



Starting in January 2028, FAMLI will make it possible to take up to 12 weeks of paid leave per year—with benefits of up to \$1,000 per week — so you can take care of yourself and your family when it matters most.

When you will be able to use FAMLI

The type of leave you will apply for will depend on your situation:

- **Bonding with a new child:** Take time off to care for a newborn or prepare for or bond with a child placed with you through adoption, foster care, or kinship care during the first year after placement.
- **Your own health condition:** Take time off for a serious health condition—one that requires medical treatment or hospitalization. This includes planned procedures like surgery, significant unexpected illnesses, or managing conditions that need ongoing medical care.
- **Caring for a family member:** Take time off to provide care for a family member with a serious health condition.
- **Caring for a service member:** Take time off to provide care for a family member in uniformed service who has a serious health condition caused by their service.
- **Uniformed service family needs:** Take time off to manage needs that arise from a family member's deployment.

How FAMLI is funded

FAMLI is funded through contributions from both employers and employees who work in Maryland. Your employer will participate in either the State Plan or an approved private plan. When you take leave, that plan pays your benefits.

How much you'll pay

Your employer can withhold half of the cost of FAMLI contributions. The total rate is 0.9% of your wages up to the Social Security cap- you pay up to half of that (0.45%), and your employer pays the rest. Starting January 2027, your employer will deduct your share from each paycheck, similar to Social Security.

For example: The total contribution rate is 0.9% of your wages and you earn \$1,000 per paycheck, your share would be up to \$4.50 per paycheck.

Employer-paid contributions

Some employers will choose to pay the full contribution for their employees. Check with your employer to see if they cover any portion of your contribution.

Understanding your contributions

Your employer will collect your contribution through regular payroll deductions. All employees who work in Maryland must participate, you can't opt out, even if you're not planning to use the benefits.

Important to know: Contributions are not refundable. You won't get this money back if you don't apply for benefits, similar to other payroll contributions like Social Security.

When deductions happen

Your employer will deduct contributions during each regular pay period. If they forget to deduct contributions, they can't go back and take it later.

Small paychecks: If your paycheck is too small to cover the full contribution (this mainly affects tipped workers), your employer has up to six pay periods to collect what's owed.

How much leave you will be able to take

When benefits become available in 2028, you will be able to request up to 12 weeks of paid leave within a 12-month period. The exact amount approved will depend on your situation and qualifying event.

You can take up to 12 weeks of FAMLI leave within a 12-month period called a "benefit year." Your benefit year starts on the Sunday before your first day of leave and lasts for 12 months from that date.

Once you've used your 12 weeks, you'll need to wait until your next benefit year begins to take additional FAMLI leave (unless you qualify for an additional 12 weeks in special circumstances).

For example: If you start FAMLI leave on Wednesday, March 15, 2028, your benefit year begins on Sunday, March 12, 2028 and runs through Saturday, March 10, 2029. If you use all 12 weeks, you can access FAMLI leave again starting Sunday, March 11, 2029.

Special circumstances: If you experience your own serious health condition and welcome a child in the same year, you could be eligible for up to 12 weeks per event—for a total of up to 24 weeks. These events may be related, but don't have to be.

Spouses can both take FAMLI leave at the same time even if they work for the same employer.

How leave amounts will be decided

Three factors will be used to determine how much leave to approve:

1. The number of weeks you requested
2. The amount of leave supported by the medical professional on your certification (if required)
3. How much of your annual FAMLI leave is still available

Your approved leave will be the shortest amount among these three factors.

Continuous vs. intermittent leave

Continuous leave means taking time off from work without any breaks during the leave period. During continuous leave, you will be away from work for an uninterrupted block of time.

For example: You have surgery and need six weeks to recover. You apply to take continuous leave, remaining off work for the full six weeks without returning until your licensed healthcare provider clears you to return to work.

Intermittent leave means taking time off from work in separate blocks instead of all at once. You can take intermittent leave for a few hours at a time, a full day, or multiple days as needed, depending on your situation.

For example: You need to receive chemotherapy once a month and can work in between treatments. You apply for intermittent leave, requesting two days for treatment and recovery each month.

Minimum leave periods:

- Under the State Plan: You must take at least 4 hours at a time, unless your scheduled shift is shorter than 4 hours
- Under a private plan: Your employer's plan may allow you to take less than 4 hours at a time

Maximum weekly limits: You cannot take more hours of intermittent leave per week than you typically work. The Division determines your average weekly hours using the quarterly report with your highest earnings from the previous 4 quarters.

Scheduling and notice requirements for intermittent leave

Work with your employer to agree on your intermittent leave schedule. You must give your employer advance notice before taking intermittent leave. If you don't provide advance notice, your employer must contact the FAMLI Division before taking any disciplinary action against you.

Your employer will be notified when you apply for leave either through the State Plan or a private plan. If your leave usage doesn't match your approved schedule, your employer can request more information about how you're using FAMLI leave.

Intermittent leave approvals are valid for up to one year and only cover the period certified by your healthcare provider. If you need additional leave for the same condition after one year, you'll need to submit a new claim.

For both continuous and intermittent leave, you must update your claim within 10 days if anything changes—such as the reason for your leave, your start or end dates, or how much leave you need. Your employer will be notified of any updates by either the State or your employer’s private plan provider.

How benefits will be calculated

FAMLI benefits will be calculated per employer. You will be able to receive up to 90% of your weekly wages from each employer.

1. Your benefit amount is based on your Average Weekly Wage. Here’s how it’s calculated:
2. The Division takes your total wages from your highest-earning quarter over a year
3. That amount is divided by 13 (the number of weeks in a quarter) to get your Average Weekly Wage

Your Average Weekly Wage is compared to Maryland’s State Average Weekly Wage (SAWW)

The SAWW is calculated by the Maryland Department of Labor each year by December 15. You can find the current SAWW on the [Workers’ Compensation Commission’s website](#).

Your benefit calculation:

- If your Average Weekly Wage is 65% or less of the SAWW: You’ll receive 90% of your Average Weekly Wage
- If your Average Weekly Wage is more than 65% of the SAWW: You’ll receive 90% of 65% of the SAWW, plus 50% of your wages above that threshold

The maximum benefit is \$1,000 per week, regardless of your wages.

For example: Someone making minimum wage (\$15/hour) and working 40 hours per week earns \$600 per week. Their FAMLI benefit would be \$540 per week (90% of \$600).

If you work multiple jobs, you can file for leave from each employer, as long as each position is localized in Maryland and you’re currently employed when you request leave. You’ll file a separate claim for each employer, even if they use the same plan, and each employer will pay benefits separately.

If you change jobs, you’ll immediately be covered under your new employer’s plan—as long as your new job is localized in Maryland. It doesn’t matter if your previous and new employers use different plan types.

Claim review timeline

After you submit your claim, your employer will have 5 business days to respond to your claim, if they choose to do so. During this time, they can submit additional information, such as:

- If you’ve taken FMLA or FAMLI-eligible leave
- Whether you gave proper notice (if your employer requires it)
- If you’re receiving Workers’ Compensation or unemployment benefits
- Any concerns about the claim

Important: Your employer will not be required to respond. If they choose to respond and their response does not present any issues, your claim will be considered complete, even if it has been less than 5 days. Employer responses submitted after 5 days will still be reviewed because they may provide important information about your claim.

Once your claim is complete, the Division will have 10 business days to make a determination.

When you'll receive payment

You'll receive your first benefit payment within 5 business days after your claim is approved or your leave begins, whichever is later. After that, you'll receive payments at least every two weeks until your benefit period ends.

Important: There is no waiting or elimination period. You will be eligible for benefits starting your first day of leave.

If you provide incorrect payment information, additional time will be needed to issue or reissue your payment.