The Maryland General Assembly in 2022 passed one of the strongest paid family and medical leave programs in the country. The new law, called the **Time to Care Act**, provides 12 weeks of wage replacement and job protection for workers who need time to care for themselves or a family member, to welcome a new child into their home or to deal with the circumstances surrounding a military deployment.

Now, the work shifts to preparing for implementation of the law. One key component of implementation will be working with the executive branch to prepare the Department of Labor to oversee and run the program. At the same time, there is additional legislative work that must be done in 2023 to resolve some unanswered questions and clarify ambiguity in the original Act.

The changes the Time to Care Coalition will be seeking through legislation this General Assembly include:

- Establishing the **contribution split** between employers and employees. We are recommending that employers pay 75% of the contribution rate and employees pay 25%.

- Extending the **implementation timeline** to give the Department of Labor more time to develop regulations and procure the necessary technology to run the program.

- Requiring the Secretary of Labor to **update the contribution rates for employers and employees** on an annual basis to be responsive to the economy and current events.

- Conforming sections of the law to be **better aligned with the federal Family Medical Leave Act**.

  - This includes allowing employees to use leave to prepare for an adoption or foster care placement (such as attending court hearings or therapy appointments).

- **Removing language that required employees to use all their employer-provided leave** before they can use the State program. The current language provides a disincentive for employers to provide generous leave benefits.

- Codifying intent language from the 2022 legislation to require that the State **cover contributions for Medicaid providers and workers earning less than $15 per hour.**

- **Clarifying the grounds on which an employee can appeal a benefit determination**, to include not only the denial of benefits, but also the amount or duration of benefits under the program.

- **Incorporating best practices from other states'** experiences in implementing paid family and medical leave programs, including:

  - Requiring **annual reports** of disaggregated data on the effectiveness of the program and where there might be gaps in access.

  - Explicitly **providing employees the opportunity to file for claims in advance** of taking leave when the need is foreseeable.

  - **Clarifying that an employee cannot receive more than 100% of their wages** if they are receiving paid leave benefits from multiple sources.

- **Specifying how benefits are determined** if an employee is part of a private plan.

This legislation allows for the timely creation of an adequately funded, comprehensive and equitable paid family and medical leave program that works for everyone.

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