back period.

Reconsiderations

52. Can PFML be denied?

- a. Yes, if your application is denied, you will be notified in writing by your modal Human Resources Office with an explanation.

53. If my application was denied, is there an appeal process?

- a. Yes, if your application is denied, your modal Human Resources Office will provide information on how to contest this decision.
- b. You will have 30 days after being notified of your initial denial to apply for reconsideration of the decision. If you do this, modal leadership will independently review your case and allow you to provide any updated information explaining why your application should be reconsidered. Modal leadership will provide you with an update to your claim within 10 business days.
- c. If your request for 1st level reconsideration is denied by modal leadership, you may file a final 2nd level reconsideration with TSO Shared Services within 30 days of your denial from modal leadership. This review will examine your application and will provide a written response within 30 business days of receiving the reconsideration. This will be the final determination of your PFML application.

54. Who is the appointing authority or delegate for the 1st level and 2nd level reconsideration for PFML?

- a. For 1st level reconsideration, the appointing authority or delegate is modal HR leadership. For 2nd level reconsideration, the appointing authority or delegate is TSO HR leadership.
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Paid Family Medical Leave

Examples of Use

Overview

This case study outlines the procedures and expectations for an employee, Stephanie Johnson, after being approved for Paid Family Medical Leave (PFML). Under this program, eligible employees may take up to 12 weeks of leave. The process differs depending on whether Stephanie takes extended consecutive leave or intermittent leave.

Scenario 1: Extended Consecutive Leave (Full 12 Weeks)

Stephanie is approved for PFML and elects to take the full 12 weeks of leave consecutively.

Process & Responsibilities:

- Stephanie will not be responsible for entering her time in the mTrack system during her leave period.
- A designated timekeeper or administrative personnel will be assigned to input and manage all of Stephanie's time entries.
- Stephanie will continue to receive compensation at her base pay rate, disbursed on the regular bi-weekly payroll schedule, as if she were actively working.
- The designated individual will ensure that all time is coded appropriately in alignment with PFML guidelines and organizational policy.

Key Consideration:

This approach minimizes administrative burden on Stephanie while ensuring payroll continuity and compliance.

Scenario 2: Intermittent Leave

Stephanie is approved for PFML but chooses to take leave on an as-needed basis rather than consecutively, using portions of her available 12 weeks of leave over time.

Process & Responsibilities:

- Stephanie is responsible for managing her own time entry in mTrack.
 - For each day (or partial day) she intends to use PFML:
 - She must properly code the time in mTrack using the designated PFML leave code.
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- She must notify her supervisor via email on the day she plans to be absent, indicating that she is utilizing PFML leave.
- She must complete a leave slip form documenting the PFML usage.
- The leave slip form should be submitted at the same time she submits her time in mTrack for that pay period.

Key Consideration:

Intermittent leave requires greater accountability from Stephanie to ensure accurate tracking, communication, and compliance with internal procedures.

Summary

This case study highlights two distinct administrative pathways following PFML approval:

- Extended Leave (Full 12 Weeks): Minimal employee involvement in timekeeping; employer-managed process.
- Intermittent Leave: Active employee participation required in time tracking, communication, and documentation.

Clear adherence to these procedures ensures proper payroll processing, compliance with PFML regulations, and effective communication within the organization.
