

Paid Family Medical Leave (PFML)

Frequently Asked Questions for Employees

These FAQs apply only to employees in units of the Executive Branch of State government that are part of the State Personnel Management System (SPMS). Employees in units of the Executive Branch with an independent personnel system should refer to the regulations and guidance provided by their respective personnel systems on how PFML is being implemented.

Definitions and Eligibility

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 every 12 months for qualifying 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 for and bonding with your new child:
 - i. Caring for or bonding with your newborn during the first year after birth; or
 - ii. Caring 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 that prevents you from doing your job (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. Family needs from deployment of a service member:
 - 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 while on active duty status.

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 prevents you from doing your job and 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?

- a. 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),
- b. A parent (adoptive, biological, foster, or stepparent) of yourself or your spouse,
- c. Your legal guardian or the ward of you or your spouse
- d. 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,
- e. Your spouse or domestic partner
- f. Your grandparent (biological, adoptive, foster, or step)
- g. Your grandchild (biological, adoptive, foster or step)
- h. 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.

7. Who is eligible for PFML?

- a. All employees, including temporary employees, of all units in the Executive Branch of the 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 example, if you have been working an average of 10 hours a week then 10 hours a week will be the number of hours used for calculation of your PFML eligibility. You would be paid for 10 hours a week for up to 12 weeks of PFML in a 12 month period.
 - ii. By contrast, if the maximum number of hours in your contract is 20 hours per week and you've been working an average of 25 per week, then 20 hours per week will be the number of hours used for calculation for your PFML eligibility.
 - iii. For any questions regarding your hours worked, please consult your agency's human resources team.

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

- a. State of Maryland employees are eligible for PFML beginning 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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 period. The 12-month period will be measured starting the Sunday of the calendar week that you take your first day of PFML.
 - i. For example, if your first day of PFML is Monday, August 3, 2026, your 12-month period begins on Sunday, August 2, 2026 and you will have until August 1, 2027 to use any remaining PFML leave before the balance resets.

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

- a. Yes, you may receive up to an additional 12 weeks of PFML 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 in that same 12 month period.

16. What if I have more than one eligible event in a 12-month period?

- a. You may apply for PFML for any eligible event in the 12-month period as long as you have not exceeded 12 weeks of leave (up to a max of 480 hours).

17. Is there a maximum amount of PFML usage allowed during an employee's State career?

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

18. 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.

19. 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.

20. 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.
 - i. For example, you may take leave from 8am-12pm for an approved PFML intermittent absence and you may take other approved leave (personal, annual, compensatory leave, etc) from 12-4pm on the same day.

21. Can I request PFML in recurring small increments for the same condition (e.g. debilitating migraines, radiation, dialysis etc.)?

- 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 doesn't disrupt agency operations.

22. What if my intermittent need for PFML will take less than 4 hours? For example, if my doctor's appointment only requires 2 hours of leave, can I still take PFML?

- 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 will take less than four hours, you should use another form of leave or leave without pay for the appointment.

23. 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 agency's human resources department.

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

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

Application and Appeals

25. How do I apply?

- a. To apply for the PFML program, fill out the application forms found on the [PFML website](#). Contact your HR representative to determine the process to submit the forms within your agency. If you have any questions, please reach out to your agency’s human resources department.

26. 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 agency’s human resources department within 5 business days of submitting your application.

27. What happens if I do not receive an application decision from HR before I need to take PFML?

- a. If you do not receive a decision from your agency’s human resources department, 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.

28. 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 (e.g.: to your supervisor and HR point of contact) at least 30 calendar days before the first day of leave and your agency may deny your request if such notice is not provided. If the need to take PFML is unforeseeable, you should provide written notice (e.g. to your supervisor or HR point of contact) as soon as practicable.

- i. For example, if your inpatient surgery with related recovery is scheduled for October 1st, you should submit a written notice for PFML no later than September 1st.
 - ii. Written notice can be your application for PFML.
- b. You must submit a complete application for PFML no later than 60 calendar days after the first day of the leave. You may submit your application as early as 60 calendar days before the anticipated start of leave.
 - i. For example, if you are in a car accident on September 1 that results in hospitalization, you must submit an application for PFML as soon as possible, but no later than October 31.
 - ii. 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).

29. 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 medical incapacitation or other extenuating circumstances, your Agency Appointing Authority or their designee may submit one on your behalf.
- b. Once you are capable of doing so, you must submit medical or other documentation (as relevant) and any relevant application updates as soon as feasible.
- c. Your human resources department will assist with this process.

30. Do I need to tell my supervisor that I plan to apply 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 possible). Your supervisor should then refer you to HR for additional guidance.

31. 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 entitlement.

32. What do I need to do if I need to update my existing PFML application (e.g. my surgery was rescheduled or the duration of my recovery was extended)?

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

33. 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.

34. Can PFML be denied?

- a. Yes. If your application is denied, you will be notified in writing by your agency's human resources department with an explanation.

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

- a. Yes, if your application is denied, your agency's human resources department will provide information on how to contest this decision.
- b. You will have 30 calendar days after being notified of your initial denial to apply for reconsideration of the decision. If you do this, the DBM Reconsideration Unit will independently review your case and allow you to provide any updated information explaining why your application should be reconsidered. The DBM Reconsideration Unit will provide you and your agency with an update to your claim within 10 working days of receiving a complete request for reconsideration.
- c. If your request for reconsideration is denied by the DBM Reconsideration Unit, you may file a final appeal with DBM's Chief Human Resources Officer or their designee within 30 calendar days of your denial from the DBM's Reconsideration Unit. The DBM CHRO (or designee) will provide a written response within 30 working days of receiving a complete appeal. This will be the final determination of your PFML application.

Family Medical Leave Act (FMLA) and PFML

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

- a. Yes, provided you would also be eligible under FMLA, an applicable PFML absence will run at the same time as your FMLA. Your agency will send an official designation to you if you qualify for FMLA.

37. 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.

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

- a. Yes, However, if you would also qualify for PFML but choose not to apply for PFML after being notified you qualify, then the leave you take under FMLA may count against your available balance of PFML for the year.
 - i. For example, if you apply to take 5 days of FMLA leave for recovery from a surgery, your human resources department will let you know that you are also eligible for PFML. Even if you do not opt to apply for PFML, the HR department may deduct the 5 days from your 12 weeks of PFML for the year.

39. 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.

Pay / Leave

40. Will my other health benefits and time off eligibility (leave) 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.

41. 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.

42. 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 human resources department.

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

- a. Holidays will be counted against your 12 weeks of PFML during a continuous absence if you would otherwise have been paid for that holiday.

44. Do I have to contribute (e.g. through payroll deductions) to be eligible for PFML?

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

45. 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.

46. 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.

Transition from Legacy Parental Leave

47. If I am currently taking the legacy parental leave, do I need to switch over to the PFML program?

- a. Parental leave will no longer be available after June 30, 2026. If you are on an approved Parental Leave on or before June 30, 2026, you will be transferred over automatically to the PFML program without needing to apply for the remaining duration of your parental leave of absence.

48. If I took parental leave before July 1, 2026 or am currently taking the legacy parental leave, how will this affect my PFML when I apply?

- a. Any Parental leave used within the previous 12 month period, prior to being on an approved PFML absence, will be deducted from your 12 weeks of PFML.

- b. For example, if you adopted a child on June 1, 2026 and started taking Parental Leave on that day, you would be switched over to PFML effective July 1, 2026 and have 8 weeks of leave remaining under PFML for bonding with your child.

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

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

50. 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.

51. Under what circumstances am I eligible for an additional 12 weeks of PFML?

- a. You may receive up to an additional 12 weeks of PFML 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.

Transition from Leave Bank & Employee-to-Employee Donations

52. If I am currently on Leave Bank (LB) or Employee-to-Employee Donations (E-E), that is set to continue past June 30, 2026, do I need to switch over to PFML?

- a. Yes, if you are either on LB or E-E that will extend beyond June 30, 2026, you will be transitioned to PFML by your agency without the need to apply on July 1, 2026.
- b. If you are on a current LB or E-E absence you will only receive PFML through the previously approved period.

- i. For example, if you are using LB or E-E as of June 1, 2026 and were approved through August 1, 2026, the agency will place you on PFML effective July 1, 2026 through August 1, 2026.
- c. If you will not be able to return after the approved period, you will need to apply as soon as practicable for additional PFML, to include an updated PFML medical form.
 - i. Failure to provide a timely new PFML application may result in an interruption of your pay.