

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF HUMAN RESOURCES**

December 31, 2025

HUMAN RESOURCES MEMORANDUM 03-25

TO: All Human Resource Representatives

SUBJECT: Transition from Calendar Year to Rolling Year Method for Federal Family and Medical Leave (FML)

I. PURPOSE

This bulletin provides technical guidance regarding the State of Maine's transition from the calendar year method to a rolling 12-month lookback method for administering leave under the federal Family and Medical Leave Act (FMLA). This guidance is intended to ensure consistent statewide implementation and understanding of the transition rules applicable during calendar year 2026 and beyond.

II. BACKGROUND

Under federal law, employers may select from several methods to calculate the 12-month period for FML entitlement. Effective January 1, 2026, the State will transition from using a calendar year method to a rolling 12-month period measured backward from the date an employee uses FML leave.

This change aligns FML administration more closely with operational needs while remaining compliant with federal requirements.

III. TRANSITION RULE – JANUARY 1, 2026

To ensure an orderly and equitable transition, all eligible employees will be credited with a full 12 weeks of federal FML entitlement on January 1, 2026. This credit applies regardless of any federal FML leave used during calendar year 2025.

Beginning January 1, 2026, all federal FML leave taken will be tracked and counted using the rolling year methodology, although no lookback will be applied during calendar year 2026.

IV. APPLICATION DURING CALENDAR YEAR 2026

Employees may use up to 12 weeks of federal FML leave for qualifying reasons. All federal FML leave used between January 1, 2026, and December 31, 2026, will be recorded and retained for future lookback purposes. No reduction in entitlement will occur in 2026 based on prior usage before January 1, 2026.

V. IMPLEMENTATION OF ROLLING LOOKBACK – JANUARY 1, 2027

Starting on January 1, 2027, the State will fully implement the rolling 12-month lookback method. When an employee requests federal FML leave, the State will look back 12 months from the requested start date and subtract any federal FML leave used during that period. All federal FML leave used during calendar year 2026 will be included in the lookback calculation beginning January 1, 2027.

Example:

If an employee requests federal FML leave on February 1, 2027, the State will review federal FML leave taken between February 1, 2026, and January 31, 2027, to determine the remaining entitlement.

VI. DISTINCTION BETWEEN FEDERAL FML AND MAINE PAID FAMILY AND MEDICAL LEAVE (PFML)

Employees are advised that:

- The State's Paid Family and Medical Leave (PFML) program is a separate and distinct benefit from federal FML.
- Eligibility, entitlement amounts, benefit payments, and administrative rules for PFML are governed by state law and program-specific guidance, not by the federal FMLA or Bureau guidance.
- Use of PFML does not expand or replace federal FML entitlements, although the leaves will run concurrently when permitted by law.

- Questions regarding PFML eligibility or benefits should be directed to the appropriate PFML program resources.

VII. Effect on State FML Policy

The State's Primary Family and Medical Leave Policy and Grandparent Family and Medical Leave Policy, and any associated guidance, are superseded by this Memorandum insofar as there are conflicts. The remainder of these policies remains in full effect. All policies will be updated to incorporate this guidance in the regular course.

VIII. ADMINISTRATION AND QUESTIONS

Human Resources staff are responsible for ensuring the consistent application of this transition across departments. Employees with questions regarding their individual leave balances or eligibility should contact their agency's Human Resources Office.

Additional guidance will be issued as needed.

Michael J. Dunn-----

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Bureau of Human Resources