

**WEBINAR SERIES**

# California, New Jersey, and Massachusetts Leave Landscape

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# Today's Presenters



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# Today's Agenda

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- What's New for 2025
- Overview of CA, NJ & MA Leave Laws
- Coordinating Leave Types
- Leave Management in Practice
- Compliance Considerations
- Real-World Leave Management

## Webinar Forum

*All participants are muted.*

*Please type questions in the side navigation panel and we will try to address most questions during today's session.*

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# Leave Law Landscape

# What's New in 2025

- California: Expanded PFL definition of family (includes designated person)
- New Jersey: Updated contribution limits for FLI/TDI
- Massachusetts: Clarified job protection and health benefit continuation under PFML



# Overview of Leave Laws

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## Leave Types:

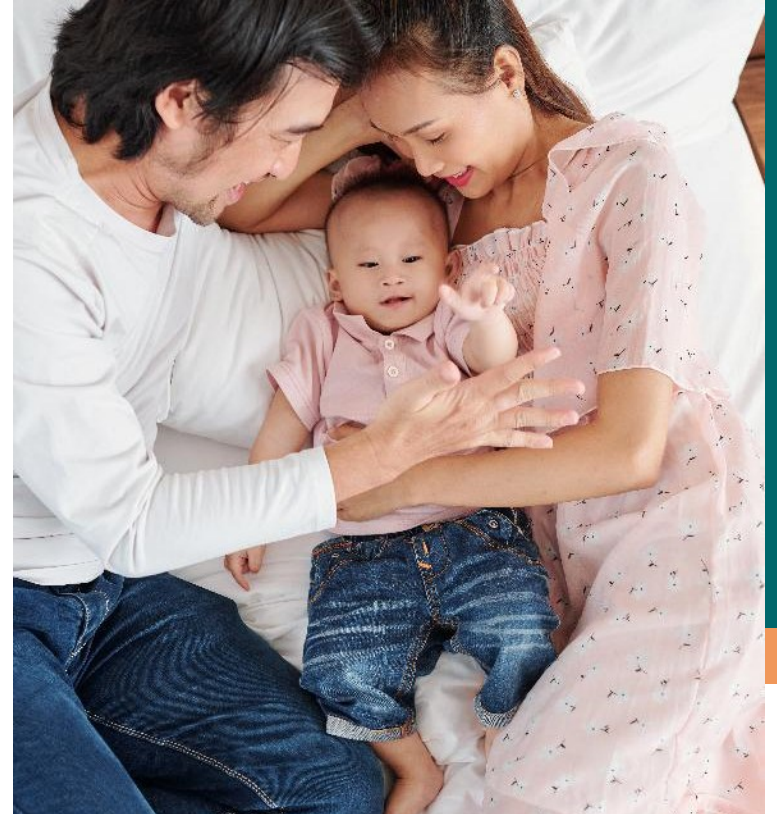
- California: PFL, SDI, CFRA, PDL
- New Jersey: FLI, TDI, NJFLA
- Massachusetts: PFML
- Federal: FMLA, ADA



# Federal Family and Medical Leave

## Family and Medical Leave Act (FMLA):

- Federal Leave
- Up to 12 weeks of unpaid, job-protected leave
- Applies to 50+ within 75-mile radius
- Eligibility: 12 months, 1,250 hours, 75-mile radius
- Covers employee and family health, bonding, and military leave





# California Leave Overview

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## California:

- California Paid Family Leave (PFL) – up to 8 weeks of wage replacement (administered through EDD)
- State Disability Insurance (SDI) – for an employee's non-work-related injury/illness
- California Family Rights Act (CFRA) – up to 12 weeks of job-protected leave (similar to FMLA but with key differences)
- Pregnancy Disability Leave (PDL): Up to 4 months of unpaid job-protected pregnancy disability leave
- FMLA runs concurrently with SDI and PFL if the employee is eligible.

# Massachusetts Leave Overview

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## Massachusetts:

- Paid Family and Medical Leave (PFML):
  - Medical Leave: Up to 20 weeks for employee's own serious health condition.
  - Family Leave: Up to 12 weeks for bonding or family caregiving.
  - Combined Cap: 26 total weeks per benefit year.
  - Funded through employer and employee payroll contributions (unless employer has an approved private plan).
- FMLA runs concurrently with PFML if the employee is eligible.

# New Jersey Leave Overview

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## New Jersey:

- Temporary Disability Insurance (TDI)– Up to 26 weeks of partial wage replacement for the employee's own non-work-related medical condition.
- Family Leave Insurance (FLI) – Up to 12 weeks of partial wage replacement for bonding or caregiving.
- New Jersey Family Leave Act (NJFLA) – Provides up to 12 weeks of unpaid, job-protected leave for bonding or caregiving. Does not apply to the employee's own serious health condition.
- FMLA runs concurrently with TDI and FLI if the employee is eligible.

# Pregnancy and Parental Leave

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## Pregnancy and Parental Leave

- **CA:** SDI → PDL → PFL → CFRA
- **NJ:** TDI → FLI → NJFLA
- **MA:** PFML covers both medical (birth recovery) and family bonding
- Coordination with FMLA may vary based on job tenure and location

# Voluntary Paid Parental Leave

## Voluntary Paid Parental Leave (Employer Policy)

- Defined by the employer
- Often 100% paid
- May supplement statutory leave
- Common in competitive industries
- Job protection may or may not apply

# ADA and Leave

## ADA and Reasonable Accommodation Leave

### **Americans with Disabilities Act (ADA)**

- Federal law
- Enforced by the U.S. Equal Opportunity Commission (EEOC)
- Prohibits employment discrimination based on disability.
- Requires reasonable accommodations in the workplace.

### **When Leave Becomes an Accommodation:**

- ADA may require unpaid leave as accommodation.
- ADA applies across all states.
- The interactive process is essential.
- State laws may offer broader protections.







# Leave Management

# Practical Tips for Leave Management

## Tips for Effectively Managing Leave:

- Maintain clear policies
- Distribute required notices
- Track accruals, leave usage, return dates, and benefit decisions
- Communicate early and often with employees
- Partner with PrestigePEO to reduce administrative burden

# Leave Support Resources

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## Leave Support:

- Contact your Human Resources Business Partner (HRBP) to initiate the leave process.

State Portals: EDD (CA), MyLeaveBenefits (NJ), Mass.gov (MA)

# Return to Work Protocol

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## **Ensure Safe and Compliant Transitions from Leave.**

- Use Fitness-for-Duty certifications where applicable
  - Recommended for returns from medical leaves.
    - Confirms the employee is cleared to resume work by their healthcare provider.
    - Identifies any restrictions or accommodation needs.
    - Helps ensure a safe return to work.

# Compliance Considerations

# Leave Coordination Challenges

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## Top Pitfalls:

- Overpayment
- Failure to recognize leave
- Missing Notice Deadlines
- Combining PTO with leave
- Pay Offset Challenges
  - Offsetting is reducing paid leave benefits by other sources of pay during the same period





# Notice Requirements

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## Required Leave Notices for Employers:

### California

- PFL and SDI Claim Forms

### New Jersey

- FLI/TDI Rights and Fact Sheets

### Massachusetts

- PFML Notification Form (new hire and annual)

# Leave Coordination Challenges

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## Can Different Leave Types Run Concurrently?

### California:

CFRA + PFL = 

DBL + PFL = 

### New Jersey:

FMLA + TDI = 

### Massachusetts:

FMLA + PFL = 

# What is Job Protection?

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## **Job Protection:**

- Ensures reinstatement to the same or equivalent job
- Only applies if the leave type is job-protected (e.g., FMLA, MA PFML)
- No job protection: CA SDI, NJ TDI
- Partial job protection: NJ FLI (if NJFLA/FMLA eligible)

# Leave Comparison Chart

Feature	CA SDI	CA PFL	CA CFRA	MA PFML-Medical	MA PFML-Family	NJ TDI	NJ FLI	NJ FLA	FMLA
Paid?	Paid	Paid	Unpaid	Paid	Paid	Paid	Paid	Unpaid	Unpaid
Job Protected	✗	✗	✓	✓	✓	✗	✗	✓	✓
Employee's Own Condition	Yes	No	Yes	Yes	No	Yes	No	No	Yes
Family Care/Bonding	No	Yes	Yes (family)	No	Yes	No	Yes	Yes	Yes
Duration Maximum	52 weeks	8 weeks	12 weeks	20 weeks (medical)	12 weeks (family)	26 weeks	12 weeks	12 weeks	12 weeks
Funded By	Employee payroll tax	Employee payroll tax	Employer obligation	Employer & employee taxes	Employer & employee taxes	Employer & employee taxes	Employer & employee taxes	N/A	N/A

# Key Takeaways

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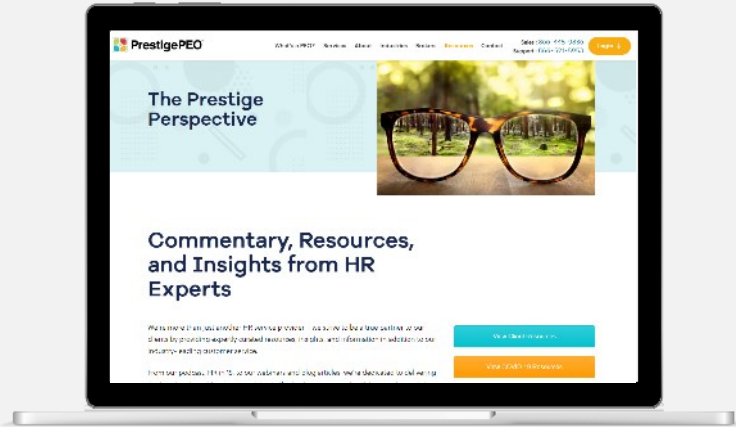
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## Key Takeaways:

- ✓ Align policies with federal, state, and local law
- ✓ Always run FMLA concurrently when eligible
- ✓ Educate employees on how to file correctly to avoid delays.
- ✓ Respond promptly and professionally to requests for leave
- ✓ Document all leave-related communications, notices, and approvals related to leave
- ✓ Collaborate with HR and legal experts to ensure compliance.
- ✓ Partner with PrestigePEO for compliance support



# Questions / Comments / Discussion?



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